

MAR 7 1994

APPROPRIATIONS CALENDAR

HOUSE FILE 2376

BY COMMITTEE ON APPROPRIATIONS

(P. 831) Passed House, Date 3/23/94 (P. 1049) Passed Senate, Date 4-6-94
 Vote: Ayes 79 Nays 19 Vote: Ayes 49 Nays 1
 Approved Item Rejected 5/13/94

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, the department of human rights, and the commission of
 5 veterans affairs.

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

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HF 2376

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 1994, and ending June 30, 1995, 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	\$	1,370,334
11	FTEs	95.00

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, 1994,
15 and ending June 30, 1995, 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	\$	1,083,962
22	FTEs	29.00

23 1. The department shall seek alternatives to travel
24 through the use of video and teleconferencing technology.

25 2. If the anticipated amount of federal funding from the
26 federal equal employment opportunity commission and the
27 federal department of housing and urban development exceeds
28 \$387,900 during the fiscal year beginning July 1, 1994, and
29 ending June 30, 1995, the Iowa state civil rights commission
30 may exceed their authorized staffing level to hire additional
31 professional staff to investigate employment and housing
32 complaints.

33 Sec. 3. DEPARTMENT OF ELDER AFFAIRS. There is
34 appropriated from the general fund of the state to the
35 department of elder affairs for the fiscal year beginning July

1 1, 1994, and ending June 30, 1995, the following amounts, or
2 so much thereof as is necessary, to be used for the purposes
3 designated:

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

7	\$	429,287
8	FTEs	28.50

9 The department shall seek alternatives to travel through
10 the use of video and teleconferencing technology.

11 2. For aging programs and services:

12	\$	2,319,893
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13 All funds appropriated in this subsection shall be received
14 and disbursed by the director of elder affairs for aging
15 programs and services, shall not be used by the department for
16 administrative purposes, not more than \$151,654 shall be used
17 for area agencies on aging administrative purposes, and shall
18 be used for citizens of Iowa over 60 years of age for case
19 management for the frail elderly, mental health outreach,
20 Alzheimer's support, retired senior volunteer program, care
21 review committee coordination, employment, adult day care,
22 respite care, chore services, telephone reassurance,
23 information and assistance, and home repair services,
24 including the winterizing of homes, and for the construction
25 of entrance ramps which make residences accessible to the
26 physically handicapped. Funds appropriated in this subsection
27 may be used to supplement federal funds under federal
28 regulations. Funds appropriated in this subsection may be
29 used for elderly services not specifically enumerated in this
30 subsection only if approved by an area agency on aging for
31 provision of the service within the area.

32 The department shall maintain policies and procedures
33 regarding Alzheimer's support and the retired senior volunteer
34 program. To receive funds appropriated in this subsection, a
35 local area agency on aging shall match the funds with funds

1 from other sources according to rules promulgated by the
2 department.

3 Sec. 4. DEPARTMENT OF PUBLIC HEALTH. There is
4 appropriated from the general fund of the state to the Iowa
5 department of public health for the fiscal year beginning July
6 1, 1994, and ending June 30, 1995, the following amounts, or
7 so much thereof as is necessary, to be used for the purposes
8 designated:

9 1. a. PLANNING AND ADMINISTRATION DIVISION

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

13	\$	2,044,397
14	FTEs	60.40

15 The department shall seek alternatives to travel through
16 the use of video and teleconferencing technology.

17 Of the funds appropriated in this lettered paragraph,
18 \$743,949 shall be used for the chronic renal disease program.
19 The types of assistance available to eligible recipients under
20 the program may include hospital and medical expenses, home
21 dialysis supplies, insurance premiums, travel expenses,
22 prescription and nonprescription drugs, and lodging expenses
23 for persons in training. The program expenditures shall not
24 exceed this allocation. If projected expenditures will exceed
25 the allocation, the department shall establish by
26 administrative rule a mechanism to reduce financial assistance
27 under the renal disease program in order to keep expenditures
28 within the allocations.

29 Hospitals shall not collect fees for birth certificates in
30 excess of the fees as set out in the administrative rules of
31 the Iowa department of public health.

32 Of the funds appropriated in this lettered paragraph,
33 \$100,000 shall be used to provide regulatory oversight of
34 accountable health plans.

35 b. PROFESSIONAL LICENSURE

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

4 \$ 745,895
5 FTEs 11.00

6 The department shall confer with the boards funded under
7 this lettered paragraph in estimating the boards' annual fee
8 generation and administrative costs. When the department
9 develops each board's annual budget, a board's budget shall
10 not exceed 85 percent of fees collected, based on the average
11 of the previous two years.

12 c. HEALTH DELIVERY SYSTEMS

13 (1) For salaries, support, maintenance, miscellaneous
14 purposes, and for not more than the following full-time
15 equivalent positions:

16 \$ 1,264,037
17 FTEs 17.00

18 (2) Of the funds appropriated in this lettered paragraph,
19 \$149,151 is allocated for the office of rural health to
20 provide technical assistance to rural areas in the area of
21 health care delivery.

22 (3) Of the funds appropriated in this lettered paragraph,
23 \$1,010,886 shall be used for the training of emergency medical
24 services (EMS) personnel at the state, county, and local
25 levels.

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

1 (4) Of the funds appropriated in this lettered paragraph,
2 \$104,000 shall be used to develop, implement, and maintain
3 rural health provider recruitment and retention efforts.

4 d HEALTH DATA COMMISSION

5 For the health data commission:

6 \$ 240,250

7 The funds appropriated in this lettered paragraph shall be
8 used for the collection, verification, updating, and storage
9 of data, including long-term care data, received pursuant to
10 chapters 145 and 255A, and for the production of mandated
11 reports. The health data commission shall establish a fee
12 schedule, in consultation with its consultant, for the costs
13 of providing data to organizations which request the data.

14 The fee established shall be based upon the marginal cost and
15 a portion of the fixed cost of providing the data.

16 Prior to December 1, 1994, the commission shall submit to
17 the general assembly a useful, comprehensive report for use by
18 members of the general assembly in making informed decisions
19 on public policy issues involving health.

20 2. HEALTH PROTECTION DIVISION

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

24 \$ 2,246,543

25 FTEs 75.37

26 b. Of the funds appropriated in this subsection, \$75,000
27 shall be used for chlamydia testing.

28 c. Of the funds appropriated in this subsection, \$15,000
29 is allocated to support the surveillance and reporting of
30 disabilities suffered by persons engaged in agriculture
31 resulting from diseases or injuries, including identifying the
32 amount and severity of agriculture-related injuries and
33 diseases in the state, identifying causal factors associated
34 with agriculture-related injuries and diseases, and evaluating
35 the effectiveness of intervention programs designed to reduce

1 injuries and diseases. The department shall cooperate with
2 the department of agriculture and land stewardship, Iowa state
3 university of science and technology, and the college of
4 medicine at the state university of Iowa in accomplishing
5 these duties.

6 d. Of the funds appropriated in this subsection, \$74,547
7 shall be used for the lead abatement program.

8 e. Of the funds appropriated in this subsection, \$38,046
9 shall be used for radon program activities. The department
10 shall also retain \$30,000 of federal radon funds for
11 additional radon program activities.

12 f. The state university of Iowa hospitals and clinics
13 shall not receive indirect costs from the funds appropriated
14 in this subsection.

15 g. The division shall seek alternatives to travel through
16 the use of video and teleconferencing technology.

17 3. SUBSTANCE ABUSE AND HEALTH PROMOTION DIVISION

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

21	\$	604,663
22	FTEs	27.73

23 The department shall seek alternatives to travel through
24 the use of video and teleconferencing technology.

25 (1) The division shall create a task force composed of
26 substance abuse treatment and prevention providers regardless
27 of funding source to study treatment and prevention service
28 areas and the fiscal implications of awarding funds to more
29 than one provider per service area.

30 (2) The substance abuse division of the department of
31 public health shall investigate the feasibility of applying
32 for a grant to receive federal "section 402," "motorcycle
33 helmet" transfer funds to be used for adolescent substance
34 abuse prevention and, if feasible, shall apply for the funds.

35 (3) It is the intent of the general assembly that by July

1 1, 1997, the commission on substance abuse, in conjunction
 2 with the division, shall coordinate delivery of substance
 3 abuse services involving prevention, social and medical
 4 detoxification, and other treatment by medical and nonmedical
 5 providers to uninsured and court-ordered substance abuse
 6 patients in all counties of the state. Not more than \$500,000
 7 shall be used for social and medical detoxification. The
 8 department shall develop a payment formula which provides an
 9 initial partial reimbursement at a percentage rate established
 10 by rule for services of covered claims during the first
 11 quarter of the fiscal year. At the end of each quarter of the
 12 fiscal year, the department shall compare the amount expended
 13 and adjust reimbursement for the upcoming quarter payments to
 14 each provider which uniformly increases or decreases the
 15 reimbursement percentage to the level permitted by the fiscal
 16 quarter's appropriation, but not exceeding 100 percent
 17 reimbursement. The formula for payment to providers shall
 18 balance formula factors of financial need of the providers,
 19 county per capita usage, and maximum daily rate. If funds
 20 remain for a quarter reimbursing at 100 percent, they shall be
 21 carried over to the next quarter. Moneys provided under this
 22 subparagraph shall not be used to supplant any existing funds.
 23 An annual report shall be provided to the legislative fiscal
 24 bureau on all claims submitted to the division for uninsured
 25 and court-ordered medical and social detoxification. A plan
 26 outlining the coordination activities and projects shall be
 27 developed by January 1, 1995. Projects under the plan shall
 28 be implemented during the fiscal year beginning July 1, 1995,
 29 and ending June 30, 1996, provided the projects can be funded
 30 within budget limitations.

31 b. For program grants:
 32 \$ 8,390,159
 33 Of the funds appropriated in this lettered paragraph,
 34 \$193,500 shall be used for the provision of aftercare services
 35 for persons completing substance abuse treatment.

1 4. FAMILY AND COMMUNITY HEALTH DIVISION

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

5	\$ 3,042,496
6	FTEs 58.50

7 (1) Of the funds appropriated in this lettered paragraph
8 at least \$587,865 shall be allocated for the birth defects and
9 genetics counseling program and of these funds, \$279,402 shall
10 be allocated for regional genetic counseling services
11 contracted from the state university of Iowa hospitals and
12 clinics under the control of the state board of regents.

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

18 (a) Mobile and regional child health specialty clinics:	
19	\$ 392,931

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

23 (b) Muscular dystrophy and related genetic disease	
24 programs:	
25	\$ 115,613

26 (c) Statewide perinatal program:	
27	\$ 61,693

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

33 (4) Of the funds allocated to the mobile and regional
34 child health specialty clinics in subparagraph (2),
35 subparagraph subdivision (a), \$97,937 shall be used for a

1 specialized medical home care program providing care planning
2 and coordination of community support services for children
3 who require technical medical care in the home.

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

7 (6) Of the funds appropriated in this lettered paragraph,
8 \$1,001,209 shall be used for maternal and child health
9 services.

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

18 (8) The department shall budget for the fiscal year
19 beginning July 1, 1995, for the programs in the family and
20 community health division in accordance with the performance-
21 based budgeting method. Notwithstanding section 8.23, the
22 department is not required to submit a budget for the programs
23 using 75 percent based budgeting and decision package
24 methodology.

25 The department shall track the programs which were in the
26 family and community health division in the fiscal year
27 beginning July 1, 1991, in accordance with the program
28 performance-based budgeting method.

29 (9) The department shall work with the department of elder
30 affairs to realize the "Healthy Iowans 2000" goal of providing
31 nutrition screening to 90 percent of the elderly persons
32 participating in well-elderly screening clinics, congregate
33 meal programs, and home care aide programs, and shall submit a
34 progress report to the general assembly by January 1, 1995,
35 regarding the number of personnel trained and the number of

1 persons served.

2 (10) The department shall continue efforts to realize the
3 "Healthy Iowans 2000" goal of the involvement of 50 counties
4 in the Iowa community nutrition coalition and shall submit a
5 progress report to the general assembly by January 1, 1995.

6 (11) The department shall seek alternatives to travel
7 through the use of video and teleconferencing technology.

8 b. Sudden infant death syndrome autopsies:

9 For reimbursing counties for expenses resulting from autop-
10 sies of suspected victims of sudden infant death syndrome
11 required under section 331.802, subsection 3, paragraph "j":
12 \$ 9,675

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

15 \$ 2,511,871

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

25 (2) One-fourth of the total amount to be allocated shall
26 be divided so that an equal amount is available for use in
27 each county in the state. Three-fourths of the total amount
28 to be allocated shall be divided so that the share available
29 for use in each county is proportionate to the number of
30 elderly and low-income persons living in that county in
31 relation to the total number of elderly and low-income persons
32 living in the state.

33 (3) In order to receive allocations under this lettered
34 paragraph, the local board of health having jurisdiction shall
35 prepare a proposal for the use of the allocated funds

1 available for that jurisdiction that will provide the maximum
2 benefits of expanded public health nursing care to elderly and
3 low-income persons in the jurisdiction. After approval of the
4 proposal by the department, the department shall enter into a
5 contract with the local board of health. The local board of
6 health shall subcontract with a nonprofit nurses' association,
7 an independent nonprofit agency, or a suitable local
8 governmental body to use the allocated funds to provide public
9 health nursing care. Local boards of health shall make an
10 effort to prevent duplication of services.

11 (4) If by July 30 of the fiscal year, the department is
12 unable to conclude contracts for use of the allocated funds in
13 a county, the department shall consider the unused funds
14 appropriated under this lettered paragraph an unallocated
15 pool. If the unallocated pool is \$50,000 or more it shall be
16 reallocated to the counties in substantially the same manner
17 as the original allocations. The reallocated funds are
18 available for use in those counties during the period
19 beginning January 1 and ending June 30 of the fiscal year. If
20 the unallocated pool is less than \$50,000, the department may
21 allocate it to counties with demonstrated special needs for
22 public health nursing.

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

28 (6) The department shall annually evaluate the success of
29 the public health nursing program. The evaluation shall
30 include the extent to which the program reduced or prevented
31 inappropriate institutionalization, the extent to which the
32 program increased the availability of public health nursing
33 care to elderly and low-income persons, and the extent of
34 public health nursing care provided to elderly and low-income
35 persons. The department shall submit a report of each annual

1 evaluation to the governor and the general assembly.

2 d. For grants to county boards of supervisors for the home
3 care aide program:

4 \$ 8,586,716

5 Funds appropriated in this lettered paragraph shall be used
6 to provide home care aide services with emphasis on services
7 to elderly and persons below the poverty level and children
8 and adults in need of protective services with the objective
9 of preventing or reducing inappropriate institutionalization.

10 In addition, up to 15 percent of the funds appropriated in
11 this lettered paragraph may be used to provide chore services.

12 The funds shall not be used for any other purposes. In
13 providing services to elderly persons, the service provider
14 shall coordinate efforts with the integrated case management
15 for the frail elderly program of the department of elder
16 affairs. As used in this lettered paragraph:

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

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

31 (3) "Home care aide services" means services intended to
32 enhance the capacity of household members to attain or
33 maintain the independence of the household members and
34 provided by trained and supervised workers to individuals or
35 families, who, due to the absence, incapacity, or limitations

1 of the usual homemaker, are experiencing stress or crisis.
2 The services include but are not limited to essential
3 shopping, housekeeping, meal preparation, child care, respite
4 care money management and consumer education, family
5 management, personal services, transportation and providing
6 information, assistance, and household management.

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

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

17 The amount appropriated in this lettered paragraph shall be
18 allocated for use in the counties of the state. Fifteen
19 percent of the amount shall be divided so that an equal amount
20 is available for use in each county in the state. The
21 following percentages of the remaining amount shall be
22 allocated to each county according to that county's proportion
23 of residents with the following demographic characteristics:
24 60 percent according to the number of elderly persons living
25 in the county, 20 percent according to the number of persons
26 below the poverty level living in the county, and 20 percent
27 according to the number of substantiated cases of child abuse
28 in the county during the three most recent fiscal years for
29 which data is available.

30 In order to receive allocations in this lettered paragraph,
31 the county board of supervisors, after consultation with the
32 local boards of health, human services county cluster boards,
33 area agency on aging advisory council, local office of the
34 department of human services, and other in-home health care
35 provider agencies in the jurisdiction, shall prepare a

1 proposal for the use of the allocated funds available for that
2 jurisdiction that will provide the maximum benefits of home
3 care aide services to elderly and low-income persons and
4 children and adults in need of protective services in the
5 jurisdiction. An agency requesting service or financial
6 information about a current subcontractor shall provide
7 similar information concerning its own home care aide or chore
8 services program to the current subcontractor. The proposal
9 may provide that a maximum of 15 percent of the allocated
10 funds will be used to provide chore services. The proposal
11 shall include a statement assuring that children and adults in
12 need of protective services are given priority for home care
13 aide services and that the appropriate local agencies have
14 participated in the planning for the proposal. After approval
15 of the proposal by the department, the department shall enter
16 into a contract with the county board of supervisors or a
17 governmental body designated by the county board of
18 supervisors. The county board of supervisors or its designee
19 shall subcontract with a nonprofit nurses' association, an
20 independent nonprofit agency, the department of human
21 services, or a suitable local governmental body to use the
22 allocated funds to provide home care aide services and chore
23 services providing that the subcontract requires any service
24 provided away from the home to be documented in a report
25 available for review by the department, and that each home
26 care aide subcontracting agency shall maintain the direct
27 service workers' time assigned to direct client service at 70
28 percent or more of the workers' paid time and that not more
29 than 35 percent of the total cost of the service be included
30 in the combined costs for service administration and agency
31 administration. The subcontract shall require that each home
32 care aide subcontracting agency shall pay the employer's
33 contribution of social security and provide workers'
34 compensation coverage for persons providing direct home care
35 aide service and meet any other applicable legal requirements

1 of an employer-employee relationship.

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

27 The department shall maintain rules governing the
28 expenditure of funds appropriated in this lettered paragraph.
29 The rules require each local agency receiving funds to
30 establish and use a sliding fee scale for those persons able
31 to pay for all or a portion of the cost of the services and
32 shall require the payments to be applied to the cost of the
33 services. The department shall also maintain rules for
34 standards regarding training, supervision, recordkeeping,
35 appeals, program evaluation, cost analysis, and financial

1 audits, and rules specifying reporting requirements.

2 The department shall annually evaluate the success of the
3 home care aide program. The evaluation shall include a
4 description of the program and its implementation, the extent
5 of local participation, the extent to which the program
6 reduced or prevented inappropriate institutionalization, the
7 extent to which the program provided or increased the
8 availability of home care aide services to elderly and low-
9 income persons and children and adults in need of protective
10 services, any problems and recommendations concerning the
11 program, and an analysis of the costs of services across the
12 state. The department shall submit a report of the annual
13 evaluation to the governor and the general assembly.

14 e. For the development and maintenance of well-elderly
15 clinics in the state:

16 \$ 585,337

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

21 f. For the physician care for children program:

22 \$ 411,187

23 The physician services shall be subject to managed care and
24 selective contracting provisions and shall be used to provide
25 treatment of the children in a physician's office and shall
26 include coverage of diagnostic procedures and prescription
27 drugs required for the treatment. Services provided under
28 this lettered paragraph shall be reimbursed according to
29 medical assistance reimbursement rates.

30 g. For primary and preventive health care for children:

31 \$ 75,000

32 Funds appropriated in this lettered paragraph shall be for
33 the public purpose of providing a renewable grant, following a
34 request for proposals, to a statewide charitable organization
35 within the meaning of section 501(c)(3) of the Internal

1 Revenue Code which was organized prior to April 1, 1989, and
2 has as one of its purposes the sponsorship or support for
3 programs designed to improve the quality, awareness, and
4 availability of health care for the young, to serve as the
5 funding mechanism for the provision of primary health care and
6 preventive services to children in the state who are uninsured
7 and who are not eligible under any public plan of health
8 insurance, provided all of the following conditions are met:

9 (1) The organization shall provide a match of four dollars
10 in advance of each state dollar provided.

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

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

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

24 h. For the healthy family program:
25 \$ 665,000

26 The moneys appropriated in this lettered paragraph shall be
27 granted pursuant to 1992 Iowa Acts, Second Extraordinary
28 Session, chapter 1001, section 415. The administrative
29 entities shall work collaboratively to assure continuity of
30 the provision of services from the prenatal to the preschool
31 period to an individual client by having a single resource
32 mother work with that client. The department shall submit an
33 annual report to the general assembly concerning the
34 efficiency of the program and make any recommendations for
35 improvements.

1 5. STATE BOARD OF DENTAL EXAMINERS

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

5	\$	257,049
6	FTEs	4.00

7 The board shall seek alternatives to travel through the use
8 of video and teleconferencing technology.

9 6. STATE BOARD OF MEDICAL EXAMINERS

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

13	\$	979,949
14	FTEs	18.00

15 The board shall seek alternatives to travel through the use
16 of video and teleconferencing technology.

17 7. STATE BOARD OF NURSING EXAMINERS

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

21	\$	874,166
22	FTEs	16.00

23 The board shall seek alternatives to travel through the use
24 of video and teleconferencing technology.

25 8. STATE BOARD OF PHARMACY EXAMINERS

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

29	\$	652,224
30	FTEs	11.00

31 The board shall seek alternatives to travel through the use
32 of video and teleconferencing technology.

33 9. The state board of medical examiners, the state board
34 of pharmacy examiners, the state board of dental examiners,
35 and the state board of nursing examiners shall prepare

1 estimates of projected receipts to be generated by the
2 licensing, certification, and examination fees of each board
3 as well as a projection of the fairly apportioned
4 administrative costs and rental expenses attributable to each
5 board. Each board shall annually review and adjust its
6 schedule of fees so that, as nearly as possible, projected
7 receipts equal projected costs.

8 10. The state board of medical examiners, the state board
9 of pharmacy examiners, the state board of dental examiners,
10 and the state board of nursing examiners shall retain their
11 individual executive officers, but are strongly encouraged to
12 share administrative, clerical, and investigative staffs to
13 the greatest extent possible.

14 Sec. 5. DEPARTMENT OF HUMAN RIGHTS. There is appropriated
15 from the general fund of the state to the department of human
16 rights for the fiscal year beginning July 1, 1994 and ending
17 June 30, 1995, the following amounts, or so much thereof as is
18 necessary, to be used for the purposes designated:

19 1. CENTRAL ADMINISTRATION DIVISION

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

23	\$	176,836
24	FTEs	6.60

25 The division shall seek alternatives to travel through the
26 use of video and teleconferencing technology.

27 2. COMMUNITY ACTION AGENCIES DIVISION

28 For the expenses of the community action agencies
29 commission:

30	\$	3,401
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31 The division shall seek alternatives to travel through the
32 use of video and teleconferencing technology.

33 3. DEAF SERVICES DIVISION

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

1 tions:

2	\$	288,900
3	FTEs	8.00

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

9 4. PERSONS WITH DISABILITIES DIVISION

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

13	\$	101,393
14	FTEs	2.00

15 The division shall seek alternatives to travel through the
16 use of video and teleconferencing technology.

17 5. LATINO AFFAIRS DIVISION

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

21	\$	96,003
22	FTEs	2.00

23 The division shall seek alternatives to travel through the
24 use of video and teleconferencing technology.

25 6. STATUS OF WOMEN DIVISION

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

29	\$	391,644
30	FTEs	4.50

31 a. Of the funds appropriated in this subsection, at least
32 \$125,775 shall be spent for the displaced homemaker program.

33 b. Of the funds appropriated in this subsection, at least
34 \$42,750 shall be spent for domestic violence and sexual
35 assault-related grants.

1 c. Of the funds appropriated in this subsection, at least
2 \$45,241 shall be spent for the mentoring project for family
3 investment program participants developed in accordance with
4 section 239.22.

5 The division shall seek alternatives to travel through the
6 use of video and teleconferencing technology.

7 7. STATUS OF AFRICAN-AMERICANS DIVISION

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

11	\$	85,877
12	FTEs	2.00

13 The division shall seek alternatives to travel through the
14 use of video and teleconferencing technology.

15 8. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

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

19	\$	363,866
20	FTEs	9.75

21 The division shall seek alternatives to travel through the
22 use of video and teleconferencing technology.

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

27 b. Of the funds appropriated in this subsection, at least
28 \$36,300 shall be spent for expenses relating to the
29 administration of federal funds for juvenile assistance. It
30 is the intent of the general assembly that the department of
31 human rights employ sufficient staff to meet the federal
32 funding match requirements established by the federal office
33 for juvenile justice delinquency prevention. The governor's
34 advisory council on juvenile justice shall determine the
35 staffing level necessary to carry out federal and state

1 mandates for juvenile justice.

2 9. PROGRAM PERFORMANCE-BASED BUDGETING. The department
3 shall track all appropriations made to the programs of the
4 department in the fiscal year beginning July 1, 1995, in
5 accordance with the program performance-based budgeting
6 method.

7 10. GRANT WRITING. The divisions of the department of
8 human rights shall retain their individual administrators, but
9 are strongly encouraged to share staff to the greatest extent
10 possible and especially for the purpose of grant writing.

11 Sec. 6. COMMISSION OF VETERANS AFFAIRS. There is
12 appropriated from the general fund of the state to the
13 commission of veterans affairs for the fiscal year beginning
14 July 1, 1994, and ending June 30, 1995, the following amounts,
15 or so much thereof as is necessary, to be used for the
16 purposes designated:

17 1. COMMISSION OF VETERANS AFFAIRS ADMINISTRATION

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

21	\$	147,244
22	FTEs	4.00

23 The commission shall seek alternatives to travel through
24 the use of video and teleconferencing technology.

25 The commission of veterans affairs may use the gifts
26 accepted by the chairperson of the commission of veterans
27 affairs, or designee, and other resources available to the
28 commission for use at its Camp Dodge office. The commission
29 shall report annually to the governor and the general assembly
30 on monetary gifts received by the commission for the Camp
31 Dodge office.

32 2. WAR ORPHANS

33 For the war orphans educational aid fund established
34 pursuant to chapter 35:

35	\$	4,800
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1 3. IOWA VETERANS HOME

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

5	\$	35,432,032
6	FTEs	777.08

7 The veterans home shall seek alternatives to travel through
8 the use of video and teleconferencing technology.

9 The Iowa veterans home may use the gifts accepted by the
10 chairperson of the commission of veterans affairs and other
11 resources available to the commission for use at the Iowa
12 veterans home.

13 If medical assistance revenues are expanded at the Iowa
14 veterans home, and this expansion results in medical
15 assistance reimbursements which exceed the amount budgeted for
16 that purpose in the fiscal year beginning July 1, 1994, and
17 ending June 30, 1995, the Iowa veterans home may expend the
18 excess amounts to exceed the number of full-time equivalent
19 positions authorized in this section for the purpose of
20 meeting related certification requirements or to provide
21 additional beds. The expenditure of additional funds
22 received, as outlined in this paragraph, is subject to the
23 approval by the department of management. Any funds which are
24 saved by reorganizing the department of human rights pursuant
25 to Senate File 2144, if enacted by the Seventy-fifth General
26 Assembly, shall be appropriated to the veterans home.

27 Sec. 7. INTERIM STUDIES -- SUBSTANCE ABUSE CARE AND
28 TREATMENT PROGRAM AND DEPARTMENT OF HUMAN RIGHTS.

29 1. The legislative council is requested to provide for a
30 study of programs and services available in this state for
31 substance abuse care and treatment, the continuum of needs of
32 substance abusers and whether the needs are being met
33 satisfactorily, funding available for substance abuse care and
34 treatment, including federal and state moneys, and payment
35 mechanisms for the care and treatment, including medical

1 assistance and third-party sources of payment, and the
2 limitations of the payment. The study shall include a report
3 to the general assembly, with recommendations to address
4 identified problem areas on or before January 15, 1995.

5 2. The legislative council is requested to provide for a
6 study of the organizational structure of the department of
7 human rights. The study shall include a report to the general
8 assembly, with identified problem areas, on or before January
9 15, 1995.

10 Sec. 8. LEASE-PURCHASE -- BUDGET SUBMISSION. This section
11 applies to each state agency receiving an appropriation in
12 this Act. The departmental estimate required under section
13 8.23 for the fiscal period beginning July 1, 1995, which
14 includes the state agency, shall provide an itemized list
15 indicating the nature and amount of each lease-purchase
16 contract payment included in the estimate for proposed
17 contracts which have not been reported by the state agency to
18 the legislative fiscal committee of the legislative council
19 pursuant to section 8.46 prior to the submission of the
20 estimate. The governor shall include in the governor's budget
21 for the fiscal year beginning July 1, 1995, a listing
22 indicating the nature and amount of each lease-purchase
23 contract which was itemized in a departmental estimate in
24 accordance with this section and is included in the governor's
25 budget. A state agency receiving an appropriation in this Act
26 shall not enter into a lease-purchase contract during the
27 fiscal year beginning July 1, 1995, unless the contract was
28 itemized in a departmental estimate and included in the
29 governor's budget in accordance with this section.

30 Sec. 9. Section 35.9, Code 1993, is amended to read as
31 follows:

32 35.9 EXPENDITURE BY COMMISSION.

33 The commission of veterans affairs may expend not more than
34 four six hundred dollars per year for any one child who has
35 lived in the state of Iowa for two years preceding application

1 for did, and who is the child of a person who died during
2 World War I between the dates of April 6, 1917, and June 2,
3 1921, or during World War II between the dates of September
4 16, 1940, and December 31, 1946, both dates inclusive, or the
5 Korean Conflict between June 25, 1950, and January 31, 1955,
6 both dates inclusive, or the Vietnam Conflict between August
7 5, 1964, and May 7, 1975, both dates inclusive, or the Persian
8 Gulf Conflict at any time between August 2, 1990, and the date
9 the president or the congress of the United States declares a
10 permanent cessation of hostilities, both dates inclusive,
11 while serving in the military or naval forces of the United
12 States, to include members of the reserve components
13 performing service or duties required or authorized under
14 chapter 39, United States Code and Title 32, United States
15 Code, sections 502 through 505, and active state service
16 required or authorized under chapter 29A, or as a result of
17 such service, to defray the expenses of tuition,
18 matriculation, laboratory and similar fees, books and
19 supplies, board, lodging, and any other reasonably necessary
20 expense for such child or children incident to attendance in
21 this state at an educational or training institution of
22 college grade, or in a business or vocational training school
23 with standards approved by the commission of veterans affairs.
24 However, if congress enacts a date different from August 2,
25 1990, as the beginning of the Persian Gulf Conflict for
26 purposes of determining whether a veteran is entitled to
27 receive military benefits as a veteran of the Persian Gulf
28 Conflict, that date shall be substituted for August 2, 1990.

29 A child eligible to receive funds under this section shall
30 not receive more than ~~two~~ three thousand dollars under this
31 section during the child's lifetime.

32 Sec. 10. REPEAL. Sections 125.12 and 125.25 are repealed
33 effective July 1, 1997.

34 EXPLANATION

35 This bill makes appropriations for the 1994-1995 fiscal

1 year to the department for the blind, the civil rights
2 commission, the state commission of veterans affairs, and the
3 departments of elder affairs, public health, and human rights.

4 The bill affects the budget submission process for FY 1995-
5 1996. The family and community health division of the
6 department of public health's program budget for FY 1995-1996,
7 is to be developed in accordance with the performance-based
8 budget method rather than the modified zero-base budget
9 required by section 8.23.

10 Also for FY 1995-1996, state agencies receiving an
11 appropriation in the bill are required to submit an itemized
12 list of the lease-purchase contract payment amounts which are
13 included in their budget estimates but have not been reported
14 to the legislative fiscal committee. Agencies are prohibited
15 from entering into a lease-purchase contract unless this
16 requirement is met and the governor includes the contract
17 amounts in the governor's budget.

18 The bill also amends section 35.9 to allow the commission
19 of veterans affairs to provide increased assistance for the
20 schooling of children of persons who died during previous wars
21 including the Persian Gulf Conflict.

22 The bill repeals the following two substance abuse
23 provisions effective July 1, 1997: section 125.12, relating
24 to requirements for the Iowa department of public health to
25 implement a regional substance abuse treatment program and
26 section 125.25, relating to requirements for local substance
27 abuse programs to submit a line item budget.

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(P. 835) 3/24/94 Senate - approp
(P. 1034) 4/5/94 Senate - Amend/Do Pass
W/ 55463

HOUSE FILE 2376
BY COMMITTEE ON APPROPRIATIONS

(As Amended and Passed by the House March 23, 1994)

Passed House, ^{P. 1240} Date 4-8-94 Passed Senate, ^(P. 1049) Date 4-6-94
Vote: Ayes 78 Nays 19 Vote: Ayes 49 Nays 1
Approved Osten/Wetzel 5/13/94

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, the department of human rights, and the commission of
5 veterans affairs, and providing an effective date.

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

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House Amendments _____

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 1994, and ending June 30, 1995, 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	\$	1,370,334
11	FTEs	95.00

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, 1994,
15 and ending June 30, 1995, 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	\$	1,083,962
22	FTEs	29.00

23 1. The department shall seek alternatives to travel
24 through the use of video and teleconferencing technology.

25 2. If the anticipated amount of federal funding from the
26 federal equal employment opportunity commission and the
27 federal department of housing and urban development exceeds
28 \$387,900 during the fiscal year beginning July 1, 1994, and
29 ending June 30, 1995, the Iowa state civil rights commission
30 may exceed their authorized staffing level to hire additional
31 professional staff to investigate employment and housing
32 complaints.

33 Sec. 3. DEPARTMENT OF ELDER AFFAIRS. There is
34 appropriated from the general fund of the state to the
35 department of elder affairs for the fiscal year beginning July

1 1, 1994, and ending June 30, 1995, the following amounts, or
2 so much thereof as is necessary, to be used for the purposes
3 designated:

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

7	\$	429,287
8	FTEs	28.50

9 The department shall seek alternatives to travel through
10 the use of video and teleconferencing technology.

11 2. For aging programs and services:

12	\$	2,319,893
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13 All funds appropriated in this subsection shall be received
14 and disbursed by the director of elder affairs for aging
15 programs and services, shall not be used by the department for
16 administrative purposes, not more than \$151,654 shall be used
17 for area agencies on aging administrative purposes, and shall
18 be used for citizens of Iowa over 60 years of age for case
19 management for the frail elderly, mental health outreach,
20 Alzheimer's support, retired senior volunteer program, care
21 review committee coordination, employment, adult day care,
22 respite care, chore services, telephone reassurance,
23 information and assistance, and home repair services,
24 including the winterizing of homes, and for the construction
25 of entrance ramps which make residences accessible to the
26 physically handicapped. Funds appropriated in this subsection
27 may be used to supplement federal funds under federal
28 regulations. Funds appropriated in this subsection may be
29 used for elderly services not specifically enumerated in this
30 subsection only if approved by an area agency on aging for
31 provision of the service within the area.

32 The department shall maintain policies and procedures
33 regarding Alzheimer's support and the retired senior volunteer
34 program. To receive funds appropriated in this subsection, a
35 local area agency on aging shall match the funds with funds

1 from other sources according to rules promulgated by the
2 department.

3 Sec. 4. DEPARTMENT OF PUBLIC HEALTH. There is
4 appropriated from the general fund of the state to the Iowa
5 department of public health for the fiscal year beginning July
6 1, 1994, and ending June 30, 1995, the following amounts, or
7 so much thereof as is necessary, to be used for the purposes
8 designated:

9 1. a. PLANNING AND ADMINISTRATION DIVISION

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

13	\$ 2,044,397
14	FTEs 60.40

15 The department shall seek alternatives to travel through
16 the use of video and teleconferencing technology.

17 Of the funds appropriated in this lettered paragraph,
18 \$743,949 shall be used for the chronic renal disease program.
19 The types of assistance available to eligible recipients under
20 the program may include hospital and medical expenses, home
21 dialysis supplies, insurance premiums, travel expenses,
22 prescription and nonprescription drugs, and lodging expenses
23 for persons in training. The program expenditures shall not
24 exceed this allocation. If projected expenditures will exceed
25 the allocation, the department shall establish by
26 administrative rule a mechanism to reduce financial assistance
27 under the renal disease program in order to keep expenditures
28 within the allocations.

29 Hospitals shall not collect fees for birth certificates in
30 excess of the fees as set out in the administrative rules of
31 the Iowa department of public health.

32 Of the funds appropriated in this lettered paragraph,
33 \$100,000 shall be used to provide regulatory oversight of
34 accountable health plans.

35 b. PROFESSIONAL LICENSURE

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

4 \$ 745,895
5 FTEs 11.00

6 The department shall confer with the boards funded under
7 this lettered paragraph in estimating the boards' annual fee
8 generation and administrative costs. When the department
9 develops each board's annual budget, a board's budget shall
10 not exceed 85 percent of fees collected, based on the average
11 of the previous two years.

12 c. HEALTH DELIVERY SYSTEMS

13 (1) For salaries, support, maintenance, miscellaneous
14 purposes, and for not more than the following full-time
15 equivalent positions:

16 \$ 1,264,037
17 FTEs 17.00

18 (2) Of the funds appropriated in this lettered paragraph,
19 \$149,151 is allocated for the office of rural health to
20 provide technical assistance to rural areas in the area of
21 health care delivery.

22 (3) Of the funds appropriated in this lettered paragraph,
23 \$1,010,886 shall be used for the training of emergency medical
24 services (EMS) personnel at the state, county, and local
25 levels.

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

1 (4) Of the funds appropriated in this lettered paragraph,
2 \$104,000 shall be used to develop, implement, and maintain
3 rural health provider recruitment and retention efforts.

4 d. HEALTH DATA COMMISSION

5 For the health data commission:

6 \$ 240,250

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

16 Prior to December 1, 1994, the commission shall submit to
17 the general assembly a useful, comprehensive report for use by
18 members of the general assembly in making informed decisions
19 on public policy issues involving health.

20 2. HEALTH PROTECTION DIVISION

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

24 \$ 2,246,543

25 FTEs 75.37

26 b. Of the funds appropriated in this subsection, \$75,000
27 shall be used for chlamydia testing.

28 c. Of the funds appropriated in this subsection, \$15,000
29 is allocated to support the surveillance and reporting of
30 disabilities suffered by persons engaged in agriculture
31 resulting from diseases or injuries, including identifying the
32 amount and severity of agriculture-related injuries and
33 diseases in the state, identifying causal factors associated
34 with agriculture-related injuries and diseases, and evaluating
35 the effectiveness of intervention programs designed to reduce

1 injuries and diseases. The department shall cooperate with
2 the department of agriculture and land stewardship, Iowa state
3 university of science and technology, and the college of
4 medicine at the state university of Iowa in accomplishing
5 these duties.

6 d. Of the funds appropriated in this subsection, \$74,547
7 shall be used for the lead abatement program.

8 e. Of the funds appropriated in this subsection, \$38,046
9 shall be used for radon program activities. The department
10 shall also retain \$30,000 of federal radon funds for
11 additional radon program activities.

12 f. The state university of Iowa hospitals and clinics
13 shall not receive indirect costs from the funds appropriated
14 in this subsection.

15 g. The division shall seek alternatives to travel through
16 the use of video and teleconferencing technology.

17 3. SUBSTANCE ABUSE AND HEALTH PROMOTION DIVISION

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

21	\$	604,663
22	FTEs	27.73

23 The department shall seek alternatives to travel through
24 the use of video and teleconferencing technology.

25 (1) The division shall create a task force composed of
26 substance abuse treatment and prevention providers regardless
27 of funding source to study treatment and prevention service
28 areas and the fiscal implications of awarding funds to more
29 than one provider per service area.

30 (2) The substance abuse division of the department of
31 public health shall investigate the feasibility of applying
32 for a grant to receive federal "section 402," "motorcycle
33 helmet" transfer funds to be used for adolescent substance
34 abuse prevention and, if feasible, shall apply for the funds.

35 (3) It is the intent of the general assembly that by July

1 1, 1997, the commission on substance abuse, in conjunction
2 with the division, shall coordinate delivery of substance
3 abuse services involving prevention, social and medical
4 detoxification, and other treatment by medical and nonmedical
5 providers to uninsured and court-ordered substance abuse
6 patients in all counties of the state. If the substance abuse
7 block grant funds received from the federal government are in
8 excess of the amount of the anticipated federal fiscal year
9 1994-1995 award, as specified in House File 2323, if enacted,
10 up to \$500,000 shall be used for court-ordered social and
11 medical detoxification. The department shall develop a
12 payment formula which provides an initial partial
13 reimbursement at a percentage rate established by rule for
14 services of covered claims during the first quarter of the
15 fiscal year. At the end of each quarter of the fiscal year,
16 the department shall compare the amount expended and adjust
17 reimbursement for the upcoming quarter payments to each
18 provider which uniformly increases or decreases the
19 reimbursement percentage to the level permitted by the fiscal
20 quarter's appropriation, but not exceeding 100 percent
21 reimbursement. The formula for payment to providers shall
22 balance formula factors of financial need of the providers,
23 county per capita usage, and maximum daily rate. If funds
24 remain for a quarter reimbursing at 100 percent, they shall be
25 carried over to the next quarter. Moneys provided under this
26 subparagraph shall not be used to supplant any existing funds.
27 An annual report shall be provided to the legislative fiscal
28 bureau on all claims submitted to the division for uninsured
29 and court-ordered medical and social detoxification. A plan
30 outlining the coordination activities and projects shall be
31 developed by January 1, 1995. Projects under the plan shall
32 be implemented during the fiscal year beginning July 1, 1995,
33 and ending June 30, 1996, provided the projects can be funded
34 within budget limitations.

35 b. For program grants:

1 \$ 8,390,159

2 Of the funds appropriated in this lettered paragraph,
3 \$193,500 shall be used for the provision of aftercare services
4 for persons completing substance abuse treatment.

5 4. FAMILY AND COMMUNITY HEALTH DIVISION

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

9 \$ 3,042,496
10 FTEs 58.50

11 (1) Of the funds appropriated in this lettered paragraph
12 at least \$587,865 shall be allocated for the birth defects and
13 genetics counseling program and of these funds, \$279,402 shall
14 be allocated for regional genetic counseling services
15 contracted from the state university of Iowa hospitals and
16 clinics under the control of the state board of regents.

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

22 (a) Mobile and regional child health specialty clinics:
23 \$ 392,931

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

27 (b) Muscular dystrophy and related genetic disease
28 programs:
29 \$ 115,613

30 (c) Statewide perinatal program:
31 \$ 61,693

32 (3) The birth defects and genetic counseling service shall
33 apply a sliding fee scale to determine the amount a person re-
34 ceiving the services is required to pay for the services.
35 These fees shall be considered repayment receipts and used for

1 the program.

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

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

11 (6) Of the funds appropriated in this lettered paragraph,
12 \$1,001,209 shall be used for maternal and child health
13 services.

14 (7) The Iowa department of public health shall administer
15 the statewide maternal and child health program, conduct
16 mobile and regional child health specialty clinics, and
17 conduct other activities to improve the health of low-income
18 women and children and to promote the welfare of children with
19 actual or potential handicapping conditions and chronic
20 illnesses in accordance with the requirements of Title V of
21 the federal Social Security Act.

22 (8) The department shall budget for the fiscal year
23 beginning July 1, 1995, for the programs in the family and
24 community health division in accordance with the performance-
25 based budgeting method. Notwithstanding section 8.23, the
26 department is not required to submit a budget for the programs
27 using 75 percent based budgeting and decision package
28 methodology.

29 The department shall track the programs which were in the
30 family and community health division in the fiscal year
31 beginning July 1, 1991, in accordance with the program
32 performance-based budgeting method.

33 (9) The department shall work with the department of elder
34 affairs to realize the "Healthy Iowans 2000" goal of providing
35 nutrition screening to 90 percent of the elderly persons

1 participating in well-elderly screening clinics, congregate
2 meal programs, and home care aide programs, and shall submit a
3 progress report to the general assembly by January 1, 1995,
4 regarding the number of personnel trained and the number of
5 persons served.

6 (10) The department shall continue efforts to realize the
7 "Healthy Iowans 2000" goal of the involvement of 50 counties
8 in the Iowa community nutrition coalition and shall submit a
9 progress report to the general assembly by January 1, 1995.

10 (11) The department shall seek alternatives to travel
11 through the use of video and teleconferencing technology.

12 b. Sudden infant death syndrome autopsies:

13 For reimbursing counties for expenses resulting from autop-
14 sies of suspected victims of sudden infant death syndrome
15 required under section 331.802, subsection 3, paragraph "j":
16 \$ 9,675

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

19 \$ 2,511,871

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

29 (2) One-fourth of the total amount to be allocated shall
30 be divided so that an equal amount is available for use in
31 each county in the state. Three-fourths of the total amount
32 to be allocated shall be divided so that the share available
33 for use in each county is proportionate to the number of
34 elderly and low-income persons living in that county in
35 relation to the total number of elderly and low-income persons

1 living in the state.

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

15 (4) If by July 30 of the fiscal year, the department is
16 unable to conclude contracts for use of the allocated funds in
17 a county, the department shall consider the unused funds
18 appropriated under this lettered paragraph an unallocated
19 pool. If the unallocated pool is \$50,000 or more it shall be
20 reallocated to the counties in substantially the same manner
21 as the original allocations. The reallocated funds are
22 available for use in those counties during the period
23 beginning January 1 and ending June 30 of the fiscal year. If
24 the unallocated pool is less than \$50,000, the department may
25 allocate it to counties with demonstrated special needs for
26 public health nursing.

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

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

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

6 d. For grants to county boards of supervisors for the home
7 care aide program:

8 \$ 8,586,716

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

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

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

35 (3) "Home care aide services" means services intended to

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

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

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

21 The amount appropriated in this lettered paragraph shall be
22 allocated for use in the counties of the state. Fifteen
23 percent of the amount shall be divided so that an equal amount
24 is available for use in each county in the state. The
25 following percentages of the remaining amount shall be
26 allocated to each county according to that county's proportion
27 of residents with the following demographic characteristics:
28 60 percent according to the number of elderly persons living
29 in the county, 20 percent according to the number of persons
30 below the poverty level living in the county, and 20 percent
31 according to the number of substantiated cases of child abuse
32 in the county during the three most recent fiscal years for
33 which data is available.

34 In order to receive allocations in this lettered paragraph,
35 the county board of supervisors, after consultation with the

1 local boards of health, human services county cluster boards,
2 area agency on aging advisory council, local office of the
3 department of human services, and other in-home health care
4 provider agencies in the jurisdiction, shall prepare a
5 proposal for the use of the allocated funds available for that
6 jurisdiction that will provide the maximum benefits of home
7 care aide services to elderly and low-income persons and
8 children and adults in need of protective services in the
9 jurisdiction. An agency requesting service or financial
10 information about a current subcontractor shall provide
11 similar information concerning its own home care aide or chore
12 services program to the current subcontractor. The proposal
13 may provide that a maximum of 15 percent of the allocated
14 funds will be used to provide chore services. The proposal
15 shall include a statement assuring that children and adults in
16 need of protective services are given priority for home care
17 aide services and that the appropriate local agencies have
18 participated in the planning for the proposal. After approval
19 of the proposal by the department, the department shall enter
20 into a contract with the county board of supervisors or a
21 governmental body designated by the county board of
22 supervisors. The county board of supervisors or its designee
23 shall subcontract with a nonprofit nurses' association, an
24 independent nonprofit agency, the department of human
25 services, or a suitable local governmental body to use the
26 allocated funds to provide home care aide services and chore
27 services providing that the subcontract requires any service
28 provided away from the home to be documented in a report
29 available for review by the department, and that each home
30 care aide subcontracting agency shall maintain the direct
31 service workers' time assigned to direct client service at 70
32 percent or more of the workers' paid time and that not more
33 than 35 percent of the total cost of the service be included
34 in the combined costs for service administration and agency
35 administration. The subcontract shall require that each home

1 care aide subcontracting agency shall pay the employer's
2 contribution of social security and provide workers'
3 compensation coverage for persons providing direct home care
4 aide service and meet any other applicable legal requirements
5 of an employer-employee relationship.

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

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

1 shall require the payments to be applied to the cost of the
2 services. The department shall also maintain rules for
3 standards regarding training, supervision, recordkeeping,
4 appeals, program evaluation, cost analysis, and financial
5 audits, and rules specifying reporting requirements.

6 The department shall annually evaluate the success of the
7 home care aide program. The evaluation shall include a
8 description of the program and its implementation, the extent
9 of local participation, the extent to which the program
10 reduced or prevented inappropriate institutionalization, the
11 extent to which the program provided or increased the
12 availability of home care aide services to elderly and low-
13 income persons and children and adults in need of protective
14 services, any problems and recommendations concerning the
15 program, and an analysis of the costs of services across the
16 state. The department shall submit a report of the annual
17 evaluation to the governor and the general assembly.

18 e. For the development and maintenance of well-elderly
19 clinics in the state:

20 \$ 585,337

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

25 f. For the physician care for children program:

26 \$ 411,187

27 The physician services shall be subject to managed care and
28 selective contracting provisions and shall be used to provide
29 treatment of the children in a physician's office and shall
30 include coverage of diagnostic procedures and prescription
31 drugs required for the treatment. Services provided under
32 this lettered paragraph shall be reimbursed according to
33 medical assistance reimbursement rates.

34 g. For primary and preventive health care for children:

35 \$ 75,000

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

13 (1) The organization shall provide a match of four dollars
14 in advance of each state dollar provided.

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

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

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

28 h. For the healthy family program:
29 \$ 665,000

30 The moneys appropriated in this lettered paragraph shall be
31 granted pursuant to 1992 Iowa Acts, Second Extraordinary
32 Session, chapter 1001, section 415. The administrative
33 entities shall work collaboratively to assure continuity of
34 the provision of services from the prenatal to the preschool
35 period to an individual client by having a single resource

1 mother work with that client. The department shall submit an
2 annual report to the general assembly concerning the
3 efficiency of the program and make any recommendations for
4 improvements.

5 5. STATE BOARD OF DENTAL EXAMINERS

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

9	\$	257,049
10	FTEs	4.00

11 The board shall seek alternatives to travel through the use
12 of video and teleconferencing technology.

13 6. STATE BOARD OF MEDICAL EXAMINERS

14 For salaries, support, maintenance, miscellaneous purposes,
15 and for not more than the following full-time equivalent posi-
16 tions:

17	\$	979,949
18	FTEs	18.00

19 The board shall seek alternatives to travel through the use
20 of video and teleconferencing technology.

21 7. STATE BOARD OF NURSING EXAMINERS

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

25	\$	874,166
26	FTEs	16.00

27 The board shall seek alternatives to travel through the use
28 of video and teleconferencing technology.

29 8. STATE BOARD OF PHARMACY EXAMINERS

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

33	\$	652,224
34	FTEs	11.00

35 The board shall seek alternatives to travel through the use

1 of video and teleconferencing technology.
2 9. The state board of medical examiners, the state board
3 of pharmacy examiners, the state board of dental examiners,
4 and the state board of nursing examiners shall prepare
5 estimates of projected receipts to be generated by the
6 licensing, certification, and examination fees of each board
7 as well as a projection of the fairly apportioned
8 administrative costs and rental expenses attributable to each
9 board. Each board shall annually review and adjust its
10 schedule of fees so that, as nearly as possible, projected
11 receipts equal projected costs.

12 10. The state board of medical examiners, the state board
13 of pharmacy examiners, the state board of dental examiners,
14 and the state board of nursing examiners shall retain their
15 individual executive officers, but are strongly encouraged to
16 share administrative, clerical, and investigative staffs to
17 the greatest extent possible.

18 11. A local health care provider or nonprofit health care
19 organization seeking grant moneys administered by the
20 department of public health shall provide documentation that
21 the provider or organization has coordinated its services with
22 other local entities providing similar services.

23 Sec. 5. DEPARTMENT OF HUMAN RIGHTS. There is appropriated
24 from the general fund of the state to the department of human
25 rights for the fiscal year beginning July 1, 1994 and ending
26 June 30, 1995, the following amounts, or so much thereof as is
27 necessary, to be used for the purposes designated:

28 1. CENTRAL ADMINISTRATION DIVISION
29 For salaries, support, maintenance, miscellaneous purposes,
30 and for not more than the following full-time equivalent posi-
31 tions:
32 \$ 176,836
33 FTEs 6.60

34 The division shall seek alternatives to travel through the
35 use of video and teleconferencing technology.

1 2. COMMUNITY ACTION AGENCIES DIVISION

2 For the expenses of the community action agencies
3 commission:

4 \$ 3,401

5 The division shall seek alternatives to travel through the
6 use of video and teleconferencing technology.

7 3. DEAF SERVICES DIVISION

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

11 \$ 288,900

12 FTEs 8.00

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

18 4. PERSONS WITH DISABILITIES DIVISION

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

22 \$ 101,393

23 FTEs 2.00

24 The division shall seek alternatives to travel through the
25 use of video and teleconferencing technology.

26 5. LATINO AFFAIRS DIVISION

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

30 \$ 96,003

31 FTEs 2.00

32 The division shall seek alternatives to travel through the
33 use of video and teleconferencing technology.

34 6. STATUS OF WOMEN DIVISION

35 For salaries, support, maintenance, miscellaneous purposes,

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

3 \$ 391,644
4 FTEs 4.50

5 a. Of the funds appropriated in this subsection, at least
6 \$125,775 shall be spent for the displaced homemaker program.

7 b. Of the funds appropriated in this subsection, at least
8 \$42,570 shall be spent for domestic violence and sexual
9 assault-related grants.

10 c. Of the funds appropriated in this subsection, at least
11 \$45,241 shall be spent for the mentoring project for family
12 investment program participants developed in accordance with
13 section 239.22.

14 The division shall seek alternatives to travel through the
15 use of video and teleconferencing technology.

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 \$ 85,877
21 FTEs 2.00

22 The division shall seek alternatives to travel through the
23 use of video and teleconferencing technology.

24 8. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

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

28 \$ 363,866
29 FTEs 9.75

30 The division shall seek alternatives to travel through the
31 use of video and teleconferencing technology.

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

1 b. Of the funds appropriated in this subsection, at least
2 \$36,300 shall be spent for expenses relating to the
3 administration of federal funds for juvenile assistance. It
4 is the intent of the general assembly that the department of
5 human rights employ sufficient staff to meet the federal
6 funding match requirements established by the federal office
7 for juvenile justice delinquency prevention. The governor's
8 advisory council on juvenile justice shall determine the
9 staffing level necessary to carry out federal and state
10 mandates for juvenile justice.

11 9. PROGRAM PERFORMANCE-BASED BUDGETING. The department
12 shall track all appropriations made to the programs of the
13 department in the fiscal year beginning July 1, 1995, in
14 accordance with the program performance-based budgeting
15 method.

16 10. GRANT WRITING. The divisions of the department of
17 human rights shall retain their individual administrators, but
18 are strongly encouraged to share staff to the greatest extent
19 possible and especially for the purpose of grant writing.

20 Sec. 6. COMMISSION OF VETERANS AFFAIRS. There is
21 appropriated from the general fund of the state to the
22 commission of veterans affairs for the fiscal year beginning
23 July 1, 1994, and ending June 30, 1995, the following amounts,
24 or so much thereof as is necessary, to be used for the
25 purposes designated:

26 1. COMMISSION OF VETERANS AFFAIRS ADMINISTRATION

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

30	\$	147,244
31	FTEs	4.00

32 The commission shall seek alternatives to travel through
33 the use of video and teleconferencing technology.

34 The commission of veterans affairs may use the gifts
35 accepted by the chairperson of the commission of veterans

1 affairs, or designee, and other resources available to the
2 commission for use at its Camp Dodge office. The commission
3 shall report annually to the governor and the general assembly
4 on monetary gifts received by the commission for the Camp
5 Dodge office.

6 2. WAR ORPHANS

7 For the war orphans educational aid fund established
8 pursuant to chapter 35:

9 \$ 4,800

10 3. IOWA VETERANS HOME

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

14 \$ 35,432,032

15 FTEs 777.08

16 The veterans home shall seek alternatives to travel through
17 the use of video and teleconferencing technology.

18 The Iowa veterans home may use the gifts accepted by the
19 chairperson of the commission of veterans affairs and other
20 resources available to the commission for use at the Iowa
21 veterans home.

22 If medical assistance revenues are expanded at the Iowa
23 veterans home, and this expansion results in medical
24 assistance reimbursements which exceed the amount budgeted for
25 that purpose in the fiscal year beginning July 1, 1994, and
26 ending June 30, 1995, the Iowa veterans home may expend the
27 excess amounts to exceed the number of full-time equivalent
28 positions authorized in this section for the purpose of
29 meeting related certification requirements or to provide
30 additional beds. The expenditure of additional funds
31 received, as outlined in this paragraph, is subject to the
32 approval by the department of management. Any funds which are
33 saved by reorganizing the department of human rights pursuant
34 to Senate File 2144, if enacted by the Seventy-fifth General
35 Assembly, shall be appropriated to the veterans home.

1 If actual revenues for the fiscal year beginning July 1,
2 1993, and ending June 30, 1994, exceed the revenue estimating
3 conference projections of December 15, 1993, for that fiscal
4 year by at least \$211,000, the veterans home, notwithstanding
5 section 8.33, may retain \$211,000 which otherwise would revert
6 and may carry over this amount to the fiscal year beginning
7 July 1, 1994, and ending June 30, 1995. These funds shall be
8 used to eliminate the delay in opening beds due to funding
9 constraints.

10 Sec. 7. INTERIM STUDIES -- SUBSTANCE ABUSE CARE AND
11 TREATMENT PROGRAM AND DEPARTMENT OF HUMAN RIGHTS.

12 1. The legislative council is requested to provide for a
13 study of programs and services available in this state for
14 substance abuse care and treatment, the continuum of needs of
15 substance abusers and whether the needs are being met
16 satisfactorily, funding available for substance abuse care and
17 treatment, including federal and state moneys, and payment
18 mechanisms for the care and treatment, including medical
19 assistance and third-party sources of payment, and the
20 limitations of the payment. The study shall include a report
21 to the general assembly, with recommendations to address
22 identified problem areas on or before January 15, 1995.

23 2. An interim committee shall be established by the
24 legislative council to study the organizational structure of
25 the department of human rights. The study shall include but
26 not be limited to an examination of the administrative costs
27 of the department, the costs and benefits of relocation of
28 divisions of the department into other departments, and the
29 continued viability of the department as a separate unit of
30 government. Proposals for change in the organizational
31 structure of the department shall be presented to the general
32 assembly by January 1, 1995.

33 Sec. 8. LEASE-PURCHASE -- BUDGET SUBMISSION. This section
34 applies to each state agency receiving an appropriation in
35 this Act. The departmental estimate required under section

1 8.23 for the fiscal period beginning July 1, 1995, which
2 includes the state agency, shall provide an itemized list
3 indicating the nature and amount of each lease-purchase
4 contract payment included in the estimate for proposed
5 contracts which have not been reported by the state agency to
6 the legislative fiscal committee of the legislative council
7 pursuant to section 8.46 prior to the submission of the
8 estimate. The governor shall include in the governor's budget
9 for the fiscal year beginning July 1, 1995, a listing
10 indicating the nature and amount of each lease-purchase
11 contract which was itemized in a departmental estimate in
12 accordance with this section and is included in the governor's
13 budget. A state agency receiving an appropriation in this Act
14 shall not enter into a lease-purchase contract during the
15 fiscal year beginning July 1, 1995, unless the contract was
16 itemized in a departmental estimate and included in the
17 governor's budget in accordance with this section.

18 Sec. 9. Section 35.9, Code 1993, is amended to read as
19 follows:

20 35.9 EXPENDITURE BY COMMISSION.

21 The commission of veterans affairs may expend not more than
22 ~~four~~ six hundred dollars per year for any one child who has
23 lived in the state of Iowa for two years preceding application
24 for aid, and who is the child of a person who died during
25 World War I between the dates of April 6, 1917, and June 2,
26 1921, or during World War II between the dates of September
27 16, 1940, and December 31, 1946, both dates inclusive, or the
28 Korean Conflict between June 25, 1950, and January 31, 1955,
29 both dates inclusive, or the Vietnam Conflict between August
30 5, 1964, and May 7, 1975, both dates inclusive, or the Persian
31 Gulf Conflict at any time between August 2, 1990, and the date
32 the president or the congress of the United States declares a
33 permanent cessation of hostilities, both dates inclusive,
34 while serving in the military or naval forces of the United
35 States, to include members of the reserve components

1 performing service or duties required or authorized under
2 chapter 39, United States Code and Title 32, United States
3 Code, sections 502 through 505, and active state service
4 required or authorized under chapter 29A, or as a result of
5 such service, to defray the expenses of tuition,
6 matriculation, laboratory and similar fees, books and
7 supplies, board, lodging, and any other reasonably necessary
8 expense for such child or children incident to attendance in
9 this state at an educational or training institution of
10 college grade, or in a business or vocational training school
11 with standards approved by the commission of veterans affairs.
12 However, if congress enacts a date different from August 2,
13 1990, as the beginning of the Persian Gulf Conflict for
14 purposes of determining whether a veteran is entitled to
15 receive military benefits as a veteran of the Persian Gulf
16 Conflict, that date shall be substituted for August 2, 1990.

17 A child eligible to receive funds under this section shall
18 not receive more than ~~two~~ three thousand dollars under this
19 section during the child's lifetime.

20 Sec. 10. Section 142B.1, subsection 3, Code 1993, is
21 amended to read as follows:

22 3. "Public place" means any enclosed indoor area used by
23 the general public or serving as a place of work containing
24 two-hundred-fifty-or-more-square-feet-of-floor-space,
25 including, but not limited to, all restaurants with-a-seating
26 capacity-greater-than-fifty, all retail stores, lobbies and
27 malls, offices, including waiting rooms, and other commercial
28 establishments; public conveyances with departures, travel,
29 and destination entirely within this state; educational
30 facilities; hospitals, clinics, nursing homes, and other
31 health care and medical facilities; child care centers, as
32 defined in section 237A.1; and auditoriums, elevators,
33 theaters, libraries, art museums, concert halls, indoor
34 arenas, and meeting rooms. "Public place" does not include a
35 retail store at which fifty percent or more of the sales

1 result from the sale of tobacco or tobacco products, the
2 portion of a retail store where tobacco or tobacco products
3 are sold, a private, enclosed office occupied exclusively by
4 smokers even though the office may be visited by nonsmokers, a
5 room used primarily as the residence of students or other
6 persons at an educational facility, a sleeping room in a motel
7 or hotel, or each resident's room in a health care facility.
8 The person in custody or control of the facility shall provide
9 a sufficient number of rooms in which smoking is not permitted
10 to accommodate all persons who desire such rooms.

11 Sec. 11. Section 142B.2, subsection 3, unnumbered
12 paragraph 1, Code 1993, is amended to read as follows:

13 Where smoking areas are designated, existing physical
14 barriers and existing ventilation systems shall be used to
15 minimize the toxic effect of smoke in adjacent nonsmoking
16 areas.--In the case of public places consisting of a single
17 room, the provisions of this law shall be considered met if
18 one side of the room is reserved and posted as a no-smoking
19 area. A smoking area shall only be designated if transmission
20 of environmental tobacco smoke to adjacent areas can be
21 eliminated. No public place other than a bar shall be
22 designated as a smoking area in its entirety.--If a bar has
23 within its premises a nonsmoking area, this designation shall
24 be posted on all entrances normally used by the public.

25 Sec. 12. Section 142B.2, Code 1993, is amended by adding
26 the following new subsection:

27 NEW SUBSECTION. 5. The following conditions shall apply
28 to restaurants, as applicable, in order to comply with this
29 chapter:

30 a. A restaurant of any size or seating capacity which
31 designates the restaurant as a no-smoking area in its entirety
32 shall post signs in conspicuous areas both inside and on the
33 exterior of the building which advise patrons of the no-
34 smoking policy of the restaurant.

35 b. A restaurant of any size or seating capacity which

1 offers both smoking and no-smoking areas in accordance with
2 the application of this chapter to other public places shall
3 comply with the requirements under this chapter for a public
4 place.

5 c. A restaurant of any size but with a seating capacity of
6 fewer than fifty seats may designate the restaurant as a
7 smoking-permitted restaurant by designating the restaurant as
8 a smoking area in its entirety. A smoking-permitted
9 restaurant shall post signs, in conspicuous areas both inside
10 and on the exterior of the building, which advise patrons of
11 the smoking-permitted status of the restaurant. A restaurant
12 which is designated as a smoking-permitted restaurant shall
13 also issue a written health warning to prospective and current
14 employees which states that due to the environment of the
15 restaurant, the employee may be working in a hazardous
16 environment.

17 d. A restaurant which is held out to be a bar or a bar may
18 be designated as a smoking area in its entirety. If the bar
19 has within its premises a nonsmoking area, the designation
20 shall be posted on all entrances normally used by the public.
21 If the bar is designated as a smoking area in its entirety,
22 signs designating this status shall be posted both inside and
23 on the exterior of the building. The bar shall also issue a
24 written health warning to prospective and current employees
25 which states that due to the environment of the bar, the
26 employee may be working in a hazardous environment.

27 Sec. 13. Section 142B.4, Code 1993, is amended to read as
28 follows:

29 142B.4 AREAS POSTED.

30 A person having custody or control of a public place or
31 public meeting shall cause signs to be posted within the
32 appropriate areas of the facility advising patrons of smoking
33 and no-smoking areas. In addition the statement "Smoking
34 prohibited except in designated areas" shall be conspicuously
35 posted on all major entrances to the public place or public

1 meeting. In regard to restaurants, signs shall also be posted
2 in accordance with section 142B.2, subsection 5.

3 Sec. 14. Section 142B.6, unnumbered paragraph 1, Code
4 1993, is amended to read as follows:

5 A person who ~~smokes in those areas prohibited in section~~
6 ~~142B.2, or who~~ violates section 142B.2, 142B.3, or 142B.4,
7 shall pay a civil fine pursuant to section 805.8, subsection
8 11, for each violation.

9 Sec. 15. Section 142B.6, unnumbered paragraph 3, Code
10 1993, is amended by striking the unnumbered paragraph.

11 Sec. 16. NEW SECTION. 142B.7 ENFORCEMENT.

12 The Iowa department of public health shall adopt rules to
13 enforce this chapter.

14 Sec. 17. REPEAL. Sections 125.12 and 125.25 are repealed
15 effective July 1, 1997.

16 Sec. 18. EFFECTIVE DATE. The portion of section 6,
17 subsection 3, of this Act, which relates to the carryover of
18 funds to address the delay in the opening of beds at the Iowa
19 veterans home, being deemed of immediate importance, takes
20 effect upon enactment.

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HOUSE FILE 2376

5186

Amend House File 2376 as follows:

1. Page 25, by inserting after line 31 the following:

"Sec. ____ . Section 216.19, unnumbered paragraph 3, Code 1993, is amended to read as follows:

An agency or commission of local government and the Iowa civil rights commission shall co-operate in the sharing of data and research, and co-ordinating

investigations and conciliations in order to expedite claims of unlawful discrimination and eliminate

needless duplication. A city with a population of

twenty-nine thousand or greater shall maintain an

independent local civil rights agency or commission

consistent with commission rules adopted pursuant to

chapter 17A. An agency or commission for water and

sanitary services provided shall have control over such staff.

A city required to maintain a local civil rights

agency or commission shall structure and adequately

fund the agency or commission in order to effect

cooperative undertakings with the Iowa civil rights

commission and to aid in effectuating the purposes of

this chapter. The Iowa civil rights commission may

enter into cooperative agreements with any local

agency or commission to effectuate the purposes of

this chapter. Such agreements may include technical

and clerical assistance and reimbursement of expenses

incurred by the local agency or commission in the

performance of the agency's or commission's duties if

funds for this purpose are appropriated by the general

assembly."

2. By renumbering as necessary.

By MILLAGE of Scott

H-5186 FILED MARCH 8, 1994

WITHDRAWN

3/23/94

HOUSE FILE 2376

H-5188

1 Amend House File 2376 as follows:

2 1. Page 25, by inserting after line 31 the
3 following:

4 "Sec. ____ . Section 216.19, unnumbered paragraph 3,
5 Code 1993, is amended to read as follows:

6 An agency or commission of local government and the
7 Iowa civil rights commission shall co-operate in the
8 sharing of data and research, and co-ordinating
9 investigations and conciliations in order to expedite
10 claims of unlawful discrimination and eliminate
11 needless duplication. A city with a population of
12 ~~twenty-nine~~ fifty thousand, or greater, shall maintain
13 an independent local civil rights agency or commission
14 consistent with commission rules adopted pursuant to
15 chapter 17A. An agency or commission for which a
16 staff is provided shall have control over such staff.
17 A city required to maintain a local civil rights
18 agency or commission shall structure and adequately
19 fund the agency or commission in order to effect
20 cooperative undertakings with the Iowa civil rights
21 commission and to aid in effectuating the purposes of
22 this chapter. The Iowa civil rights commission may
23 enter into cooperative agreements with any local
24 agency or commission to effectuate the purposes of
25 this chapter. Such agreements may include technical
26 and clerical assistance and reimbursement of expenses
27 incurred by the local agency or commission in the
28 performance of the agency's or commission's duties if
29 funds for this purpose are appropriated by the general
30 assembly."

31 2. By renumbering as necessary.

By MILLAGE of Scott

H-5188 FILED MARCH 8, 1994

WITHDRAWN

3/23/94

(p. 824)

HOUSE FILE 2376

H-5310

1 Amend House File 2376 as follows:

2 1. Page 7, by inserting after line 30 the
3 following:

4 "(4) Moneys in the state protection of minors fund
5 created in section 125.11A, as enacted by this Act,
6 shall be used by the division for the purpose of
7 monitoring cigarette permit holders to ensure that
8 minors are denied access to tobacco products. If
9 moneys received in the state protection of minors fund
10 exceed the amount budgeted for the division in the
11 fiscal year beginning July 1, 1994, and ending June
12 30, 1995, the substance abuse division of the
13 department of public health may expend the excess
14 funds to exceed the number of full-time equivalent
15 positions authorized in this section for the purpose
16 of performing inspections to monitor the access of
17 minors to tobacco products."

18 2. Page 25, by inserting after line 31 the
19 following:

20 "Sec. ____ . NEW SECTION. 125.11A STATE PROTECTION
21 OF MINORS FUND.

22 A state protection of minors fund is created in the
23 office of the treasurer of state under authority of
24 the department. The fund shall consist of cigarette
25 permit fees collected pursuant to section 453A.13.
26 The department shall utilize moneys in the fund for
27 monitoring the access of minors to tobacco products.

28 Sec. ____ . Section 453A.13, subsection 3,
29 paragraphs a, b, and c, Code 1993, are amended to read
30 as follows:

31 a. In places outside any city, fifty eighty
32 dollars, thirty dollars of which shall be remitted on
33 a quarterly basis to the department of revenue and
34 finance for deposit in the state protection of minors
35 fund, created in section 125.11A.

36 b. In cities of less than fifteen thousand
37 population, seventy-five one hundred five dollars,
38 thirty dollars of which shall be remitted on a
39 quarterly basis to the department of revenue and
40 finance for deposit in the state protection of minors
41 fund, created in section 125.11A.

42 c. In cities of fifteen thousand or more
43 population, one hundred thirty dollars, thirty dollars
44 of which shall be remitted on a quarterly basis to the
45 department of revenue and finance for deposit in the
46 state protection of minors fund, created in section
47 125.11A.

48 Sec. ____ . Section 453A.35, Code 1993, is amended
49 to read as follows:

50 453A.35 TAX AND FEES PAID TO GENERAL FUND.

H-5310

H-5310

Page 2

1 The proceeds derived from the sale of stamps and
 2 the payment of taxes, fees and penalties provided for
 3 under this chapter, and the permit fees received from
 4 all permits issued by the department, shall be
 5 credited to the general fund of the state. All permit
 6 fees provided for in this chapter and collected by
 7 cities in the issuance of permits granted by the
 8 cities shall be paid to the treasurer of the city
 9 where the permit is effective, or to another city
 10 officer as designated by the council, and credited to
 11 the general fund of the city, except for the moneys
 12 collected for the state protection of minors fund
 13 pursuant to section 453A.13. Permit fees so collected
 14 by counties shall be paid to the county treasurer,
 15 except for the moneys collected for the state
 16 protection of minors fund pursuant to section
 17 453A.13."

By BRAMMER of Linn

H-5310 FILED MARCH 14, 1994

WITHDRAWN
3-23-93

HOUSE FILE 2376

H-5323

1 Amend House File 2376 as follows:
 2 1. Page 7, by striking lines 6 through 25 and
 3 inserting the following: "patients in all counties of
 4 the state. A plan".

By BRUNKHORST of Bremer
HARPER of Black Hawk

H-5323 FILED MARCH 14, 1994

adopted 3/23/94 (P. 819)

HOUSE FILE 2376

H-5324

1 Amend House File 2376 as follows:
 2 1. Page 23, by inserting after line 26 the
 3 following:
 4 "If actual revenues for the fiscal year beginning
 5 July 1, 1993, and ending June 30, 1994, exceed the
 6 revenue estimating conference projections of December
 7 15, 1993, for that fiscal year by at least \$211,000,
 8 the veterans home, notwithstanding section 8.33, may
 9 retain \$211,000 which otherwise would revert and may
 10 carry over this amount to the fiscal year beginning
 11 July 1, 1994, and ending June 30, 1995. These funds
 12 shall be used to eliminate the delay in opening beds
 13 due to funding constraints."
 14 2. Page 25, by inserting after line 33 the
 15 following:
 16 "Sec. ____ . EFFECTIVE DATE. The portion of section
 17 6, subsection 3, of this Act, which relates to the
 18 carryover of funds to address the delay in the opening
 19 of beds at the Iowa veterans home, being deemed of
 20 immediate importance, takes effect upon enactment."
 21 3. Title page, line 5, by inserting after the
 22 word "affairs" the following: ", and providing an
 23 effective date".

*adopted 3/23/94 (P. 821)*By BURKE of Marshall
MURPHY of Dubuque

H-5324 FILED MARCH 14, 1994

HOUSE FILE 2376

H-5329

1 Amend House File 2376 as follows:

2 1. Page 25, by inserting after line 31 the
3 following:

4 "Sec. ____ . Section 216A.2, Code 1993, is amended
5 to read as follows:

6 216A.2 APPOINTMENT OF DEPARTMENT DIRECTOR AND
7 ADMINISTRATORS.

8 The governor shall appoint a director of the
9 department of human rights, subject to confirmation by
10 the senate. The department director shall serve at
11 the pleasure of the governor. The department director
12 shall:

13 1. Establish general operating policies for the
14 department to provide general uniformity among the
15 divisions while providing for necessary flexibility.

16 2. Receive budgets submitted by each commission
17 and reconcile the budgets among the divisions. The
18 department director shall submit a budget for the
19 department, subject to the budget requirements
20 pursuant to chapter 8.

21 3. Employ division administrators and department
22 support staff as necessary to carry out the functions
23 vested in the department. Coordinate and supervise
24 personnel services and shared administrative support
25 services to assure maximum support and assistance to
26 the divisions.

27 4. Identify and, with the chief administrative
28 officers of each division, facilitate the
29 opportunities for consolidation and efficiencies
30 within the department.

31 ~~5. In cooperation with the commissions, make~~
32 ~~recommendations to the governor regarding the~~
33 ~~appointment of the administrator of each division.~~

34 6 5. Serve as an ex officio member of all
35 commissions or councils within the department.

36 7 6. Serve as chairperson of the human rights
37 administrative-coordinating council.

38 8 7. Evaluate each administrator, after receiving
39 recommendations from the appropriate commissions or
40 councils, and submit a written report of the completed
41 evaluations to the governor and the appropriate
42 commissions or councils, annually.

43 ~~The governor shall appoint the administrators of~~
44 ~~each of the divisions subject to confirmation by the~~
45 ~~senate. Each administrator shall serve at the~~
46 ~~pleasure of the governor and is exempt from the merit~~
47 ~~system provisions of chapter 19A. The governor shall~~
48 ~~set the salary of the division administrators within~~
49 ~~the ranges set by the general assembly.~~

50 Sec. ____ . Section 216A.134, Code 1993, is amended

H-5329

-1-

H-5329

Page 2

1 to read as follows:

2 216A.134 ADMINISTRATOR.

3 The administrator shall be responsible to the
4 council director, and pursuant to section 216A.2, with
5 the approval of the council, shall employ and

6 supervise other persons necessary to carry out the
7 programs and policies established by the council."

8 2. By renumbering as necessary.

By BRUNKHORST of Bremer
BAKER of Polk

H-5329 FILED MARCH 14, 1994

Not Hermone 3/23/94 (P. 825)

HOUSE FILE 2376

H-5187

1 Amend House File 2376 as follows:

2 1. Page 25, by inserting after line 31 the
3 following:4 "Sec. ____ . Section 216.19, unnumbered paragraph 3,
5 Code 1993, is amended to read as follows:6 An agency or commission of local government and the
7 Iowa civil rights commission shall co-operate in the
8 sharing of data and research, and co-ordinating
9 investigations and conciliations in order to expedite
10 claims of unlawful discrimination and eliminate
11 needless duplication. ~~A city with a population of~~
12 ~~twenty-nine-thousand, or greater, shall maintain Only~~
13 cities which, as of January 1, 1994, have established
14 an independent local civil rights agency or commission
15 consistent with commission rules adopted pursuant to
16 chapter 17A shall be required to continue to fund the
17 agency or commission. An agency or commission for
18 which a staff is provided shall have control over such
19 staff. A city required to maintain a local civil
20 rights agency or commission shall structure and
21 adequately fund the agency or commission in order to
22 effect cooperative undertakings with the Iowa civil
23 rights commission and to aid in effectuating the
24 purposes of this chapter. The Iowa civil rights
25 commission may enter into cooperative agreements with
26 any local agency or commission to effectuate the
27 purposes of this chapter. Such agreements may include
28 technical and clerical assistance and reimbursement of
29 expenses incurred by the local agency or commission in
30 the performance of the agency's or commission's duties
31 if funds for this purpose are appropriated by the
32 general assembly."

33 2. By renumbering as necessary.

By MILLAGE of Scott

H-5187 FILED MARCH 8, 1994

Not German
Motion to Suspend Rules Lost

3/23/94

HOUSE FILE 2376

H-5432

- 1 Amend House File 2376 as follows:
 - 2 1. Page 5, line 24, by striking the figure
 - 3 "2,246,543" and inserting the following: "2,264,457".
 - 4 2. Page 5, line 26, by striking the figure
 - 5 "75,000" and inserting the following: "92,914".
- By HARPER of Black Hawk

H-5432 FILED MARCH 16, 1994

Lost 3/23/94 (P. 831)

HOUSE FILE 2376

H-5433

- 1 Amend House File 2376 as follows:
 - 2 1. Page 5, line 24, by striking the figure
 - 3 "2,246,543" and inserting the following: "2,271,543".
 - 4 2. Page 5, line 26, by striking the figure
 - 5 "75,000" and inserting the following: "100,000".
- By HARPER of Black Hawk

H-5433 FILED MARCH 16, 1994

Lost 3/23/94 (P. 819)

HOUSE FILE 2376

H-5436

- 1 Amend House File 2376 as follows:
 - 2 1. Page 17, by inserting after line 35 the
 - 3 following:
 - 4 "A local health care provider or nonprofit health
 - 5 care organization seeking grant moneys administered by
 - 6 the department of public health shall provide
 - 7 documentation that the provider or organization has
 - 8 coordinated its request for funding with other local
 - 9 entities providing similar services."
- By HARPER of Black Hawk

H-5436 FILED MARCH 16, 1994

WITHDRAWN
3/23/94

HOUSE FILE 2376

507

Amend House File 2376 as follows:

2 1. Page 25, by inserting after line 31 the
3 following:

4 "Sec. ____ . Section 142B.1, subsection 3, Code
5 1993, is amended to read as follows:

6 3. "Public place" means any enclosed indoor area
7 used by the general public or serving as a place of
8 work ~~containing two-hundred-fifty-or-more-square-feet~~
9 ~~of-floor-space~~, including, but not limited to, all
10 ~~restaurants with-a-seating-capacity-greater-than~~
11 ~~fifty~~, all retail stores, lobbies and malls, offices,
12 including waiting rooms, and other commercial
13 establishments; public conveyances with departures,
14 travel, and destination entirely within this state;
15 educational facilities; hospitals, clinics, nursing
16 homes, and other health care and medical facilities;
17 child care centers, as defined in section 237A.1; and
18 auditoriums, elevators, theaters, libraries, art
19 museums, concert halls, indoor arenas, and meeting
20 rooms. "Public place" does not include a retail store
21 at which fifty percent or more of the sales result
22 from the sale of tobacco or tobacco products, the
23 portion of a retail store where tobacco or tobacco
24 products are sold, a private, enclosed office occupied
25 exclusively by smokers even though the office may be
26 visited by nonsmokers, a room used primarily as the
27 residence of students or other persons at an
28 educational facility, a sleeping room in a motel or
29 hotel, or each resident's room in a health care
30 facility. The person in custody or control of the
31 facility shall provide a sufficient number of rooms in
32 which smoking is not permitted to accommodate all
33 persons who desire such rooms.

34 Sec. ____ . Section 142B.2, subsection 3, unnumbered
35 paragraph 1, Code 1993, is amended to read as follows:

36 ~~Where-smoking-areas-are-designated, existing~~
37 ~~physical-barriers-and-existing-ventilation-systems~~
38 ~~shall-be-used-to-minimize-the-toxic-effect-of-smoke-in~~
39 ~~adjacent-nonsmoking-areas.--in-the-case-of-public~~
40 ~~places-consisting-of-a-single-room, the provisions of~~
41 ~~this-law-shall-be-considered-met-if-one-side-of-the~~
42 ~~room-is-reserved-and-posted-as-a-no-smoking-area. A~~
43 smoking area shall only be designated if transmission
44 of environmental tobacco smoke to adjacent areas can
45 be eliminated. No public place other than a bar shall
46 be designated as a smoking area in its entirety.--if a
47 bar has within its premises a nonsmoking area, this
48 designation shall be posted on all entrances normally
49 used by the public.

50 Sec. ____ . Section 142B.2, Code 1993, is amended

507

H-5507

Page 2

1 by adding the following new subsection:

2 NEW SUBSECTION. 5. The following conditions shall
3 apply to restaurants, as applicable, in order to
4 comply with this chapter:

5 a. A restaurant of any size or seating capacity
6 which designates the restaurant as a no-smoking area
7 in its entirety shall post signs in conspicuous areas
8 both inside and on the exterior of the building which
9 advise patrons of the no-smoking policy of the
10 restaurant.

11 b. A restaurant of any size or seating capacity
12 which offers both smoking and no-smoking areas in
13 accordance with the application of this chapter to
14 other public places shall comply with the requirements
15 under this chapter for a public place.

16 c. A restaurant of any size but with a seating
17 capacity of fewer than fifty seats may designate the
18 restaurant as a smoking-permitted restaurant by
19 designating the restaurant as a smoking area in its
20 entirety. A smoking-permitted restaurant shall post
21 signs, in conspicuous areas both inside and on the
22 exterior of the building, which advise patrons of the
23 smoking-permitted status of the restaurant. A
24 restaurant which is designated as a smoking-permitted
25 restaurant shall also issue a written health warning
26 to prospective and current employees which states that
27 due to the environment of the restaurant, the employee
28 may be working in a hazardous environment.

29 d. A restaurant which is held out to be a bar or a
30 bar may be designated as a smoking area in its
31 entirety. If the bar has within its premises a
32 nonsmoking area, the designation shall be posted on
33 all entrances normally used by the public. If the bar
34 is designated as a smoking area in its entirety, signs
35 designating this status shall be posted both inside
36 and on the exterior of the building. The bar shall
37 also issue a written health warning to prospective and
38 current employees which states that due to the
39 environment of the bar, the employee may be working in
40 a hazardous environment.

41 Sec. ____ . Section 142B.4, Code 1993, is amended to
42 read as follows:

43 142B.4 AREAS POSTED.

44 A person having custody or control of a public
45 place or public meeting shall cause signs to be posted
46 within the appropriate areas of the facility advising
47 patrons of smoking and no-smoking areas. In addition
48 the statement "Smoking prohibited except in designated
49 areas" shall be conspicuously posted on all major
50 entrances to the public place or public meeting. In

H-5507

-2-

H-5507

Page 3

1 regard to restaurants, signs shall also be posted in
2 accordance with section 142B.2, subsection 5.

3 Sec. ____ . Section 142B.6, unnumbered paragraph 1,
4 Code 1993, is amended to read as follows:

5 A person who ~~smokes-in-these-areas-prohibited-in~~
6 ~~section-142B.2,-or-who~~ violates section 142B.2,
7 142B.3, or 142B.4, shall pay a civil fine pursuant to
8 section 805.8, subsection 11, for each violation.

9 Sec. ____ . Section 142B.6, unnumbered paragraph 3,
10 Code 1993, is amended by striking the unnumbered
11 paragraph.

12 Sec. ____ . NEW SECTION. 142B.7 ENFORCEMENT.

13 The Iowa department of public health shall adopt
14 rules to enforce this chapter."

By BRAMMER of Linn HALVORSON of Webster
BELL of Jasper OSTERBERG of Linn
COHOON of Lee WITT of Black Hawk
DODERER of Johnson BERNAU of Story
NEUHAUSER of Johnson

H-5507 FILED MARCH 17, 1994

Pat Hermann
Motion to Suspend Rules - adopted

Adopted 3/23/94 (P. 530)

HOUSE FILE 2376

E-5470

- 1 Amend House File 2376 as follows:
2 1. Page 19, by inserting after line 13 the
3 following:
4 "1. A local health care provider or nonprofit
5 health care organization seeking grant moneys
6 administered by the department of public health shall
7 provide documentation that the provider or
8 organization has coordinated its services with other
9 local entities providing similar services."

By HARPER of Black Hawk
BRUNKHORST of Bremer

H-5470 FILED MARCH 17, 1994

adopted 3-24-94 (P 820)

HOUSE FILE 2376

H-5471

- 1 Amend House File 2376 as follows:
2 1. Page 20, line 34, by striking the figure
3 "42,750" and inserting the following: "42,570".

By BRUNKHORST of Bremer
HARPER of Black Hawk

H-5471 FILED MARCH 17, 1994

adopted 3/23/94 (P.820)

HOUSE FILE 2376

H-5472

- 1 Amend House File 2376 as follows:
2 1. Page 24, by striking lines 5 through 9 and
3 inserting the following:
4 "2. An interim committee shall be established by
5 the legislative council to study the organizational
6 structure of the department of human rights. The
7 study shall include but not be limited to an
8 examination of the administrative costs of the
9 department, the costs and benefits of relocation of
10 divisions of the department into other departments,
11 and the continued viability of the department as a
12 separate unit of government. Proposals for change in
13 the organizational structure of the department shall
14 be presented to the general assembly by January 1,
15 1995."

By CARPENTER of Polk
BEATTY of Warren

H-5472 FILED MARCH 17, 1994

adopted 3/23/94 (P 831)

HOUSE FILE 2376

H-5473

1 Amend House File 2376 as follows:
 2 1. Page 25 by inserting after line 31 the
 3 following:
 4 "Sec. ____ . NEW SECTION. 135C.31A NURSING
 5 FACILITIES -- SEGREGATION OF RESIDENTS -- PENALTIES.
 6 A nursing facility licensed pursuant to section
 7 135C.6 shall not segregate residents solely on the
 8 basis of source of payment of the costs of the
 9 residents' care. A nursing facility which violates
 10 this section is subject to the penalty for a class II
 11 violation pursuant to section 135C.36 for each
 12 violation."

By RUNNING of Linn
 BEATTY of Warren
 HARPER of Black Hawk

H-5473 FILED MARCH 17, 1994

Not Harmonized
Material's Suspended Rules lost } 3/23/94
 } (P. 825)
 HOUSE FILE 2376

H-5495

1 Amend the amendment, H-5432, to House File 2376, as
 2 follows:
 3 1. Page 1, line 3, by striking the figure
 4 "2,264,457" and inserting the following: "2,294,457".
 5 2. Page 1, by inserting after line 5 the
 6 following:
 7 " ____ . Page 6, by striking lines 8 through 11 and
 8 inserting the following:
 9 "e. Of the funds appropriated in this subsection
 10 \$68,046 shall be used for radon program activities."

By OSTERBERG of Linn

H-5495 FILED MARCH 17, 1994

WITHDRAWN 3/23/94 (P. 831)
 HOUSE FILE 2376

H-5496

1 Amend the amendment, H-5433, to House File 2376 as
 2 follows:
 3 1. Page 1, line 3, by striking the figure
 4 "2,271,543" and inserting the following: "2,301,543".
 5 2. Page 1, by inserting after line 5 the
 6 following:
 7 " ____ . Page 6, by striking lines 8 through 11 and
 8 inserting the following:
 9 "e. Of the funds appropriated in this subsection,
 10 \$68,046 shall be used for radon program activities."

By OSTERBERG of Linn

H-5496 FILED MARCH 17, 1994

Adopted 3/23/94 (P. 818)

HOUSE FILE 2376

H-5600

1 Amend the amendment, H-5323, to House File 2376 as
2 follows:
3 1. Page 1, line 2, by striking the figure "25"
4 and inserting the following: "7".
5 2. Page 1, line 4, by striking the words "A plan"
6 and inserting the following: "If the substance abuse
7 block grant funds received from the federal government
8 are in excess of the amount of the anticipated federal
9 fiscal year 1994-1995 award, as specified in House
10 File 2323, if enacted, up to \$500,000 shall be used
11 for court-ordered social and medical detoxification.
12 The".

By HARPER of Black Hawk
BRUNKHORST of Bremer

H-5600 FILED MARCH 23, 1994

adopted 3/23/94 (P 819)

HOUSE FILE 2376

S-5463

1 Amend House File 2376 as amended, passed, and
2 reprinted by the House as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. DEPARTMENT FOR THE BLIND. There is
6 appropriated from the general fund of the state to the
7 department for the blind for the fiscal year beginning
8 July 1, 1994, and ending June 30, 1995, the following
9 amount, or so much thereof as is necessary, to be used
10 for the purposes designated:

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

14 \$ 1,370,334
15 FTEs 95.00

16 Sec. 2. CIVIL RIGHTS COMMISSION. There is
17 appropriated from the general fund of the state to the
18 Iowa state civil rights commission for the fiscal year
19 beginning July 1, 1994, and ending June 30, 1995, the
20 following amount, or so much thereof as is necessary,
21 to be used for the purposes designated:

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

25 \$ 1,083,962
26 FTEs 29.00

27 1. The department shall seek alternatives to
28 travel through the use of video and teleconferencing
29 technology.

30 2. If the anticipated amount of federal funding
31 from the federal equal employment opportunity
32 commission and the federal department of housing and
33 urban development exceeds \$387,900 during the fiscal
34 year beginning July 1, 1994, and ending June 30, 1995,
35 the Iowa state civil rights commission may exceed
36 their authorized staffing level to hire additional
37 professional staff to investigate employment and
38 housing complaints.

39 Sec. 3. DEPARTMENT OF ELDER AFFAIRS. There is
40 appropriated from the general fund of the state to the
41 department of elder affairs for the fiscal year
42 beginning July 1, 1994, and ending June 30, 1995, the
43 following amounts, or so much thereof as is necessary,
44 to be used for the purposes designated:

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

48 \$ 429,287
49 FTEs 28.50

50 The department shall seek alternatives to travel

S-5463

S-5463

Page 2

1 through the use of video and teleconferencing
2 technology.

3 2. For aging programs and services:

4 \$ 2,319,893

5 All funds appropriated in this subsection shall be
6 received and disbursed by the director of elder
7 affairs for aging programs and services, shall not be
8 used by the department for administrative purposes,
9 not more than \$151,654 shall be used for area agencies
10 on aging administrative purposes, and shall be used
11 for citizens of Iowa over 60 years of age for case
12 management for the frail elderly, mental health
13 outreach, Alzheimer's support, retired senior
14 volunteer program, care review committee coordination,
15 employment, adult day care, respite care, chore
16 services, telephone reassurance, information and
17 assistance, and home repair services, including the
18 winterizing of homes, and for the construction of
19 entrance ramps which make residences accessible to the
20 physically handicapped. Funds appropriated in this
21 subsection may be used to supplement federal funds
22 under federal regulations. Funds appropriated in this
23 subsection may be used for elderly services not
24 specifically enumerated in this subsection only if
25 approved by an area agency on aging for provision of
26 the service within the area.

27 The department shall maintain policies and
28 procedures regarding Alzheimer's support and the
29 retired senior volunteer program. To receive funds
30 appropriated in this subsection, a local area agency
31 on aging shall match the funds with funds from other
32 sources according to rules promulgated by the
33 department.

34 Sec. 4. DEPARTMENT OF PUBLIC HEALTH. There is
35 appropriated from the general fund of the state to the
36 Iowa department of public health for the fiscal year
37 beginning July 1, 1994, and ending June 30, 1995, the
38 following amounts, or so much thereof as is necessary,
39 to be used for the purposes designated:

40 1. a. PLANNING AND ADMINISTRATION DIVISION

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

44 \$ 2,044,397

45 FTEs 60.40

46 The department shall seek alternatives to travel
47 through the use of video and teleconferencing
48 technology.

49 Of the funds appropriated in this lettered
50 paragraph, \$743,949 shall be used for the chronic

S-5463

S-5463

Page 3

1 renal disease program. The types of assistance
 2 available to eligible recipients under the program may
 3 include hospital and medical expenses, home dialysis
 4 supplies, insurance premiums, travel expenses,
 5 prescription and nonprescription drugs, and lodging
 6 expenses for persons in training. The program
 7 expenditures shall not exceed this allocation. If
 8 projected expenditures will exceed the allocation, the
 9 department shall establish by administrative rule a
 10 mechanism to reduce financial assistance under the
 11 renal disease program in order to keep expenditures
 12 within the allocations.

13 Hospitals shall not collect fees for birth
 14 certificates in excess of the fees as set out in the
 15 administrative rules of the Iowa department of public
 16 health.

17 Of the funds appropriated in this lettered
 18 paragraph, \$100,000 shall be used to provide
 19 regulatory oversight of accountable health plans.

20 b. PROFESSIONAL LICENSURE

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

24	\$	745,895
25	FTEs	11.00

26 The department shall confer with the boards funded
 27 under this lettered paragraph in estimating the
 28 boards' annual fee generation and administrative
 29 costs. When the department develops each board's
 30 annual budget, a board's budget shall not exceed 85
 31 percent of fees collected, based on the average of the
 32 previous two years.

33 c. HEALTH DELIVERY SYSTEMS

34 (1) For salaries, support, maintenance,
 35 miscellaneous purposes, and for not more than the
 36 following full-time equivalent positions:

37	\$	1,264,037
38	FTEs	17.00

39 (2) Of the funds appropriated in this lettered
 40 paragraph, \$149,151 is allocated for the office of
 41 rural health to provide technical assistance to rural
 42 areas in the area of health care delivery.

43 (3) Of the funds appropriated in this lettered
 44 paragraph, \$1,010,886 shall be used for the training
 45 of emergency medical services (EMS) personnel at the
 46 state, county, and local levels.

47 If a person in the course of responding to an
 48 emergency renders aid to an injured person and becomes
 49 exposed to bodily fluids of the injured person, that
 50 emergency responder shall be entitled to hepatitis

S-5463

Page 4

1 testing and immunization in accordance with the latest
 2 available medical technology to determine if infection
 3 with hepatitis has occurred. The person shall be
 4 entitled to reimbursement from the EMS funds available
 5 under this lettered paragraph only if the
 6 reimbursement is not available through any employer or
 7 third-party payor.

8 (4) Of the funds appropriated in this lettered
 9 paragraph, \$104,000 shall be used to develop,
 10 implement, and maintain rural health provider
 11 recruitment and retention efforts.

12 d. HEALTH DATA COMMISSION

13 For the health data commission:

14 \$ 240,250

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

26 Prior to December 1, 1994, the commission shall
 27 submit to the general assembly a useful, comprehensive
 28 report for use by members of the general assembly in
 29 making informed decisions on public policy issues
 30 involving health.

31 2. HEALTH PROTECTION DIVISION

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

35 \$ 2,246,543

36 FTEs 75.37

37 b. Of the funds appropriated in this subsection,
 38 \$75,000 shall be used for chlamydia testing.

39 c. Of the funds appropriated in this subsection,
 40 \$15,000 is allocated to support the surveillance and
 41 reporting of disabilities suffered by persons engaged
 42 in agriculture resulting from diseases or injuries,
 43 including identifying the amount and severity of
 44 agriculture-related injuries and diseases in the
 45 state, identifying causal factors associated with
 46 agriculture-related injuries and diseases, and
 47 evaluating the effectiveness of intervention programs
 48 designed to reduce injuries and diseases. The
 49 department shall cooperate with the department of
 50 agriculture and land stewardship, Iowa state

S-5463

S-5463

Page 5

1 university of science and technology, and the college
2 of medicine at the state university of Iowa in
3 accomplishing these duties.

4 d. Of the funds appropriated in this subsection,
5 \$74,547 shall be used for the lead abatement program.

6 e. Of the funds appropriated in this subsection,
7 \$38,046 shall be used for radon program activities.

8 The department shall also retain \$30,000 of federal
9 radon funds for additional radon program activities.

10 f. The state university of Iowa hospitals and
11 clinics shall not receive indirect costs from the
12 funds appropriated in this subsection.

13 g. The division shall seek alternatives to travel
14 through the use of video and teleconferencing
15 technology.

16 3. SUBSTANCE ABUSE AND HEALTH PROMOTION DIVISION

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

20	\$	604,663
21	FTEs	27.73

22 The department shall seek alternatives to travel
23 through the use of video and teleconferencing
24 technology.

25 (1) The division shall create a task force
26 composed of substance abuse treatment and prevention
27 providers regardless of funding source to study
28 treatment and prevention service areas and the fiscal
29 implications of awarding funds to more than one
30 provider per service area.

31 (2) The substance abuse division of the department
32 of public health shall investigate the feasibility of
33 applying for a grant to receive federal "section 402,"
34 "motorcycle helmet" transfer funds, pursuant to 23
35 U.S.C. § 402 and 49 U.S.C. Appx. § 2302, to be used
36 for adolescent substance abuse prevention and, if
37 feasible, shall apply for the funds.

38 (3) It is the intent of the general assembly that
39 by July 1, 1997, the commission on substance abuse, in
40 conjunction with the division, shall coordinate
41 delivery of substance abuse services involving
42 prevention, social and medical detoxification, and
43 other treatment by medical and nonmedical providers to
44 uninsured and court-ordered substance abuse patients
45 in all counties of the state. The department of
46 public health shall apply for a grant to receive
47 federal "section 402," "motorcycle helmet" transfer
48 funds, pursuant to 23 U.S.C. § 402 and 49 U.S.C. Appx.
49 § 2302, for an amount up to \$500,000 to be used for
50 court-ordered social and medical detoxification. If

S-5463

S-5463

Page 6

1 the grant moneys are received, the department shall
 2 develop a payment formula which provides an initial
 3 partial reimbursement at a percentage rate established
 4 by rule for services of covered claims during the
 5 first quarter of the fiscal year. At the end of each
 6 quarter of the fiscal year, the department shall
 7 compare the amount expended and adjust reimbursement
 8 for the upcoming quarter payments to each provider
 9 which uniformly increases or decreases the
 10 reimbursement percentage to the level permitted by the
 11 fiscal quarter's appropriation, but not exceeding 100
 12 percent reimbursement. The formula for payment to
 13 providers shall balance formula factors of financial
 14 need of the providers, county per capita usage, and
 15 maximum daily rate. If funds remain for a quarter
 16 reimbursing at 100 percent, they shall be carried over
 17 to the next quarter. Moneys provided under this
 18 subparagraph shall not be used to supplant any
 19 existing funds. An annual report shall be provided to
 20 the legislative fiscal bureau on all claims submitted
 21 to the division for uninsured and court-ordered
 22 medical and social detoxification. A plan outlining
 23 the coordination activities and projects shall be
 24 developed by January 1, 1995. Projects under the plan
 25 shall be implemented during the fiscal year beginning
 26 July 1, 1995, and ending June 30, 1996, provided the
 27 projects can be funded within budget limitations.

28 b. For program grants:
 29 \$ 8,390,159

30 Of the funds appropriated in this lettered
 31 paragraph, \$193,500 shall be used for the provision of
 32 aftercare services for persons completing substance
 33 abuse treatment.

34 4. FAMILY AND COMMUNITY HEALTH DIVISION

35 a. For salaries, support, maintenance,
 36 miscellaneous purposes, and for not more than the
 37 following full-time equivalent positions:
 38 \$ 3,042,496
 39 FTEs 58.50

40 (1) Of the funds appropriated in this lettered
 41 paragraph at least \$587,865 shall be allocated for the
 42 birth defects and genetics counseling program and of
 43 these funds, \$279,402 shall be allocated for regional
 44 genetic counseling services contracted from the state
 45 university of Iowa hospitals and clinics under the
 46 control of the state board of regents.

47 (2) Of the funds appropriated in this lettered
 48 paragraph, the following amounts shall be allocated to
 49 the state university of Iowa hospitals and clinics
 50 under the control of the state board of regents for

S-5463

Page 7

1 the following programs under the Iowa specialized
2 child health care services:

3 (a) Mobile and regional child health specialty
4 clinics:

5 \$ 392,931

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

10 (b) Muscular dystrophy and related genetic disease
11 programs:

12 \$ 115,613

13 (c) Statewide perinatal program:

14 \$ 61,693

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

21 (4) Of the funds allocated to the mobile and
22 regional child health specialty clinics in
23 subparagraph (2), subparagraph subdivision (a),
24 \$97,937 shall be used for a specialized medical home
25 care program providing care planning and coordination
26 of community support services for children who require
27 technical medical care in the home.

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

31 (6) Of the funds appropriated in this lettered
32 paragraph, \$1,001,209 shall be used for maternal and
33 child health services.

34 (7) The Iowa department of public health shall
35 administer the statewide maternal and child health
36 program, conduct mobile and regional child health
37 specialty clinics, and conduct other activities to
38 improve the health of low-income women and children
39 and to promote the welfare of children with actual or
40 potential handicapping conditions and chronic
41 illnesses in accordance with the requirements of Title
42 V of the federal Social Security Act.

43 (8) The department shall budget for the fiscal
44 year beginning July 1, 1995, for the programs in the
45 family and community health division in accordance
46 with the performance-based budgeting method.
47 Notwithstanding section 8.23, the department is not
48 required to submit a budget for the programs using 75
49 percent based budgeting and decision package
50 methodology.

S-5463

S-5463

Page 8

1 The department shall track the programs which were
2 in the family and community health division in the
3 fiscal year beginning July 1, 1991, in accordance with
4 the program performance-based budgeting method.

5 (9) The department shall work with the department
6 of elder affairs to realize the "Healthy Iowans 2000"
7 goal of providing nutrition screening to 90 percent of
8 the elderly persons participating in well-elderly
9 screening clinics, congregate meal programs, and home
10 care aide programs, and shall submit a progress report
11 to the general assembly by January 1, 1995, regarding
12 the number of personnel trained and the number of
13 persons served.

14 (10) The department shall continue efforts to
15 realize the "Healthy Iowans 2000" goal of the
16 involvement of 50 counties in the Iowa community
17 nutrition coalition and shall submit a progress report
18 to the general assembly by January 1, 1995.

19 (11) The department shall seek alternatives to
20 travel through the use of video and teleconferencing
21 technology.

22 b. Sudden infant death syndrome autopsies:

23 For reimbursing counties for expenses resulting
24 from autopsies of suspected victims of sudden infant
25 death syndrome required under section 331.802,
26 subsection 3, paragraph "j":
27 \$ 9,675

28 c. For grants to local boards of health for the
29 public health nursing program:
30 \$ 2,511,871

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

42 (2) One-fourth of the total amount to be allocated
43 shall be divided so that an equal amount is available
44 for use in each county in the state. Three-fourths of
45 the total amount to be allocated shall be divided so
46 that the share available for use in each county is
47 proportionate to the number of elderly and low-income
48 persons living in that county in relation to the total
49 number of elderly and low-income persons living in the
50 state.

S-5463

S-5463

Page 9

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

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

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

36 (6) The department shall annually evaluate the
 37 success of the public health nursing program. The
 38 evaluation shall include the extent to which the
 39 program reduced or prevented inappropriate
 40 institutionalization, the extent to which the program
 41 increased the availability of public health nursing
 42 care to elderly and low-income persons, and the extent
 43 of public health nursing care provided to elderly and
 44 low-income persons. The department shall submit a
 45 report of each annual evaluation to the governor and
 46 the general assembly.

47 d. For grants to county boards of supervisors for
 48 the home care aide program:

49 \$ 8,586,716

50 Funds appropriated in this lettered paragraph shall

S-5463

S-5463

Page 10

1 be used to provide home care aide services with
2 emphasis on services to elderly and persons below the
3 poverty level and children and adults in need of
4 protective services with the objective of preventing
5 or reducing inappropriate institutionalization. In
6 addition, up to 15 percent of the funds appropriated
7 in this lettered paragraph may be used to provide
8 chore services. The funds shall not be used for any
9 other purposes. In providing services to elderly
10 persons, the service provider shall coordinate efforts
11 with the integrated case management for the frail
12 elderly program of the department of elder affairs.
13 As used in this lettered paragraph:

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

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

29 (3) "Home care aide services" means services
30 intended to enhance the capacity of household members
31 to attain or maintain the independence of the
32 household members and provided by trained and
33 supervised workers to individuals or families, who,
34 due to the absence, incapacity, or limitations of the
35 usual homemaker, are experiencing stress or crisis.
36 The services include but are not limited to essential
37 shopping, housekeeping, meal preparation, child care,
38 respite care, money management and consumer education,
39 family management, personal services, transportation
40 and providing information, assistance, and household
41 management.

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

45 (5) "Protective services" means those home care
46 aide services intended to stabilize a child's or an
47 adult's residential environment and relationships with
48 relatives, caretakers, and other persons or household
49 members in order to alleviate a situation involving
50 abuse or neglect or to otherwise protect the child or

S-5463

S-5463

Page 11

1 adult from a threat of abuse or neglect.

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

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

S-5463

-11-

S-5463

Page 12

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

16 If by July 30 of the fiscal year, the department is
17 unable to conclude contracts for use of the allocated
18 funds in a county, the department shall consider the
19 unused funds appropriated in this lettered paragraph
20 an unallocated pool. The department shall also
21 identify any allocated funds which the counties do not
22 anticipate spending during the fiscal year. If the
23 anticipated excess funds to any county are
24 substantial, the department and the county may agree
25 to return those excess funds, if the funds are other
26 than program revenues, to the department, and if
27 returned, the department shall consider the returned
28 funds a part of the unallocated pool. The department
29 shall, prior to February 15 of the fiscal year,
30 reallocate the funds in the unallocated pool among the
31 counties in which the department has concluded
32 contracts under this lettered paragraph. The
33 department shall also review the first 10 months'
34 expenditures for each county in May of the fiscal
35 year, to determine if any counties possess contracted
36 funds which they do not anticipate spending. If such
37 funds are identified and the county agrees to release
38 the funds, the released funds will be considered a new
39 reallocation pool. The department may, prior to June
40 1 of the fiscal year, reallocate funds from this new
41 reallocation pool to those counties which have
42 experienced a high utilization of protective service
43 hours for children and dependent adults.

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

S-5463

-12-

S-5463

Page 13

1 services. The department shall also maintain rules
2 for standards regarding training, supervision,
3 recordkeeping, appeals, program evaluation, cost
4 analysis, and financial audits, and rules specifying
5 reporting requirements.

6 The department shall annually evaluate the success
7 of the home care aide program. The evaluation shall
8 include a description of the program and its
9 implementation, the extent of local participation, the
10 extent to which the program reduced or prevented
11 inappropriate institutionalization, the extent to
12 which the program provided or increased the
13 availability of home care aide services to elderly and
14 low-income persons and children and adults in need of
15 protective services, any problems and recommendations
16 concerning the program, and an analysis of the costs
17 of services across the state. The department shall
18 submit a report of the annual evaluation to the
19 governor and the general assembly.

20 e. For the development and maintenance of well-
21 elderly clinics in the state:

22 \$ 585,337

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

27 f. For the physician care for children program:

28 \$ 411,187

29 The physician services shall be subject to managed
30 care and selective contracting provisions and shall be
31 used to provide treatment of the children in a
32 physician's office and shall include coverage of
33 diagnostic procedures and prescription drugs required
34 for the treatment. Services provided under this
35 lettered paragraph shall be reimbursed according to
36 medical assistance reimbursement rates.

37 g. For primary and preventive health care for
38 children:

39 \$ 75,000

40 Funds appropriated in this lettered paragraph shall
41 be for the public purpose of providing a renewable
42 grant, following a request for proposals, to a
43 statewide charitable organization within the meaning
44 of section 501(c)(3) of the Internal Revenue Code
45 which was organized prior to April 1, 1989, and has as
46 one of its purposes the sponsorship or support for
47 programs designed to improve the quality, awareness,
48 and availability of health care for the young, to
49 serve as the funding mechanism for the provision of
50 primary health care and preventive services to

S-5463

S-5463

Page 14

1 children in the state who are uninsured and who are
2 not eligible under any public plan of health
3 insurance, provided all of the following conditions
4 are met:

5 (1) The organization shall provide a match of four
6 dollars in advance of each state dollar provided.

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

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

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

21 h. For the healthy family program:

22 \$ 665,000

23 The moneys appropriated in this lettered paragraph
24 shall be granted pursuant to 1992 Iowa Acts, Second
25 Extraordinary Session, chapter 1001, section 415. The
26 administrative entities shall work collaboratively to
27 assure continuity of the provision of services from
28 the prenatal to the preschool period to an individual
29 client by having a single resource mother work with
30 that client. The department shall submit an annual
31 report to the general assembly concerning the
32 efficiency of the program and make any recommendations
33 for improvements.

34 5. STATE BOARD OF DENTAL EXAMINERS

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

38 \$ 257,049

39 FTEs 4.00

40 The board shall seek alternatives to travel through
41 the use of video and teleconferencing technology.

42 6. STATE BOARD OF MEDICAL EXAMINERS

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

46 \$ 979,949

47 FTEs 18.00

48 The board shall seek alternatives to travel through
49 the use of video and teleconferencing technology.

50 7. STATE BOARD OF NURSING EXAMINERS

S-5463

S-5463

Page 15

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

4 \$ 874,166
5 FTEs 16.00

6 The board shall seek alternatives to travel through
7 the use of video and teleconferencing technology.

8 8. STATE BOARD OF PHARMACY EXAMINERS

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

12 \$ 652,224
13 FTEs 11.00

14 The board shall seek alternatives to travel through
15 the use of video and teleconferencing technology.

16 9. The state board of medical examiners, the state
17 board of pharmacy examiners, the state board of dental
18 examiners, and the state board of nursing examiners
19 shall prepare estimates of projected receipts to be
20 generated by the licensing, certification, and
21 examination fees of each board as well as a projection
22 of the fairly apportioned administrative costs and
23 rental expenses attributable to each board. Each
24 board shall annually review and adjust its schedule of
25 fees so that, as nearly as possible, projected
26 receipts equal projected costs.

27 10. The state board of medical examiners, the
28 state board of pharmacy examiners, the state board of
29 dental examiners, and the state board of nursing
30 examiners shall retain their individual executive
31 officers, but are strongly encouraged to share
32 administrative, clerical, and investigative staffs to
33 the greatest extent possible.

34 11. A local health care provider or nonprofit
35 health care organization seeking grant moneys
36 administered by the department of public health shall
37 provide documentation that the provider or
38 organization has coordinated its services with other
39 local entities providing similar services.

40 Sec. 5. DEPARTMENT OF HUMAN RIGHTS. There is
41 appropriated from the general fund of the state to the
42 department of human rights for the fiscal year
43 beginning July 1, 1994 and ending June 30, 1995, the
44 following amounts, or so much thereof as is necessary,
45 to be used for the purposes designated:

46 1. CENTRAL ADMINISTRATION DIVISION

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

50 \$ 176,836

S-5463

S-5463

Page 16

1 FTEs 6.60
2 The division shall seek alternatives to travel
3 through the use of video and teleconferencing
4 technology.
5 2. COMMUNITY ACTION AGENCIES DIVISION
6 For the expenses of the community action agencies
7 commission:
8 \$ 3,401
9 The division shall seek alternatives to travel
10 through the use of video and teleconferencing
11 technology.
12 3. DEAF SERVICES DIVISION
13 For salaries, support, maintenance, miscellaneous
14 purposes, and for not more than the following full-
15 time equivalent positions:
16 \$ 288,900
17 FTEs 8.00
18 The fees collected by the division for provision of
19 interpretation services by the division to obligated
20 agencies shall be disbursed pursuant to the provisions
21 of section 8.32, and shall be dedicated and used by
22 the division for the provision of continued and
23 expanded interpretation services.
24 4. PERSONS WITH DISABILITIES DIVISION
25 For salaries, support, maintenance, miscellaneous
26 purposes, and for not more than the following full-
27 time equivalent positions:
28 \$ 101,390
29 FTEs 2.00
30 The division shall seek alternatives to travel
31 through the use of video and teleconferencing
32 technology.
33 5. LATINO AFFAIRS DIVISION
34 For salaries, support, maintenance, miscellaneous
35 purposes, and for not more than the following full-
36 time equivalent positions:
37 \$ 96,003
38 FTEs 2.00
39 The division shall seek alternatives to travel
40 through the use of video and teleconferencing
41 technology.
42 6. STATUS OF WOMEN DIVISION
43 For salaries, support, maintenance, miscellaneous
44 purposes, and for not more than the following full-
45 time equivalent positions:
46 \$ 391,644
47 FTEs 4.50
48 a. Of the funds appropriated in this subsection,
49 at least \$125,775 shall be spent for the displaced
50 homemaker program.

S-5463

S-5463

Page 17

1 b. Of the funds appropriated in this subsection,
2 at least \$42,570 shall be spent for domestic violence
3 and sexual assault-related grants.

4 c. Of the funds appropriated in this subsection,
5 at least \$45,241 shall be spent for the mentoring
6 project for family investment program participants
7 developed in accordance with section 239.22.

8 The division shall seek alternatives to travel
9 through the use of video and teleconferencing
10 technology.

11 7. STATUS OF AFRICAN-AMERICANS DIVISION

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

15	\$	85,877
16	FTEs	2.00

17 The division shall seek alternatives to travel
18 through the use of video and teleconferencing
19 technology.

20 8. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

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

24	\$	363,866
25	FTEs	9.75

26 The division shall seek alternatives to travel
27 through the use of video and teleconferencing
28 technology.

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

33 b. Of the funds appropriated in this subsection,
34 at least \$36,300 shall be spent for expenses relating
35 to the administration of federal funds for juvenile
36 assistance. It is the intent of the general assembly
37 that the department of human rights employ sufficient
38 staff to meet the federal funding match requirements
39 established by the federal office for juvenile justice
40 delinquency prevention. The governor's advisory
41 council on juvenile justice shall determine the
42 staffing level necessary to carry out federal and
43 state mandates for juvenile justice.

44 9. PROGRAM PERFORMANCE-BASED BUDGETING. The
45 department shall track all appropriations made to the
46 programs of the department in the fiscal year
47 beginning July 1, 1995, in accordance with the program
48 performance-based budgeting method.

49 10. GRANT WRITING. The divisions of the
50 department of human rights shall retain their

S-5463

S-5463

Page 18

1 individual administrators, but are strongly encouraged
2 to share staff to the greatest extent possible and
3 especially for the purpose of grant writing.

4 Sec. 6. COMMISSION OF VETERANS AFFAIRS. There is
5 appropriated from the general fund of the state to the
6 commission of veterans affairs for the fiscal year
7 beginning July 1, 1994, and ending June 30, 1995, the
8 following amounts, or so much thereof as is necessary,
9 to be used for the purposes designated:

10 1. COMMISSION OF VETERANS AFFAIRS ADMINISTRATION

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

14 \$ 147,244
15 FTEs 4.00

16 The commission shall seek alternatives to travel
17 through the use of video and teleconferencing
18 technology.

19 The commission of veterans affairs may use the
20 gifts accepted by the chairperson of the commission of
21 veterans affairs, or designee, and other resources
22 available to the commission for use at its Camp Dodge
23 office. The commission shall report annually to the
24 governor and the general assembly on monetary gifts
25 received by the commission for the Camp Dodge office.

26 2. WAR ORPHANS

27 For the war orphans educational aid fund
28 established pursuant to chapter 35:

29 \$ 4,800

30 3. IOWA VETERANS HOME

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

34 \$ 35,432,032
35 FTEs 777.08

36 The veterans home shall seek alternatives to travel
37 through the use of video and teleconferencing
38 technology.

39 The Iowa veterans home may use the gifts accepted
40 by the chairperson of the commission of veterans
41 affairs and other resources available to the
42 commission for use at the Iowa veterans home.

43 If medical assistance revenues are expanded at the
44 Iowa veterans home, and this expansion results in
45 medical assistance reimbursements which exceed the
46 amount budgeted for that purpose in the fiscal year
47 beginning July 1, 1994, and ending June 30, 1995, the
48 Iowa veterans home may expend the excess amounts to
49 exceed the number of full-time equivalent positions
50 authorized in this section for the purpose of meeting

S-5463

S-5463

Page 19

1 related certification requirements or to provide
2 additional beds. The expenditure of additional funds
3 received, as outlined in this paragraph, is subject to
4 the approval by the department of management. Any
5 funds which are saved by reorganizing the department
6 of human rights pursuant to Senate File 2144, if
7 enacted by the Seventy-fifth General Assembly, shall
8 be appropriated to the veterans home.

9 Sec. 7. INTERIM STUDIES -- SUBSTANCE ABUSE CARE
10 AND TREATMENT PROGRAM AND DEPARTMENT OF HUMAN RIGHTS.

11 1. The legislative council is requested to provide
12 for a study of programs and services available in this
13 state for substance abuse care and treatment, the
14 continuum of needs of substance abusers and whether
15 the needs are being met satisfactorily, funding
16 available for substance abuse care and treatment,
17 including federal and state moneys, and payment
18 mechanisms for the care and treatment, including
19 medical assistance and third-party sources of payment,
20 and the limitations of the payment. The study shall
21 include a report to the general assembly, with
22 recommendations to address identified problem areas on
23 or before January 15, 1995.

24 2. An interim committee is requested to be
25 established by the legislative council to study the
26 organizational structure of the department of human
27 rights. The study shall include but not be limited to
28 an examination of the administrative costs of the
29 department, the costs and benefits of relocation of
30 divisions of the department into other departments,
31 and the continued viability of the department as a
32 separate unit of government. Proposals for change in
33 the organizational structure of the department shall
34 be presented to the general assembly by January 1,
35 1995.

36 Sec. 8. LEASE-PURCHASE -- BUDGET SUBMISSION. This
37 section applies to each state agency receiving an
38 appropriation in this Act. The departmental estimate
39 required under section 8.23 for the fiscal period
40 beginning July 1, 1995, which includes the state
41 agency, shall provide an itemized list indicating the
42 nature and amount of each lease-purchase contract
43 payment included in the estimate for proposed
44 contracts which have not been reported by the state
45 agency to the legislative fiscal committee of the
46 legislative council pursuant to section 8.46 prior to
47 the submission of the estimate. The governor shall
48 include in the governor's budget for the fiscal year
49 beginning July 1, 1995, a listing indicating the
50 nature and amount of each lease-purchase contract

S-5463

-19-

S-5463

Page 20

1 which was itemized in a departmental estimate in
2 accordance with this section and is included in the
3 governor's budget. A state agency receiving an
4 appropriation in this Act shall not enter into a
5 lease-purchase contract during the fiscal year
6 beginning July 1, 1995, unless the contract was
7 itemized in a departmental estimate and included in
8 the governor's budget in accordance with this section.

9 Sec. 9. Section 35.9, Code 1993, is amended to
10 read as follows:

11 35.9 EXPENDITURE BY COMMISSION.

12 The commission of veterans affairs may expend not
13 more than four six hundred dollars per year for any
14 one child who has lived in the state of Iowa for two
15 years preceding application for aid, and who is the
16 child of a person who died during World War I between
17 the dates of April 6, 1917, and June 2, 1921, or
18 during World War II between the dates of September 16,
19 1940, and December 31, 1946, both dates inclusive, or
20 the Korean Conflict between June 25, 1950, and January
21 31, 1955, both dates inclusive, or the Vietnam
22 Conflict between August 5, 1964, and May 7, 1975, both
23 dates inclusive, or the Persian Gulf Conflict at any
24 time between August 2, 1990, and the date the
25 president or the congress of the United States
26 declares a permanent cessation of hostilities, both
27 dates inclusive, while serving in the military or
28 naval forces of the United States, to include members
29 of the reserve components performing service or duties
30 required or authorized under chapter 39, United States
31 Code and Title 32, United States Code, sections 502
32 through 505, and active state service required or
33 authorized under chapter 29A, or as a result of such
34 service, to defray the expenses of tuition,
35 matriculation, laboratory and similar fees, books and
36 supplies, board, lodging, and any other reasonably
37 necessary expense for such child or children incident
38 to attendance in this state at an educational or
39 training institution of college grade, or in a
40 business or vocational training school with standards
41 approved by the commission of veterans affairs.
42 However, if congress enacts a date different from
43 August 2, 1990, as the beginning of the Persian Gulf
44 Conflict for purposes of determining whether a veteran
45 is entitled to receive military benefits as a veteran
46 of the Persian Gulf Conflict, that date shall be
47 substituted for August 2, 1990.

48 A child eligible to receive funds under this
49 section shall not receive more than two three thousand
50 dollars under this section during the child's

S-5463

-20-

S-5463

Page 21

1 lifetime."

By COMMITTEE ON APPROPRIATIONS
LARRY MURPHY, Chairperson

S-5463 FILED APRIL 5, 1994

Adopted 4-6-94

(P. 1049)

SENATE AMENDMENT TO HOUSE FILE 2376

H-6012

1 Amend House File 2376 as amended, passed, and
2 reprinted by the House as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. DEPARTMENT FOR THE BLIND. There is
6 appropriated from the general fund of the state to the
7 department for the blind for the fiscal year beginning
8 July 1, 1994, and ending June 30, 1995, the following
9 amount, or so much thereof as is necessary, to be used
10 for the purposes designated:

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

14 \$ 1,370,334
15 FTEs 95.00

16 Sec. 2. CIVIL RIGHTS COMMISSION. There is
17 appropriated from the general fund of the state to the
18 Iowa state civil rights commission for the fiscal year
19 beginning July 1, 1994, and ending June 30, 1995, the
20 following amount, or so much thereof as is necessary,
21 to be used for the purposes designated:

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

25 \$ 1,083,962
26 FTEs 29.00

27 1. The department shall seek alternatives to
28 travel through the use of video and teleconferencing
29 technology.

30 2. If the anticipated amount of federal funding
31 from the federal equal employment opportunity
32 commission and the federal department of housing and
33 urban development exceeds \$387,900 during the fiscal
34 year beginning July 1, 1994, and ending June 30, 1995,
35 the Iowa state civil rights commission may exceed
36 their authorized staffing level to hire additional
37 professional staff to investigate employment and
38 housing complaints.

39 Sec. 3. DEPARTMENT OF ELDER AFFAIRS. There is
40 appropriated from the general fund of the state to the
41 department of elder affairs for the fiscal year
42 beginning July 1, 1994, and ending June 30, 1995, the
43 following amounts, or so much thereof as is necessary,
44 to be used for the purposes designated:

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

48 \$ 429,287
49 FTEs 28.50

50 The department shall seek alternatives to travel

H-6012

H-6012

Page 2

1 through the use of video and teleconferencing
2 technology.

3 2. For aging programs and services:

4 S 2,319,893

5 All funds appropriated in this subsection shall be
6 received and disbursed by the director of elder
7 affairs for aging programs and services, shall not be
8 used by the department for administrative purposes,
9 not more than \$151,654 shall be used for area agencies
10 on aging administrative purposes, and shall be used
11 for citizens of Iowa over 60 years of age for case
12 management for the frail elderly, mental health
13 outreach, Alzheimer's support, retired senior
14 volunteer program, care review committee coordination,
15 employment, adult day care, respite care, chore
16 services, telephone reassurance, information and
17 assistance, and home repair services, including the
18 winterizing of homes, and for the construction of
19 entrance ramps which make residences accessible to the
20 physically handicapped. Funds appropriated in this
21 subsection may be used to supplement federal funds
22 under federal regulations. Funds appropriated in this
23 subsection may be used for elderly services not
24 specifically enumerated in this subsection only if
25 approved by an area agency on aging for provision of
26 the service within the area.

27 The department shall maintain policies and
28 procedures regarding Alzheimer's support and the
29 retired senior volunteer program. To receive funds
30 appropriated in this subsection, a local area agency
31 on aging shall match the funds with funds from other
32 sources according to rules promulgated by the
33 department.

34 Sec. 4. DEPARTMENT OF PUBLIC HEALTH. There is
35 appropriated from the general fund of the state to the
36 Iowa department of public health for the fiscal year
37 beginning July 1, 1994, and ending June 30, 1995, the
38 following amounts, or so much thereof as is necessary,
39 to be used for the purposes designated:

40 1. a. PLANNING AND ADMINISTRATION DIVISION

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

44 S 2,044,397

45 FTEs 60.40

46 The department shall seek alternatives to travel
47 through the use of video and teleconferencing
48 technology.

49 Of the funds appropriated in this lettered
50 paragraph, \$743,949 shall be used for the chronic

H-6012

Page 3

1 renal disease program. The types of assistance
 2 available to eligible recipients under the program may
 3 include hospital and medical expenses, home dialysis
 4 supplies, insurance premiums, travel expenses,
 5 prescription and nonprescription drugs, and lodging
 6 expenses for persons in training. The program
 7 expenditures shall not exceed this allocation. If
 8 projected expenditures will exceed the allocation, the
 9 department shall establish by administrative rule a
 10 mechanism to reduce financial assistance under the
 11 renal disease program in order to keep expenditures
 12 within the allocations.

13 Hospitals shall not collect fees for birth
 14 certificates in excess of the fees as set out in the
 15 administrative rules of the Iowa department of public
 16 health.

17 Of the funds appropriated in this lettered
 18 paragraph, \$100,000 shall be used to provide
 19 regulatory oversight of accountable health plans.

20 b. PROFESSIONAL LICENSURE

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

24	\$	745,895
25	FTEs	11.00

26 The department shall confer with the boards funded
 27 under this lettered paragraph in estimating the
 28 boards' annual fee generation and administrative
 29 costs. When the department develops each board's
 30 annual budget, a board's budget shall not exceed 85
 31 percent of fees collected, based on the average of the
 32 previous two years.

33 c. HEALTH DELIVERY SYSTEMS

34 (1) For salaries, support, maintenance,
 35 miscellaneous purposes, and for not more than the
 36 following full-time equivalent positions:

37	\$	1,264,037
38	FTEs	17.00

39 (2) Of the funds appropriated in this lettered
 40 paragraph, \$149,151 is allocated for the office of
 41 rural health to provide technical assistance to rural
 42 areas in the area of health care delivery.

43 (3) Of the funds appropriated in this lettered
 44 paragraph, \$1,010,886 shall be used for the training
 45 of emergency medical services (EMS) personnel at the
 46 state, county, and local levels.

47 If a person in the course of responding to an
 48 emergency renders aid to an injured person and becomes
 49 exposed to bodily fluids of the injured person, that
 50 emergency responder shall be entitled to hepatitis

H-6012

H-6012

Page 4

1 testing and immunization in accordance with the latest
2 available medical technology to determine if infection
3 with hepatitis has occurred. The person shall be
4 entitled to reimbursement from the EMS funds available
5 under this lettered paragraph only if the
6 reimbursement is not available through any employer or
7 third-party payor.

8 (4) Of the funds appropriated in this lettered
9 paragraph, \$104,000 shall be used to develop,
10 implement, and maintain rural health provider
11 recruitment and retention efforts.

12 d. HEALTH DATA COMMISSION

13 For the health data commission:

14 \$ 240,250

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

26 Prior to December 1, 1994, the commission shall
27 submit to the general assembly a useful, comprehensive
28 report for use by members of the general assembly in
29 making informed decisions on public policy issues
30 involving health.

31 2. HEALTH PROTECTION DIVISION

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

35 \$ 2,246,543
36 FTEs 75.37

37 b. Of the funds appropriated in this subsection,
38 \$75,000 shall be used for chlamydia testing.

39 c. Of the funds appropriated in this subsection,
40 \$15,000 is allocated to support the surveillance and
41 reporting of disabilities suffered by persons engaged
42 in agriculture resulting from diseases or injuries,
43 including identifying the amount and severity of
44 agriculture-related injuries and diseases in the
45 state, identifying causal factors associated with
46 agriculture-related injuries and diseases, and
47 evaluating the effectiveness of intervention programs
48 designed to reduce injuries and diseases. The
49 department shall cooperate with the department of
50 agriculture and land stewardship, Iowa state

H-6012

H-6012

Page 5

1 university of science and technology, and the college
2 of medicine at the state university of Iowa in
3 accomplishing these duties.

4 d. Of the funds appropriated in this subsection,
5 \$74,547 shall be used for the lead abatement program.

6 e. Of the funds appropriated in this subsection,
7 \$38,046 shall be used for radon program activities.
8 The department shall also retain \$30,000 of federal
9 radon funds for additional radon program activities.

10 f. The state university of Iowa hospitals and
11 clinics shall not receive indirect costs from the
12 funds appropriated in this subsection.

13 g. The division shall seek alternatives to travel
14 through the use of video and teleconferencing
15 technology.

16 3. SUBSTANCE ABUSE AND HEALTH PROMOTION DIVISION

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

20	\$	604,663
21	FTEs	27.73

22 The department shall seek alternatives to travel
23 through the use of video and teleconferencing
24 technology.

25 (1) The division shall create a task force
26 composed of substance abuse treatment and prevention
27 providers regardless of funding source to study
28 treatment and prevention service areas and the fiscal
29 implications of awarding funds to more than one
30 provider per service area.

31 (2) The substance abuse division of the department
32 of public health shall investigate the feasibility of
33 applying for a grant to receive federal "section 402,"
34 "motorcycle helmet" transfer funds, pursuant to 23
35 U.S.C. § 402 and 49 U.S.C. Appx. § 2302, to be used
36 for adolescent substance abuse prevention and, if
37 feasible, shall apply for the funds.

38 (3) It is the intent of the general assembly that
39 by July 1, 1997, the commission on substance abuse, in
40 conjunction with the division, shall coordinate
41 delivery of substance abuse services involving
42 prevention, social and medical detoxification, and
43 other treatment by medical and nonmedical providers to
44 uninsured and court-ordered substance abuse patients
45 in all counties of the state. The department of
46 public health shall apply for a grant to receive
47 federal "section 402," "motorcycle helmet" transfer
48 funds, pursuant to 23 U.S.C. § 402 and 49 U.S.C. Appx.
49 § 2302, for an amount up to \$500,000 to be used for
50 court-ordered social and medical detoxification. If

H-6012

H-6012

Page 6

1 the grant moneys are received, the department shall
 2 develop a payment formula which provides an initial
 3 partial reimbursement at a percentage rate established
 4 by rule for services of covered claims during the
 5 first quarter of the fiscal year. At the end of each
 6 quarter of the fiscal year, the department shall
 7 compare the amount expended and adjust reimbursement
 8 for the upcoming quarter payments to each provider
 9 which uniformly increases or decreases the
 10 reimbursement percentage to the level permitted by the
 11 fiscal quarter's appropriation, but not exceeding 100
 12 percent reimbursement. The formula for payment to
 13 providers shall balance formula factors of financial
 14 need of the providers, county per capita usage, and
 15 maximum daily rate. If funds remain for a quarter
 16 reimbursing at 100 percent, they shall be carried over
 17 to the next quarter. Moneys provided under this
 18 subparagraph shall not be used to supplant any
 19 existing funds. An annual report shall be provided to
 20 the legislative fiscal bureau on all claims submitted
 21 to the division for uninsured and court-ordered
 22 medical and social detoxification. A plan outlining
 23 the coordination activities and projects shall be
 24 developed by January 1, 1995. Projects under the plan
 25 shall be implemented during the fiscal year beginning
 26 July 1, 1995, and ending June 30, 1996, provided the
 27 projects can be funded within budget limitations.

28 b. For program grants:

29 \$ 3,390,159

30 Of the funds appropriated in this lettered
 31 paragraph, \$193,500 shall be used for the provision of
 32 aftercare services for persons completing substance
 33 abuse treatment.

34 4. FAMILY AND COMMUNITY HEALTH DIVISION

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

38 \$ 3,042,496

39 FTEs 58.50

40 (1) Of the funds appropriated in this lettered
 41 paragraph at least \$587,865 shall be allocated for the
 42 birth defects and genetics counseling program and of
 43 these funds, \$279,402 shall be allocated for regional
 44 genetic counseling services contracted from the state
 45 university of Iowa hospitals and clinics under the
 46 control of the state board of regents.

47 (2) Of the funds appropriated in this lettered
 48 paragraph, the following amounts shall be allocated to
 49 the state university of Iowa hospitals and clinics
 50 under the control of the state board of regents for

H-6012

H-6012

Page 7

1 the following programs under the Iowa specialized
2 child health care services:

3 (a) Mobile and regional child health specialty
4 clinics:

5 \$ 392,931

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

10 (b) Muscular dystrophy and related genetic disease
11 programs:

12 \$ 115,613

13 (c) Statewide perinatal program:

14 \$ 61,693

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

21 (4) Of the funds allocated to the mobile and
22 regional child health specialty clinics in
23 subparagraph (2), subparagraph subdivision (a),
24 \$97,937 shall be used for a specialized medical home
25 care program providing care planning and coordination
26 of community support services for children who require
27 technical medical care in the home.

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

31 (6) Of the funds appropriated in this lettered
32 paragraph, \$1,001,209 shall be used for maternal and
33 child health services.

34 (7) The Iowa department of public health shall
35 administer the statewide maternal and child health
36 program, conduct mobile and regional child health
37 specialty clinics, and conduct other activities to
38 improve the health of low-income women and children
39 and to promote the welfare of children with actual or
40 potential handicapping conditions and chronic
41 illnesses in accordance with the requirements of Title
42 V of the federal Social Security Act.

43 (8) The department shall budget for the fiscal
44 year beginning July 1, 1995, for the programs in the
45 family and community health division in accordance
46 with the performance-based budgeting method.
47 Notwithstanding section 8.23, the department is not
48 required to submit a budget for the programs using 75
49 percent based budgeting and decision package
50 methodology.

H-6012

H-6012

Page 8

1 The department shall track the programs which were
2 in the family and community health division in the
3 fiscal year beginning July 1, 1991, in accordance with
4 the program performance-based budgeting method.

5 (9) The department shall work with the department
6 of elder affairs to realize the "Healthy Iowans 2000"
7 goal of providing nutrition screening to 90 percent of
8 the elderly persons participating in well-elderly
9 screening clinics, congregate meal programs, and home
10 care aide programs, and shall submit a progress report
11 to the general assembly by January 1, 1995, regarding
12 the number of personnel trained and the number of
13 persons served.

14 (10) The department shall continue efforts to
15 realize the "Healthy Iowans 2000" goal of the
16 involvement of 50 counties in the Iowa community
17 nutrition coalition and shall submit a progress report
18 to the general assembly by January 1, 1995.

19 (11) The department shall seek alternatives to
20 travel through the use of video and teleconferencing
21 technology.

22 b. Sudden infant death syndrome autopsies:

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

27 \$ 9,675

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

30 \$ 2,511,871

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

42 (2) One-fourth of the total amount to be allocated
43 shall be divided so that an equal amount is available
44 for use in each county in the state. Three-fourths of
45 the total amount to be allocated shall be divided so
46 that the share available for use in each county is
47 proportionate to the number of elderly and low-income
48 persons living in that county in relation to the total
49 number of elderly and low-income persons living in the
50 state.

H-6012

H-6012

Page 9

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

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

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

36 (6) The department shall annually evaluate the
 37 success of the public health nursing program. The
 38 evaluation shall include the extent to which the
 39 program reduced or prevented inappropriate
 40 institutionalization, the extent to which the program
 41 increased the availability of public health nursing
 42 care to elderly and low-income persons, and the extent
 43 of public health nursing care provided to elderly and
 44 low-income persons. The department shall submit a
 45 report of each annual evaluation to the governor and
 46 the general assembly.

47 d. For grants to county boards of supervisors for
 48 the home care aide program:
 49 \$ 8,586,716
 50 Funds appropriated in this lettered paragraph shall

H-6012

H-6012

Page 10

1 be used to provide home care aide services with
2 emphasis on services to elderly and persons below the
3 poverty level and children and adults in need of
4 protective services with the objective of preventing
5 or reducing inappropriate institutionalization. In
6 addition, up to 15 percent of the funds appropriated
7 in this lettered paragraph may be used to provide
8 chore services. The funds shall not be used for any
9 other purposes. In providing services to elderly
10 persons, the service provider shall coordinate efforts
11 with the integrated case management for the frail
12 elderly program of the department of elder affairs.

13 As used in this lettered paragraph:

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

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

29 (3) "Home care aide services" means services
30 intended to enhance the capacity of household members
31 to attain or maintain the independence of the
32 household members and provided by trained and
33 supervised workers to individuals or families, who,
34 due to the absence, incapacity, or limitations of the
35 usual homemaker, are experiencing stress or crisis.
36 The services include but are not limited to essential
37 shopping, housekeeping, meal preparation, child care,
38 respite care, money management and consumer education,
39 family management, personal services, transportation
40 and providing information, assistance, and household
41 management.

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

45 (5) "Protective services" means those home care
46 aide services intended to stabilize a child's or an
47 adult's residential environment and relationships with
48 relatives, caretakers, and other persons or household
49 members in order to alleviate a situation involving
50 abuse or neglect or to otherwise protect the child or

H-6012

-10-

H-6012

Page 11

1 adult from a threat of abuse or neglect.

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

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

H-6012

-11-

H-6012

Page 12

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

16 If by July 30 of the fiscal year, the department is
17 unable to conclude contracts for use of the allocated
18 funds in a county, the department shall consider the
19 unused funds appropriated in this lettered paragraph
20 an unallocated pool. The department shall also
21 identify any allocated funds which the counties do not
22 anticipate spending during the fiscal year. If the
23 anticipated excess funds to any county are
24 substantial, the department and the county may agree
25 to return those excess funds, if the funds are other
26 than program revenues, to the department, and if
27 returned, the department shall consider the returned
28 funds a part of the unallocated pool. The department
29 shall, prior to February 15 of the fiscal year,
30 reallocate the funds in the unallocated pool among the
31 counties in which the department has concluded
32 contracts under this lettered paragraph. The
33 department shall also review the first 10 months'
34 expenditures for each county in May of the fiscal
35 year, to determine if any counties possess contracted
36 funds which they do not anticipate spending. If such
37 funds are identified and the county agrees to release
38 the funds, the released funds will be considered a new
39 reallocation pool. The department may, prior to June
40 1 of the fiscal year, reallocate funds from this new
41 reallocation pool to those counties which have
42 experienced a high utilization of protective service
43 hours for children and dependent adults.

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

H-6012

-12-

H-6012

Page 13

1 services. The department shall also maintain rules
2 for standards regarding training, supervision,
3 recordkeeping, appeals, program evaluation, cost
4 analysis, and financial audits, and rules specifying
5 reporting requirements.

6 The department shall annually evaluate the success
7 of the home care aide program. The evaluation shall
8 include a description of the program and its
9 implementation, the extent of local participation, the
10 extent to which the program reduced or prevented
11 inappropriate institutionalization, the extent to
12 which the program provided or increased the
13 availability of home care aide services to elderly and
14 low-income persons and children and adults in need of
15 protective services, any problems and recommendations
16 concerning the program, and an analysis of the costs
17 of services across the state. The department shall
18 submit a report of the annual evaluation to the
19 governor and the general assembly.

20 e. For the development and maintenance of well-
21 elderly clinics in the state:

22 \$ 585,337

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

27 f. For the physician care for children program:

28 \$ 411,187

29 The physician services shall be subject to managed
30 care and selective contracting provisions and shall be
31 used to provide treatment of the children in a
32 physician's office and shall include coverage of
33 diagnostic procedures and prescription drugs required
34 for the treatment. Services provided under this
35 lettered paragraph shall be reimbursed according to
36 medical assistance reimbursement rates.

37 g. For primary and preventive health care for
38 children:

39 \$ 75,000

40 Funds appropriated in this lettered paragraph shall
41 be for the public purpose of providing a renewable
42 grant, following a request for proposals, to a
43 statewide charitable organization within the meaning
44 of section 501(c)(3) of the Internal Revenue Code
45 which was organized prior to April 1, 1989, and has as
46 one of its purposes the sponsorship or support for
47 programs designed to improve the quality, awareness,
48 and availability of health care for the young, to
49 serve as the funding mechanism for the provision of
50 primary health care and preventive services to

H-6012

B-6012

Page 14

1 children in the state who are uninsured and who are
2 not eligible under any public plan of health
3 insurance, provided all of the following conditions
4 are met:

5 (1) The organization shall provide a match of four
6 dollars in advance of each state dollar provided.

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

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

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

21 n. For the healthy family program:

22 \$ 665,000

23 The moneys appropriated in this lettered paragraph
24 shall be granted pursuant to 1992 Iowa Acts, Second
25 Extraordinary Session, chapter 1001, section 415. The
26 administrative entities shall work collaboratively to
27 assure continuity of the provision of services from
28 the prenatal to the preschool period to an individual
29 client by having a single resource mother work with
30 that client. The department shall submit an annual
31 report to the general assembly concerning the
32 efficiency of the program and make any recommendations
33 for improvements.

34 5. STATE BOARD OF DENTAL EXAMINERS

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

38 \$ 257,049

39 FTEs 4.00

40 The board shall seek alternatives to travel through
41 the use of video and teleconferencing technology.

42 6. STATE BOARD OF MEDICAL EXAMINERS

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

46 \$ 979,949

47 FTEs 18.00

48 The board shall seek alternatives to travel through
49 the use of video and teleconferencing technology.

50 7. STATE BOARD OF NURSING EXAMINERS

B-6012

H-6012

Page 15

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

4	\$	874,166
5	FTEs	16.00

6 The board shall seek alternatives to travel through
7 the use of video and teleconferencing technology.

8 9. STATE BOARD OF PHARMACY EXAMINERS

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

12	\$	652,224
13	FTEs	11.00

14 The board shall seek alternatives to travel through
15 the use of video and teleconferencing technology.

16 9. The state board of medical examiners, the state
17 board of pharmacy examiners, the state board of dental
18 examiners, and the state board of nursing examiners
19 shall prepare estimates of projected receipts to be
20 generated by the licensing, certification, and
21 examination fees of each board as well as a projection
22 of the fairly apportioned administrative costs and
23 rental expenses attributable to each board. Each
24 board shall annually review and adjust its schedule of
25 fees so that, as nearly as possible, projected
26 receipts equal projected costs.

27 10. The state board of medical examiners, the
28 state board of pharmacy examiners, the state board of
29 dental examiners, and the state board of nursing
30 examiners shall retain their individual executive
31 officers, but are strongly encouraged to share
32 administrative, clerical, and investigative staffs to
33 the greatest extent possible.

34 11. A local health care provider or nonprofit
35 health care organization seeking grant moneys
36 administered by the department of public health shall
37 provide documentation that the provider or
38 organization has coordinated its services with other
39 local entities providing similar services.

40 Sec. 5. DEPARTMENT OF HUMAN RIGHTS. There is
41 appropriated from the general fund of the state to the
42 department of human rights for the fiscal year
43 beginning July 1, 1994 and ending June 30, 1995, the
44 following amounts, or so much thereof as is necessary,
45 to be used for the purposes designated:

46 1. CENTRAL ADMINISTRATION DIVISION

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

50	\$	176,836
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H-6012

H-6012

Page 16

1 FTES 6.60
 2 The division shall seek alternatives to travel
 3 through the use of video and teleconferencing
 4 technology.

5 2. COMMUNITY ACTION AGENCIES DIVISION

6 For the expenses of the community action agencies
7 commission:

8 \$ 3,401

9 The division shall seek alternatives to travel
 10 through the use of video and teleconferencing
 11 technology.

12 3. DEAF SERVICES DIVISION

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

16 \$ 288,900

17 FTES 8.00

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

24 4. PERSONS WITH DISABILITIES DIVISION

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

28 \$ 101,393

29 FTES 2.00

30 The division shall seek alternatives to travel
 31 through the use of video and teleconferencing
 32 technology.

33 5. LATINO AFFAIRS DIVISION

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

37 \$ 95,003

38 FTES 2.00

39 The division shall seek alternatives to travel
 40 through the use of video and teleconferencing
 41 technology.

42 6. STATUS OF WOMEN DIVISION

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

46 \$ 391,644

47 FTES 4.50

48 a. Of the funds appropriated in this subsection,
49 at least \$125,775 shall be spent for the displaced
50 homemaker program.

H-6012

H-6012

Page 17

1 b. Of the funds appropriated in this subsection,
2 at least \$42,570 shall be spent for domestic violence
3 and sexual assault-related grants.

4 c. Of the funds appropriated in this subsection,
5 at least \$45,241 shall be spent for the mentoring
6 project for family investment program participants
7 developed in accordance with section 239.22.

8 The division shall seek alternatives to travel
9 through the use of video and teleconferencing
10 technology.

11 7. STATUS OF AFRICAN-AMERICANS DIVISION

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

15	\$	85,877
16	FTEs	2.00

17 The division shall seek alternatives to travel
18 through the use of video and teleconferencing
19 technology.

20 8. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

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

24	\$	363,866
25	FTEs	9.75

26 The division shall seek alternatives to travel
27 through the use of video and teleconferencing
28 technology.

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

33 b. Of the funds appropriated in this subsection,
34 at least \$36,300 shall be spent for expenses relating
35 to the administration of federal funds for juvenile
36 assistance. It is the intent of the general assembly
37 that the department of human rights employ sufficient
38 staff to meet the federal funding match requirements
39 established by the federal office for juvenile justice
40 delinquency prevention. The governor's advisory
41 council on juvenile justice shall determine the
42 staffing level necessary to carry out federal and
43 state mandates for juvenile justice.

44 9. PROGRAM PERFORMANCE-BASED BUDGETING. The
45 department shall track all appropriations made to the
46 programs of the department in the fiscal year
47 beginning July 1, 1995, in accordance with the program
48 performance-based budgeting method.

49 10. GRANT WRITING. The divisions of the
50 department of human rights shall retain their

H-6012

H-6012

Page 18

1 individual administrators, but are strongly encouraged
2 to share staff to the greatest extent possible and
3 especially for the purpose of grant writing.

4 Sec. 6. COMMISSION OF VETERANS AFFAIRS. There is
5 appropriated from the general fund of the state to the
6 commission of veterans affairs for the fiscal year
7 beginning July 1, 1994, and ending June 30, 1995, the
8 following amounts, or so much thereof as is necessary,
9 to be used for the purposes designated:

10 1. COMMISSION OF VETERANS AFFAIRS ADMINISTRATION

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

14	\$	147,244
15	FTEs	4.00

16 The commission shall seek alternatives to travel
17 through the use of video and teleconferencing
18 technology.

19 The commission of veterans affairs may use the
20 gifts accepted by the chairperson of the commission of
21 veterans affairs, or designee, and other resources
22 available to the commission for use at its Camp Dodge
23 office. The commission shall report annually to the
24 governor and the general assembly on monetary gifts
25 received by the commission for the Camp Dodge office.

26 2. WAR ORPHANS

27 For the war orphans educational aid fund
28 established pursuant to chapter 35:

29	\$	4,800
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30 3. IOWA VETERANS HOME

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

34	\$	35,432,032
35	FTEs	777.08

36 The veterans home shall seek alternatives to travel
37 through the use of video and teleconferencing
38 technology.

39 The Iowa veterans home may use the gifts accepted
40 by the chairperson of the commission of veterans
41 affairs and other resources available to the
42 commission for use at the Iowa veterans home.

43 If medical assistance revenues are expanded at the
44 Iowa veterans home, and this expansion results in
45 medical assistance reimbursements which exceed the
46 amount budgeted for that purpose in the fiscal year
47 beginning July 1, 1994, and ending June 30, 1995, the
48 Iowa veterans home may expend the excess amounts to
49 exceed the number of full-time equivalent positions
50 authorized in this section for the purpose of meeting

H-6012

H-6012

Page 19

1 related certification requirements or to provide
2 additional beds. The expenditure of additional funds
3 received, as outlined in this paragraph, is subject to
4 the approval by the department of management. Any
5 funds which are saved by reorganizing the department
6 of human rights pursuant to Senate File 2144, if
7 enacted by the Seventy-fifth General Assembly, shall
8 be appropriated to the veterans home.

9 Sec. 7. INTERIM STUDIES -- SUBSTANCE ABUSE CARE
10 AND TREATMENT PROGRAM AND DEPARTMENT OF HUMAN RIGHTS.

11 1. The legislative council is requested to provide
12 for a study of programs and services available in this
13 state for substance abuse care and treatment, the
14 continuum of needs of substance abusers and whether
15 the needs are being met satisfactorily, funding
16 available for substance abuse care and treatment,
17 including federal and state moneys, and payment
18 mechanisms for the care and treatment, including
19 medical assistance and third-party sources of payment,
20 and the limitations of the payment. The study shall
21 include a report to the general assembly, with
22 recommendations to address identified problem areas on
23 or before January 15, 1995.

24 2. An interim committee is requested to be
25 established by the legislative council to study the
26 organizational structure of the department of human
27 rights. The study shall include but not be limited to
28 an examination of the administrative costs of the
29 department, the costs and benefits of relocation of
30 divisions of the department into other departments,
31 and the continued viability of the department as a
32 separate unit of government. Proposals for change in
33 the organizational structure of the department shall
34 be presented to the general assembly by January 1,
35 1995.

36 Sec. 8. LEASE-PURCHASE -- BUDGET SUBMISSION. This
37 section applies to each state agency receiving an
38 appropriation in this Act. The departmental estimate
39 required under section 8.23 for the fiscal period
40 beginning July 1, 1995, which includes the state
41 agency, shall provide an itemized list indicating the
42 nature and amount of each lease-purchase contract
43 payment included in the estimate for proposed
44 contracts which have not been reported by the state
45 agency to the legislative fiscal committee of the
46 legislative council pursuant to section 8.46 prior to
47 the submission of the estimate. The governor shall
48 include in the governor's budget for the fiscal year
49 beginning July 1, 1995, a listing indicating the
50 nature and amount of each lease-purchase contract

H-6012

-19-

H-6012

Page 20

1 which was itemized in a departmental estimate in
2 accordance with this section and is included in the
3 governor's budget. A state agency receiving an
4 appropriation in this Act shall not enter into a
5 lease-purchase contract during the fiscal year
6 beginning July 1, 1995, unless the contract was
7 itemized in a departmental estimate and included in
8 the governor's budget in accordance with this section.

9 Sec. 9. Section 35.9, Code 1993, is amended to
10 read as follows:

11 35.9 EXPENDITURE BY COMMISSION.

12 The commission of veterans affairs may expend not
13 more than ~~four~~ six hundred dollars per year for any
14 one child who has lived in the state of Iowa for two
15 years preceding application for aid, and who is the
16 child of a person who died during World War I between
17 the dates of April 6, 1917, and June 2, 1921, or
18 during World War II between the dates of September 16,
19 1940, and December 31, 1946, both dates inclusive, or
20 the Korean Conflict between June 25, 1950, and January
21 31, 1955, both dates inclusive, or the Vietnam
22 Conflict between August 5, 1964, and May 7, 1975, both
23 dates inclusive, or the Persian Gulf Conflict at any
24 time between August 2, 1990, and the date the
25 president or the congress of the United States
26 declares a permanent cessation of hostilities, both
27 dates inclusive, while serving in the military or
28 naval forces of the United States, to include members
29 of the reserve components performing service or duties
30 required or authorized under chapter 39, United States
31 Code and Title 32, United States Code, sections 502
32 through 505, and active state service required or
33 authorized under chapter 29A, or as a result of such
34 service, to defray the expenses of tuition,
35 matriculation, laboratory and similar fees, books and
36 supplies, board, lodging, and any other reasonably
37 necessary expense for such child or children incident
38 to attendance in this state at an educational or
39 training institution of college grade, or in a
40 business or vocational training school with standards
41 approved by the commission of veterans affairs.
42 However, if congress enacts a date different from
43 August 2, 1990, as the beginning of the Persian Gulf
44 Conflict for purposes of determining whether a veteran
45 is entitled to receive military benefits as a veteran
46 of the Persian Gulf Conflict, that date shall be
47 substituted for August 2, 1990.

48 A child eligible to receive funds under this
49 section shall not receive more than two three thousand
50 dollars under this section during the child's

H-6012

-20-

H-6012

Page 21

1 lifetime."

2 2. Title page, line 5, by striking the words "
3 and providing an effective date".

4 3. By renumbering, relettering, or redesignating
5 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-6012 FILED APRIL 6, 1994

House Concurred
4-8-94
(P.1340)

HOUSE FILE 2376

S-5490

1 Amend the amendment, S-5463, to House File 2376, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 21, by inserting after line 1, the
5 following:

6 "Sec. ____ . NEW SECTION. 146A.1 NOTIFICATION OF
7 PARENT PRIOR TO PERFORMANCE OF ABORTION ON A MINOR --
8 REQUIREMENTS -- EXCEPTIONS -- CRIMINAL PENALTY.

9 1. A person shall not perform an abortion on a
10 pregnant minor until at least forty-eight hours' prior
11 notification is provided to a parent of the minor.

12 2. The person who will perform the abortion shall
13 provide notification in person or by mailing the
14 notification by restricted certified mail to the
15 parent of the minor at the usual place of abode of the
16 parent. For the purposes of delivery by restricted
17 certified mail, the time of delivery is deemed to
18 occur at twelve o'clock noon on the next day on which
19 regular mail delivery takes place, subsequent to the
20 mailing.

21 3. For the purposes of this section, unless the
22 context otherwise requires:

23 a. "Abortion" means an abortion as defined in
24 chapter 146.

25 b. "Court" means the juvenile court.

26 c. "Medical emergency" means a condition that,
27 based on a physician's clinical judgment, so
28 complicates the medical condition of a pregnant minor
29 as to necessitate the immediate abortion of the

30 minor's pregnancy to avert the minor's death, or for
31 which a delay will create risk of substantial and
32 irreversible impairment of a major bodily function.

33 d. "Minor" means minor as defined in chapter 599.

34 e. "Parent" means one parent of the pregnant minor
35 or the pregnant minor's guardian or custodian.

36 4. Notification shall not be required under this
37 section if any of the following conditions apply:

38 a. The attending physician certifies that a
39 medical emergency existed. The attending physician
40 shall certify in writing the basis for the medical
41 judgment that a medical emergency existed and shall
42 make written certification available to a parent of
43 the minor prior to the abortion, if possible. If it
44 is not possible to provide a parent of the minor with
45 written certification prior to the abortion, the
46 physician shall provide the written certification to a
47 parent of the minor within twelve hours following the
48 performance of the abortion unless paragraph "b", "c",
49 or "d" is applicable.

50 b. The abortion is authorized in writing by a

S-5490

S-5490

Page 2

1 parent entitled to notification.

2 c. The pregnant minor declares that the pregnant
3 minor is a victim of child abuse pursuant to section
4 232.68, the person responsible for the care of the
5 child is a parent of the child, and the abuse has been
6 reported pursuant to the procedures prescribed in
7 chapter 232, division III, part 2, or a parent of the
8 child is named in a report of founded child abuse.
9 The department of human services shall maintain
10 confidentiality under chapter 232 regarding the
11 minor's pregnancy and abortion, if an abortion is
12 obtained.

13 d. The pregnant minor elects not to allow
14 notification of the pregnant minor's parent and a
15 court authorizes waiver of the notification
16 requirement following completion of the proceedings
17 prescribed under subsection 5.

18 5. If a pregnant minor objects to the notification
19 of a parent prior to the performance of an abortion on
20 the pregnant minor, the pregnant minor may petition
21 the court to authorize waiver of the notification
22 requirement pursuant to this section in accordance
23 with the following procedures:

24 a. The court shall ensure that the minor is
25 provided with assistance in preparing and filing the
26 petition for waiver of notification and shall ensure
27 that the minor's identity remains confidential.

28 b. The minor may participate in the court
29 proceedings on the minor's own behalf and the court
30 may appoint a guardian ad litem for the minor. The
31 court shall advise the minor of the minor's right to
32 court-appointed legal counsel, and shall, upon the
33 minor's request, provide the minor with court-
34 appointed legal counsel, at no cost to the minor.

35 c. The court proceedings shall be conducted in a
36 manner which protects the anonymity of the minor and
37 all court documents pertaining to the proceedings
38 shall remain confidential. Only the minor, the
39 minor's guardian ad litem, the minor's legal counsel,
40 and persons whose presence is specifically requested
41 by the minor, by the minor's guardian ad litem, or by
42 the minor's legal counsel may attend the hearing on
43 the petition.

44 d. The court proceedings under this section shall
45 be given precedence over other pending matters to
46 ensure that the court reaches a decision
47 expeditiously.

48 e. Upon petition and following an appropriate
49 hearing, the court shall waive the notification
50 requirements if the court determines either of the

S-5490

-2-

S-5490

Page 3

1 following:

2 (1) That the minor is mature and capable of
3 providing informed consent for the performance of an
4 abortion.

5 (2) That the minor is not mature, or does not
6 claim to be mature, but that notification is not in
7 the best interest of the minor.

8 f. The court shall issue specific factual findings
9 and legal conclusions, in writing, to support the
10 decision.

11 g. Upon conclusion of the hearing, the court shall
12 immediately issue a written order which shall be
13 provided immediately to the minor, the minor's
14 guardian ad litem, the minor's legal counsel, or any
15 other person designated by the minor to receive the
16 order.

17 h. An expedited, anonymous, confidential appeal
18 shall be available to a minor for whom the court
19 denies a petition for waiver of notification. An
20 order granting the minor's application for waiver of
21 notification is not subject to appeal. Access to the
22 appellate courts for the purpose of an appeal under
23 this section shall be provided to a minor twenty-four
24 hours a day, seven days a week.

25 i. The supreme court shall prescribe rules to
26 ensure that the proceedings under this section are
27 performed in an expeditious, anonymous, and
28 confidential manner.

29 j. A minor who chooses to utilize the waiver of
30 notification procedures under this subsection shall
31 not be required to pay a fee at any level of the
32 proceedings.

33 k. A person performing an abortion on a minor
34 under this chapter may inform the parent of the minor
35 of any necessary treatment resulting from
36 complications of the abortion procedure if, in the
37 judgment of the person, failure to inform the parent
38 would seriously jeopardize the health of the minor.

39 6. A person who performs an abortion in violation
40 of this section is guilty of a serious misdemeanor.

41 7. Venue for proceedings under this section is in
42 any court in the state.

43 Sec. ____ . NEW SECTION. 232.5 ABORTION PERFORMED
44 ON A MINOR -- PROCEEDINGS.

45 The court shall have exclusive jurisdiction over
46 the authorization of an abortion on a minor pursuant
47 to section 146A.1."

48 2. By renumbering as necessary.

By WILLIAM W. DIELEMAN
RAY TAYLOR

JOHN P. KIBBIE
BERL E. PRIEBE

S-5490 FILED APRIL 6, 1994
RULED OUT OF ORDER

HOUSE FILE 2376

S-5479

1 Amend House File 2376, as amended, passed, and
2 reprinted by the House as follows:
3 1. Title page, line 5, by striking the words "
4 and providing an effective date".

By FLORENCE BUHR

S-5479 FILED APRIL 6, 1994
ADOPTED

HOUSE FILE 2376

S-5484

1 Amend the amendment, S-5463, to House File 2376, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. By striking page 5, line 45, through page 6,
5 line 22, and inserting the following: "in all
6 counties of the state. A plan outlining".

By FLORENCE BUHR
LARRY MURPHY

S-5484 FILED APRIL 6, 1994
WITHDRAWN 4-6-94



TERRY E. BRANSTAD
GOVERNOR

OFFICE OF THE GOVERNOR

STATE CAPITOL
DES MOINES, IOWA 50319
515 281-5211

May 13, 1994

MAY 17 94

The Honorable Elaine Baxter
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit House File 2376, 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, the Department of Human Rights, and the Commission of Veterans Affairs.

House File 2376 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

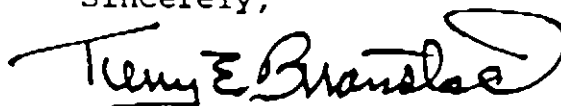
I am unable to approve the item designated as Section 5, subsection 9, in its entirety. This provision would require the Department of Human Rights to utilize performance-based budgeting in preparing and monitoring the department's budget. Performance-based budgeting will be applied on a test basis to track the appropriations of one division within the Department of Public Health. Until a determination can be made regarding the benefit to the state of using a different method of budgeting, it would be premature to impose this requirement on an entire department.

I am unable to approve the item designated as Section 8, in its entirety. This provision restricts executive branch agencies in their ability to enter into lease-purchase agreements. While the additional review and oversight of lease-purchase contracting by state agencies may be worthwhile, this provision does not allow agencies the flexibility they need to respond to situations which cannot be planned, e.g. emergencies and new federal requirements.

The Honorable Elaine Baxter
May 13, 1994
Page 2

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in House File 2376 are hereby approved as of this date.

Sincerely,

A handwritten signature in black ink, reading "Terry E. Branstad". The signature is written in a cursive style with a large, sweeping flourish at the end.

Terry E. Branstad
Governor

TEB/ps

cc: Secretary of the Senate
Chief Clerk of the House

Tom Veto

HOUSE FILE 2376

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, THE DEPARTMENT OF HUMAN RIGHTS, AND THE COMMISSION OF VETERANS AFFAIRS.

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, 1994, and ending June 30, 1995, 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:	
.....	\$ 1,370,334
.....	FTEs 95.00

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, 1994, and ending June 30, 1995, 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:	
.....	\$ 1,083,962
.....	FTEs 29.00

1. The department shall seek alternatives to travel through the use of video and teleconferencing technology.

2. If the anticipated amount of federal funding from the federal equal employment opportunity commission and the federal department of housing and urban development exceeds \$387,000 during the fiscal year beginning July 1, 1994, and ending June 30, 1995, the Iowa state civil rights commission may exceed their authorized staffing level to hire additional professional staff to investigate employment and housing complaints.

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, 1994, and ending June 30, 1995, 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:	
.....	\$ 429,257
.....	FTEs 28.50

The department shall seek alternatives to travel through the use of video and teleconferencing technology.

2. For aging programs and services:	
.....	\$ 2,319,893

All funds appropriated in this subsection shall be received and disbursed by the director of elder affairs for aging programs and services, shall not be used by the department for administrative purposes, not more than \$151,654 shall be used for area agencies on aging administrative purposes, and shall be used for citizens of Iowa over 60 years of age for case management for the frail elderly, mental health outreach, Alzheimer's support, retired senior volunteer program, care review committee coordination, employment, adult day care, respite care, chore services, telephone reassurance, information and assistance, and home repair services, including the winterizing of homes, and for the construction of entrance ramps which 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.

The department shall maintain policies and procedures regarding Alzheimer's support and the retired senior volunteer program. To receive funds appropriated in this subsection, a local area agency on aging shall match the funds with funds from other sources according to rules promulgated by the department.

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, 1994, and ending June 30, 1995, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. a. PLANNING AND ADMINISTRATION DIVISION

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

..... \$ 2,044,397
..... FTEs 60.40

The department shall seek alternatives to travel through the use of video and teleconferencing technology

Of the funds appropriated in this lettered paragraph, \$743,949 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.

Hospitals shall not collect fees for birth certificates in excess of the fees as set out in the administrative rules of the Iowa department of public health.

Of the funds appropriated in this lettered paragraph, \$100,000 shall be used to provide regulatory oversight of accountable health plans.

b. PROFESSIONAL LICENSURE

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

..... \$ 745,895
..... FTEs 11.00

The department shall confer with the boards funded under this lettered paragraph in estimating the boards' annual generation and administrative costs. When the department develops each board's annual budget, a board's budget shall not exceed 85 percent of fees collected, based on the average of the previous two years.

c. HEALTH DELIVERY SYSTEMS

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

..... \$ 1,264,017
..... FTEs 17.00

(2) Of the funds appropriated in this lettered paragraph, \$149,151 is allocated for the office of rural health to provide technical assistance to rural areas in the area of health care delivery.

(3) Of the funds appropriated in this lettered paragraph, \$1,010,886 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 lettered paragraph only if the reimbursement is not available through any employer or third-party payor.

(4) Of the funds appropriated in this lettered paragraph, \$104,000 shall be used to develop, implement, and maintain rural health provider recruitment and retention efforts.

d. HEALTH DATA COMMISSION

For the health data commission:

..... \$ 240,250

The funds appropriated in this lettered 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.

Prior to December 1, 1994, the commission shall submit to the general assembly a useful, comprehensive report for use by members of the general assembly in making informed decisions on public policy issues involving health.

2. HEALTH PROTECTION DIVISION

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

..... \$ 2,746,543
..... FTEs 75.77

b. Of the funds appropriated in this subsection, \$75,000 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, \$74,547 shall be used for the lead abatement program.

e. Of the funds appropriated in this subsection, \$18,046 shall be used for radon program activities. The department shall also retain \$30,000 of federal radon funds for additional radon program activities.

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

g. The division shall seek alternatives to travel through the use of video and teleconferencing technology.

3. SUBSTANCE ABUSE AND HEALTH PROMOTION DIVISION

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

..... \$ 604,661
..... FTEs 27.77

The Department shall seek alternatives to travel through the use of video and teleconferencing technology.

(1) The division shall create a task force composed of substance abuse treatment and prevention providers regardless of funding source to study treatment and prevention service areas and the fiscal implications of awarding funds to more than one provider per service area.

(2) The substance abuse division of the department of public health shall investigate the feasibility of applying for a grant to receive federal "section 402," "motorcycle helmet" transfer funds, pursuant to 23 U.S.C. § 402 and 49 U.S.C. Appx. § 2102, to be used for adolescent substance abuse prevention and, if feasible, shall apply for the funds.

(1) It is the intent of the general assembly that by July 1, 1997, the commission on substance abuse, in conjunction with the division, shall coordinate delivery of substance abuse services involving prevention, social and medical detoxification, and other treatment by medical and nonmedical providers to uninsured and court-ordered substance abuse patients in all counties of the state. The department of public health shall apply for a grant to receive federal "section 402," "motorcycle helmet" transfer funds, pursuant to 23 U.S.C. § 402 and 49 U.S.C. Appx. § 2302, for an amount up to \$500,000 to be used for court-ordered social and medical detoxification. If the grant moneys are received, the department shall develop a payment formula which provides an initial partial reimbursement at a percentage rate established by rule for services of covered claims during the first quarter of the fiscal year. At the end of each quarter of the fiscal year, the department shall compare the amount expended and adjust reimbursement for the upcoming quarter payments to each provider which uniformly increases or decreases the reimbursement percentage to the level permitted by the fiscal quarter's appropriation, but not exceeding 100 percent reimbursement. The formula for payment to providers shall balance formula factors of financial need of the providers, county per capita usage, and maximum daily rate. If funds remain for a quarter reimbursing at 100 percent, they shall be carried over to the next quarter. Moneys provided under this subparagraph shall not be used to supplant any existing funds. An annual report shall be provided to the legislative fiscal bureau on all claims submitted to the division for uninsured and court-ordered medical and social detoxification. A plan outlining the coordination activities and projects shall be developed by January 1, 1995. Projects under the plan shall be implemented during the fiscal year beginning July 1, 1995, and ending June 30, 1996, provided the projects can be funded within budget limitations.

b. For program grants:
 \$ 8,370,159

Of the funds appropriated in this lettered paragraph, \$195,500 shall be used for the provision of aftercare services for persons completing substance abuse treatment.

4. FAMILY AND COMMUNITY HEALTH DIVISION

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

..... \$ 3,042,496
 FTEs 58.50

(1) Of the funds appropriated in this lettered paragraph at least \$587,865 shall be allocated for the birth defects and genetics counseling program and of these funds, \$279,402 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:
 \$ 119,610

(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), \$27,937 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, \$1,001,209 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, conduct mobile and regional child health specialty clinics, and conduct 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 federal Social Security Act.

(8) The department shall budget for the fiscal year beginning July 1, 1995, for the programs in the family and community health division in accordance with the performance-based budgeting method. Notwithstanding section 8.23, the department is not required to submit a budget for the programs using 75 percent based budgeting and decision package methodology.

The department shall track the programs which were in the family and community health division in the fiscal year beginning July 1, 1991, 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 home care aide programs, and shall submit a progress report to the general assembly by January 1, 1995, 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 and shall submit a progress report to the general assembly by January 1, 1995.

(11) The department shall seek alternatives to travel through the use of video and teleconferencing technology.

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 shall 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 home care aide program:

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

Funds appropriated in this lettered paragraph shall be used to provide home care 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 the 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) "Home care aide services" means services intended to enhance the capacity of household members to attend 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 home care 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 three 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, human services county cluster boards, 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 home care 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 home care 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 home care 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 home care 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 home care 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 home care aide subcontracting agency shall pay the employer's contribution of social security and provide workers' compensation coverage for persons providing direct home care 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 home care 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 home care 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:

..... \$ 985,337

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 medical assistance 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:

(1) The organization shall provide a match of four dollars in advance of each state dollar provided.

(2) 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.

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

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

h. For the healthy family program:

..... \$ 665,000

The moneys appropriated in this lettered paragraph shall be granted pursuant to 1992 Iowa Acts, Second Extraordinary Session, chapter 1001, section 415. The administrative entities shall work collaboratively to assure continuity of the provision of services from the prenatal to the preschool period to an individual client by having a single resource mother work with that client. The department shall submit an annual report to the general assembly concerning the efficiency of the program and make any recommendations for improvements.

5. STATE BOARD OF DENTAL EXAMINERS

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

..... \$ 257,049
..... FTEs 4.00

The board shall seek alternatives to travel through the use of video and teleconferencing technology.

6. STATE BOARD OF MEDICAL EXAMINERS

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

..... \$ 979,949
..... FTEs 18.00

The board shall seek alternatives to travel through the use of video and teleconferencing technology.

7. STATE BOARD OF NURSING EXAMINERS

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

..... \$ 874,166
..... FTEs 16.00

The board shall seek alternatives to travel through the use of video and teleconferencing technology.

8. STATE BOARD OF PHARMACY EXAMINERS

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

..... \$ 652,274
..... FTEs 11.00

The board shall seek alternatives to travel through the use of video and teleconferencing technology.

9. The state board of medical examiners, the state board of pharmacy examiners, the state board of dental examiners, and the state board of nursing examiners 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.

10. The state board of medical examiners, the state board of pharmacy examiners, the state board of dental examiners, and the state board of nursing examiners shall retain their individual executive officers, but are strongly encouraged to share administrative, clerical, and investigative staffs to the greatest extent possible.

11. A local health care provider or nonprofit health care organization seeking grant moneys administered by the department of public health shall provide documentation that the provider or organization has coordinated its services with other local entities providing similar services.

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, 1994, and ending June 30, 1995, 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:

.....	\$	176,836
.....	FTEs	6.60

The division shall seek alternatives to travel through the use of video and teleconferencing technology.

2. COMMUNITY ACTION AGENCIES DIVISION

For the expenses of the community action agencies commission:

.....	\$	3,401
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The division shall seek alternatives to travel through the use of video and teleconferencing technology.

3. DEAF SERVICES DIVISION

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

.....	\$	288,900
.....	FTEs	6.00

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:

.....	\$	101,393
.....	FTEs	2.00

The division shall seek alternatives to travel through the use of video and teleconferencing technology.

5. LATINO AFFAIRS DIVISION

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

.....	\$	96,003
.....	FTEs	2.00

The division shall seek alternatives to travel through the use of video and teleconferencing technology.

6. STATUS OF WOMEN DIVISION

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

.....	\$	391,641
.....	FTEs	4.50

a. Of the funds appropriated in this subsection, at least \$125,775 shall be spent for the displaced homemaker program.

b. Of the funds appropriated in this subsection, at least \$42,570 shall be spent for domestic violence and sexual assault-related grants.

c. Of the funds appropriated in this subsection, at least \$45,241 shall be spent for the mentoring project for family investment program participants developed in accordance with section 239.22.

The division shall seek alternatives to travel through the use of video and teleconferencing technology.

7. STATUS OF AFRICAN-AMERICANS DIVISION

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

.....	\$	85,877
.....	FTEs	2.00

The division shall seek alternatives to travel through the use of video and teleconferencing technology.

8. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

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

..... \$ 363,866
..... FTEs 9.75

The division shall seek alternatives to travel through the use of video and teleconferencing technology.

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, at least \$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.

9. PROGRAM PERFORMANCE-BASED BUDGETING. The department shall track all appropriations made to the programs of the department in the fiscal year beginning July 1, 1995, in accordance with the program performance-based budgeting method.

Veterans

10. GRANT WRITING. The divisions of the department of human rights shall retain their individual administrators, but are strongly encouraged to share staff to the greatest extent possible and especially for the purpose of grant writing.

Sec. 6. COMMISSION OF VETERANS AFFAIRS. There is appropriated from the general fund of the state to the commission of veterans affairs for the fiscal year beginning July 1, 1994, and ending June 30, 1995, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. COMMISSION OF VETERANS AFFAIRS ADMINISTRATION

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

..... \$ 147,244
..... FTEs 4.00

The commission shall seek alternatives to travel through the use of video and teleconferencing technology.

The commission of veterans affairs may use the gifts accepted by the chairperson of the commission of veterans affairs, or designee, and other resources available to the commission for use at its Camp Dodge office. The commission shall report annually to the governor and the general assembly on monetary gifts received by the commission for the Camp Dodge office.

2. WAR ORPHANS

For the war orphans educational aid fund established pursuant to chapter 35:

..... \$ 4,800

3. IOWA VETERANS HOME

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

..... \$ 35,432,032
..... FTEs 771.08

The veterans home shall seek alternatives to travel through the use of video and teleconferencing technology.

The Iowa veterans home may use the gifts accepted by the chairperson of the commission of veterans affairs and other resources available to the commission for use at the Iowa veterans home.

If medical assistance revenues are expanded at the Iowa veterans home, and this expansion results in medical assistance reimbursements which exceed the amount budgeted for that purpose in the fiscal year beginning July 1, 1994, and ending June 30, 1995, the Iowa veterans home may expend the excess amounts to exceed the number of full-time equivalent positions authorized in this section for the purpose of

meeting related certification requirements or to provide additional beds. The expenditure of additional funds received, as outlined in this paragraph, is subject to the approval by the department of management. Any funds which are saved by reorganizing the department of human rights pursuant to Senate File 2144, if enacted by the Seventy-fifth General Assembly, shall be appropriated to the veterans home.

Sec. 7. INTERIM STUDIES -- SUBSTANCE ABUSE CARE AND TREATMENT PROGRAM AND DEPARTMENT OF HUMAN RIGHTS.

1. The legislative council is requested to provide for a study of programs and services available in this state for substance abuse care and treatment, the continuum of needs of substance abusers and whether the needs are being met satisfactorily, funding available for substance abuse care and treatment, including federal and state moneys, and payment mechanisms for the care and treatment, including medical assistance and third-party sources of payment, and the limitations of the payment. The study shall include a report to the general assembly, with recommendations to address identified problem areas on or before January 15, 1995.

2. An interim committee is requested to be established by the legislative council to study the organizational structure of the department of human rights. The study shall include but not be limited to an examination of the administrative costs of the department, the costs and benefits of relocation of divisions of the department into other departments, and the continued viability of the department as a separate unit of government. Proposals for change in the organizational structure of the department shall be presented to the general assembly by January 1, 1995.

Sec. 8. LEASE-PURCHASE -- BUDGET SUBMISSION. This section applies to each state agency receiving an appropriation in this Act. The departmental estimate required under section 8.23 for the fiscal period beginning July 1, 1995, which includes the state agency, shall provide an itemized list indicating the nature and amount of each lease-purchase contract payment included in the estimate for proposed

contracts which have not been reported by the state agency to the legislative fiscal committee of the legislative council pursuant to section 8.46 prior to the submission of the estimate. The governor shall include in the governor's budget for the fiscal year beginning July 1, 1995, a listing indicating the nature and amount of each lease-purchase contract which was itemized in a departmental estimate in accordance with this section and is included in the governor's budget. A state agency receiving an appropriation in this Act shall not enter into a lease-purchase contract during the fiscal year beginning July 1, 1995, unless the contract was itemized in a departmental estimate and included in the governor's budget in accordance with this section.

Sec. 9. Section 25.9, Code 1993, is amended to read as follows:

25.9 EXPENDITURE BY COMMISSION.

The commission of veterans affairs may expend not more than four hundred dollars per year for any one child who has lived in the state of Iowa for two years preceding application for aid, and who is the child of a person who died during World War I between the dates of April 6, 1917, and June 2, 1921, or during World War II between the dates of September 16, 1940, and December 31, 1946, both dates inclusive, or the Korean Conflict between June 25, 1950, and January 31, 1955, both dates inclusive, or the Vietnam Conflict between August 5, 1964, and May 7, 1975, both dates inclusive, or the Persian Gulf Conflict at any time between August 2, 1990, and the date the president or the congress of the United States declares a permanent cessation of hostilities, both dates inclusive, while serving in the military or naval forces of the United States, to include members of the reserve components performing service or duties required or authorized under chapter 39, United States Code and Title 32, United States Code, sections 502 through 505, and active state service required or authorized under chapter 29A, or as a result of such service, to defray the expenses of tuition, matriculation, laboratory and similar fees, books and

supplies, board, lodging, and any other reasonably necessary expense for such child or children incident to attendance in this state at an educational or training institution of college grade, or in a business or vocational training school with standards approved by the commission of veterans affairs. However, if congress enacts a date different from August 2, 1990, as the beginning of the Persian Gulf Conflict for purposes of determining whether a veteran is entitled to receive military benefits as a veteran of the Persian Gulf Conflict, that date shall be substituted for August 2, 1990.

A child eligible to receive funds under this section shall not receive more than ~~two~~ three thousand dollars under this section during the child's lifetime.

HAROLD VAN MAANEN
Speaker of the House

LEONARD L. BOSWELL
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2376, Seventy-fifth General Assembly.

John Wetzel
Approved May 13, 1994

ELIZABETH ISAACSON
Chief Clerk of the House

TERRY E. BRANSTAD
Governor

HF 2376