

MAR 18 1993

HOUSE FILE 582  
BY COMMITTEE ON HUMAN RESOURCES

Place On Calendar

(SUCCESSOR TO HSB 87)

Passed House, Date <sup>(P.1111)</sup> 4-7-93      Passed Senate, Date <sup>(P.888)</sup> 3/29/94  
 Vote: Ayes 97 Nays 2      Vote: Ayes 49 Nays 0  
 Approved April 18, 1994

A BILL FOR

1 An Act relating to the establishment of a preadmission assessment  
 2 program for frail elders considering placement or residing in  
 3 a nursing facility.

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

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HF 582

1 Section 1. NEW SECTION. 231.61 PREADMISSION ASSESSMENT  
2 PROGRAM -- FRAIL ELDERLY.

3 1. As used in this section, unless the context otherwise  
4 requires:

5 a. "Case management program for the frail elderly" or  
6 "program" means a comprehensive system, administered by the  
7 department through a local area agency on aging, in which each  
8 client is monitored by a case manager who assists the client  
9 in making appropriate use of the long-term care continuum  
10 which ranges from home care to institutionalization. The  
11 program includes screening; assessment; interdisciplinary case  
12 conferences; a written plan of care; information about,  
13 referral to, or provision of services; case monitoring;  
14 follow-up and reassessment to assure proper placement within  
15 the continuum of care; evaluation of the service outcome; and  
16 exit planning.

17 b. "Frail elder" means a person sixty-five years of age or  
18 older who is determined to require assistance with three or  
19 more activities of daily living and who is seeking admission  
20 to a nursing facility.

21 c. "Nursing facility" means nursing facility as defined in  
22 section 135C.1.

23 d. "Preadmission assessment" or "assessment" means a face-  
24 to-face conference between a case management program assessor  
25 and a frail elder which includes an evaluation of physical  
26 health; cognitive and emotional status; activities of daily  
27 living; transportation needs; nutritional needs; support  
28 system; physical environment; and financial status of a frail  
29 elder.

30 2. The department shall administer the preadmission  
31 assessment program for frail elders through the area agencies  
32 on aging and in conjunction with the area agencies on aging  
33 case management program for the frail elderly to determine if  
34 alternatives to admission to a nursing facility are  
35 appropriate for and available to the frail elder.

1 3. An assessor involved with the program shall perform a  
2 preadmission assessment of a frail elder, prior to the frail  
3 elder's admission to a nursing facility. The assessor shall  
4 inform the frail elder and the frail elder's family of the  
5 date, time, and location of the performance of the assessment  
6 and shall inform the frail elder and the frail elder's family  
7 of the right to have a physician present during the  
8 assessment.

9 4. A frail elder or the frail elder's family may request a  
10 preadmission assessment, on a form developed and provided by  
11 the department prior to the frail elder's pending admission to  
12 a nursing facility. If an assessment has not been requested  
13 in the previous six month period the nursing facility shall  
14 require that an assessment be completed prior to admission.

15 5. The assessor may perform an assessment of a nursing  
16 facility resident if the resident, the resident's family, or  
17 the nursing facility requests the assessment.

18 6. Following completion of the assessment and an  
19 interdisciplinary case conference, the case management staff  
20 may recommend alternatives to placement in a nursing facility,  
21 based upon the information gathered during the assessment and  
22 may develop an alternative plan for care for the frail elder,  
23 in cooperation with the frail elder and the frail elder's  
24 family.

25 7. If a frail elder's attending physician determines that  
26 emergency placement of the frail elder in a nursing facility  
27 is necessary, a nursing facility may admit the frail elder  
28 prior to completion of a preadmission assessment. Within  
29 three days following admission, the nursing facility shall  
30 submit a request for assessment and the medical record of the  
31 frail elder to the area agency on aging case management  
32 program.

33 8. The following frail elders are exempt from preadmission  
34 assessment:

35 a. A person transferring between nursing facilities.

1 b. A person admitted to a nursing facility prior to  
2 January 1, 1994.

3 c. A person with a primary diagnosis of mental  
4 retardation, a developmental disability, or a mental illness.

5 d. A person entering a nursing facility who has completed  
6 an assessment with the program within the six months prior to  
7 application for admission.

8 Sec. 2. CONTINGENCY. This Act shall not be implemented  
9 until adequate funding is appropriated to the department to  
10 implement the Act.

11 EXPLANATION

12 This bill establishes a preadmission assessment program for  
13 frail elders seeking admission to nursing facilities, as a  
14 part of the case management program for the frail elderly.  
15 The assessment program is to be administered by the department  
16 of elder affairs through the area agencies on aging in  
17 conjunction with the area agencies on aging case management  
18 program for the frail elderly. Assessors involved in the  
19 program are to perform the assessments in order to recommend  
20 appropriate and available care for the frail elder. The  
21 assessments are also available upon the request of a frail  
22 elder, the frail elder's family, the nursing facility to which  
23 a frail elder is contemplating admission, a nursing facility  
24 resident, the resident's family, or the nursing facility in  
25 which the resident resides, upon the request of any of these  
26 entities. Provisions are made for emergency placements and  
27 exemptions from preadmission assessment are enumerated. The  
28 bill provides a contingency that the program not be  
29 implemented until adequate funding is appropriated to the  
30 department.

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HOUSE FILE 582  
FISCAL NOTE

REQ. BY SENATOR SZYMONIAK

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A fiscal note for Amendment S-5255 to House File 582 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

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Amendment S-5255 to HF 582 establishes a Preadmission Screening and Assessment Pilot Program for elders seeking admission to nursing facilities. The 2-year Program, beginning on July 1, 1994, is to be conducted in 3 to 6 counties with existing case management programs.

ASSUMPTION:

Assumes a minimum of 700 nursing facility screenings resulting in 350 comprehensive assessments and 230 case management clients per year for 3 counties to a maximum of 1,400 nursing facilities resulting in 700 comprehensive assessments and 460 case management clients per year for 6 counties.

FISCAL EFFECT:

The minimum annual cost of the Preadmission Screening and Assessment Pilot Program is \$45,000 (\$27,000 General Fund and \$18,000 federal funds) for 3 counties and a maximum annual cost of \$86,000 (\$54,000 General Fund and \$32,000 federal funds) for 6 counties. The General Fund monies will be from existing case management funds, while the federal funds generated by the State funds will be new money to the State.

Source: Department of Elder Affairs

(LSB 1410hv.2, RRS)

FILED MARCH 24, 1994

BY DENNIS PROUTY, FISCAL DIRECTOR

**HOUSE FILE 582  
FISCAL NOTE**

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A fiscal note for House File 582 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

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House File 582 establishes a statewide Preadmission Assessment Program for frail elders seeking admission to nursing facilities, beginning on January 1, 1994. The bill provides a contingency that the Program not be implemented until adequate funding is appropriated, as determined by the Director of the Department of Elder Affairs (DEA).

ASSUMPTIONS:

1. Assumes a preadmission assessment be performed on each person seeking admission to a nursing facility. This is an annual estimation of 6,000 persons.
2. The rate for a case management assessment is \$82.
3. Title XIX reimbursement per case management assessment is \$41.

FISCAL EFFECT:

1. The annual cost of the Preadmission Assessment Program is \$492,000 (\$246,000 General Fund and \$246,000 federal funds).
2. For FY 1994 the cost would be \$246,000 (\$123,000 General Fund and \$123,000 federal funds) due to the January 1, 1994 start date for the Program.
3. CONTINGENCY LANGUAGE: For FY 1993 the Case Management Program has been appropriated \$330,000. For FY 1994 the Health and Human Rights Appropriations Subcommittee has recommended an additional \$320,000 to this Program. Of this amount, the DEA is estimating that \$56,334 will be available from the General Fund and \$56,334 from federal funds to complete 1,374 preadmission assessments in 22 counties, beginning on January 1, 1994.

Source: Department of Elder Affairs

(LSB 1410hv, RRS)

FILED APRIL 1, 1993

BY DENNIS PROUTY, FISCAL DIRECTOR

## SENATE AMENDMENT TO HOUSE FILE 582

H-5777

1 Amend House File 582 as passed by the House as  
2 follows:

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

5 "Section 1. PREADMISSION SCREENING AND ASSESSMENT  
6 PILOT PROGRAM.

7 1. As used in this section, unless the context  
8 otherwise requires:

9 a. "Assessment" means a face-to-face conference  
10 between a case management program assessor and the  
11 elder which includes an evaluation of physical health,  
12 cognitive and emotional status, activities of daily  
13 living, transportation needs, a support system, the  
14 physical environment, and the financial status of the  
15 elder.

16 b. "Case management program for elders" means a  
17 comprehensive system administered by the department as  
18 specified in this chapter.

19 c. "Department" means the department of elder  
20 affairs.

21 d. "Elder" means a person sixty-five years of age  
22 or older.

23 e. "Nursing facility" means a nursing facility as  
24 defined in section 135C.1.

25 f. "Screening" means an initial review to  
26 determine if a face-to-face comprehensive assessment  
27 by a case management program assessor is necessary  
28 prior to admission or following admission to a nursing  
29 facility.

30 2. Beginning July 1, 1994, and ending June 30,  
31 1996, the department shall administer a preadmission  
32 screening and assessment pilot program for elders  
33 seeking admission to nursing facilities, in three to  
34 six counties in the state, which have existing case  
35 management programs for elders, in consultation with  
36 area agencies on the aging, service providers, and the  
37 peer review organization. The counties selected shall  
38 represent both rural and urban populations. Unless an  
39 elder is exempt from the preadmission screening and  
40 assessment pilot program pursuant to subsection 5 or  
41 6, an elder shall not be admitted to a nursing  
42 facility in a participating county prior to completion  
43 of a preadmission screening and, if necessary, an  
44 assessment.

45 3. The department shall determine the appropriate  
46 agency to conduct the screening program.

47 a. The screening shall include but is not limited  
48 to a utilization review for the level of care needed  
49 and the identification of mental illness, mental  
50 retardation, and related mental health conditions of

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1 an elder.

2 b. The screening shall be conducted not more than  
3 three months prior to the application for admission of  
4 the elder to a nursing facility. If the screening of  
5 an elder has not been completed during the three-month  
6 period prior to the application for admission, the  
7 nursing facility shall request a screening prior to  
8 the admission of the elder.

9 c. During the screening process, the peer review  
10 organization shall identify elders with care needs who  
11 may be served through coordination of services in the  
12 community and shall refer these elders to the area  
13 agency on aging in the county of residence of the  
14 elder for a complete needs assessment.

15 4. A post-admission screening of elders in nursing  
16 facilities may be initiated based on any of the  
17 following criteria:

18 a. A rehabilitative placement shall be screened,  
19 periodically.

20 b. Residents with relatively low-level care needs,  
21 as identified in the existing peer review organization  
22 continued stay review process, shall be screened,  
23 periodically.

24 c. A member of the resident's family, the  
25 resident's physician, or a member of the nursing  
26 facility staff, may request screening.

27 5. If, following a screening, a determination of  
28 the need for an assessment is made, the case  
29 management program assessor shall perform an  
30 assessment of the elder, using a standard assessment  
31 tool approved by the department. Following the  
32 assessment and an interdisciplinary case conference,  
33 the case management staff shall explain the options  
34 available to the elder, the elder's family, and  
35 persons providing support services to the elder for  
36 the most appropriate care in the least restrictive  
37 environment. The elder, the elder's family, and  
38 persons providing support services to the elder, shall  
39 choose the care options to be provided to the elder.

40 6. If an elder's attending physician determines  
41 that an emergency placement of the elder in a nursing  
42 facility is necessary, a nursing facility may admit  
43 the elder prior to completion of a screening or  
44 assessment. Within three days following admission,  
45 the peer review organization shall provide for a  
46 screening and request an assessment if the screening  
47 indicates the need for an assessment.

48 7. The following elders are exempt from screening  
49 and assessment:

50 a. An elder transferring between nursing

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Page 3

1 facilities, whether or not an intervening hospital  
2 stay takes place.  
3 b. An elder admitted to a nursing facility prior  
4 to January 1, 1995.  
5 c. An elder entering a nursing facility who has  
6 completed an assessment under the program within the  
7 three-month period prior to application for admission.  
8 d. An elder admitted to a nursing facility  
9 directly from a hospital after receiving acute  
10 inpatient care at the hospital, unless the elder  
11 requires more than thirty days of nursing facility  
12 care, in which case the peer review organization shall  
13 conduct a screening within forty days of admission to  
14 the nursing facility.  
15 e. An elder transferred within the same continuing  
16 care retirement community, as defined in section  
17 523D.1, from a level of care or from a portion of the  
18 facility in which residents do not require nursing  
19 care, except on an emergency basis, to a level of care  
20 which is primarily nursing care or to a portion of the  
21 facility which is primarily engaged in providing  
22 nursing care.  
23 8. The department shall submit an annual report to  
24 the governor and to the general assembly which  
25 provides an analysis of the pilot program."  
26 2. Title page, line 1, by striking the words  
27 "preadmission assessment" and inserting the following:  
28 "screening and assessment pilot".  
29 3. Title page, line 2, by striking the words "for  
30 frail elders" and inserting the following: "to  
31 determine the appropriateness of community-based  
32 services for elders".

RECEIVED FROM THE SENATE

H-5777 FILED MARCH 29, 1994

*House concurred*  
*4-8-94*  
*(P. 1273)*

H-3713

1 Amend House File 582 as follows:

2 1. Page 2, by striking lines 1 through 14, and  
3 inserting the following:

4 " \_\_\_\_\_. If a frail elder is a recipient of medical  
5 assistance pursuant to chapter 249A, an assessor  
6 involved with the program shall perform a preadmission  
7 assessment of the frail elder, prior to the frail  
8 elder's admission to a nursing facility. The assessor  
9 shall, in consultation with the frail elder or the  
10 frail elder's family, schedule a date, time, and  
11 location for the performance of the assessment. The  
12 assessor shall also inform the frail elder or the  
13 frail elder's family of the right to have a physician  
14 present during the performance of the assessment.

15 " \_\_\_\_\_. If a frail elder is not a recipient of  
16 medical assistance pursuant to chapter 249A, a frail  
17 elder or the frail elder's family may request a  
18 preadmission assessment, on a form developed and  
19 provided by the department prior to the frail elder's  
20 pending admission to a nursing facility. If a frail  
21 elder or the frail elder's family requests a  
22 preadmission assessment, the assessor shall, in  
23 consultation with the frail elder or the frail elder's  
24 family, schedule a date, time, and location for the  
25 performance of the assessment. The assessor shall  
26 also inform the frail elder or the frail elder's  
27 family of the right to have a physician present during  
28 the performance of the assessment."

29 2. Page 2, by striking line 25, and inserting the  
30 following:

31 " \_\_\_\_\_. If the physician of a frail elder who is a  
32 recipient of medical assistance pursuant to chapter  
33 269 determines that".

34 3. Page 2, line 33, by inserting after the word  
35 "elders" the following: "who are recipients of  
36 medical assistance pursuant to chapter 249A".

37 4. By renumbering as necessary.

*Let 4-7-93 (P.111)* By MEYER of Sac

H-3713 FILED APRIL 5, 1993

H-3370

1 Amend House File 582 as follows:

2 1. Page 2, by striking lines 1 through 14 and  
3 inserting the following:

4 " \_\_\_\_\_. A frail elder or a frail elder's family may  
5 request a preadmission assessment, on a form developed  
6 and provided by the department prior to the frail  
7 elder's pending admission to a nursing facility.

8 " \_\_\_\_\_. If a frail elder or the frail elder's family  
9 requests a preadmission assessment, the assessor  
10 shall, in consultation with the frail elder or the  
11 frail elder's family, schedule a date, time, and  
12 location for the performance of the assessment. The  
13 assessor shall also inform the frail elder or the  
14 frail elder's family of the right to have a physician  
15 present during the performance of the assessment."

16 2. By striking page 2, line 28, through page 3,  
17 line 7 and inserting the following: "prior to  
18 completion of a preadmission assessment."

19 3. By renumbering as necessary.

By MEYER of Sac

H-3370 FILED MARCH 22, 1993

WITHDRAWN  
4-7-93

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Page 3

1 facilities, whether or not an intervening hospital  
2 stay takes place.  
3 b. An elder admitted to a nursing facility prior  
4 to January 1, 1995.  
5 c. An elder entering a nursing facility who has  
6 completed an assessment under the program within the  
7 three-month period prior to application for admission.  
8 d. An elder admitted to a nursing facility  
9 directly from a hospital after receiving acute  
10 inpatient care at the hospital, unless the elder  
11 requires more than thirty days of nursing facility  
12 care, in which case the peer review organization shall  
13 conduct a screening within forty days of admission to  
14 the nursing facility.  
15 e. An elder transferred within the same continuing  
16 care retirement community, as defined in section  
17 523D.1, from a level of care or from a portion of the  
18 facility in which residents do not require nursing  
19 care, except on an emergency basis, to a level of care  
20 which is primarily nursing care or to a portion of the  
21 facility which is primarily engaged in providing  
22 nursing care.  
23 8. The department shall submit an annual report to  
24 the governor and to the general assembly which  
25 provides an analysis of the pilot program."  
26 2. Title page, line 1, by striking the words  
27 "preadmission assessment" and inserting the following:  
28 "screening and assessment pilot".  
29 3. Title page, line 2, by striking the words "for  
30 frail elders" and inserting the following: "to  
31 determine the appropriateness of community-based  
32 services for elders".

By COMMITTEE ON HUMAN RESOURCES  
ELAINE SZYMONIAK, Chairperson

S-5255 FILED MARCH 17, 1994

*adapted 3/29/94 (P 888)*

## HOUSE FILE 582

S-5255

1 Amend House File 582 as passed by the House as  
2 follows:

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

5 "Section 1. PREADMISSION SCREENING AND ASSESSMENT  
6 PILOT PROGRAM.

7 1. As used in this section, unless the context  
8 otherwise requires:

9 a. "Assessment" means a face-to-face conference  
10 between a case management program assessor and the  
11 elder which includes an evaluation of physical health,  
12 cognitive and emotional status, activities of daily  
13 living, transportation needs, a support system, the  
14 physical environment, and the financial status of the  
15 elder.

16 b. "Case management program for elders" means a  
17 comprehensive system administered by the department as  
18 specified in this chapter.

19 c. "Department" means the department of elder  
20 affairs.

21 d. "Elder" means a person sixty-five years of age  
22 or older.

23 e. "Nursing facility" means a nursing facility as  
24 defined in section 135C.1.

25 f. "Screening" means an initial review to  
26 determine if a face-to-face comprehensive assessment  
27 by a case management program assessor is necessary  
28 prior to admission or following admission to a nursing  
29 facility.

30 2. Beginning July 1, 1994, and ending June 30,  
31 1996, the department shall administer a preadmission  
32 screening and assessment pilot program for elders  
33 seeking admission to nursing facilities, in three to  
34 six counties in the state, which have existing case  
35 management programs for elders, in consultation with  
36 area agencies on the aging, service providers, and the  
37 peer review organization. The counties selected shall  
38 represent both rural and urban populations. Unless an  
39 elder is exempt from the preadmission screening and  
40 assessment pilot program pursuant to subsection 5 or  
41 6, an elder shall not be admitted to a nursing  
42 facility in a participating county prior to completion  
43 of a preadmission screening and, if necessary, an  
44 assessment.

45 3. The department shall determine the appropriate  
46 agency to conduct the screening program.

47 a. The screening shall include but is not limited  
48 to a utilization review for the level of care needed  
49 and the identification of mental illness, mental  
50 retardation, and related mental health conditions of

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Page 2

1 an elder.

2 b. The screening shall be conducted not more than  
3 three months prior to the application for admission of  
4 the elder to a nursing facility. If the screening of  
5 an elder has not been completed during the three-month  
6 period prior to the application for admission, the  
7 nursing facility shall request a screening prior to  
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9 c. During the screening process, the peer review  
10 organization shall identify elders with care needs who  
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16 facilities may be initiated based on any of the  
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25 resident's physician, or a member of the nursing  
26 facility staff, may request screening.

27 5. If, following a screening, a determination of  
28 the need for an assessment is made, the case  
29 management program assessor shall perform an  
30 assessment of the elder, using a standard assessment  
31 tool approved by the department. Following the  
32 assessment and an interdisciplinary case conference,  
33 the case management staff shall explain the options  
34 available to the elder, the elder's family, and  
35 persons providing support services to the elder for  
36 the most appropriate care in the least restrictive  
37 environment. The elder, the elder's family, and  
38 persons providing support services to the elder, shall  
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41 that an emergency placement of the elder in a nursing  
42 facility is necessary, a nursing facility may admit  
43 the elder prior to completion of a screening or  
44 assessment. Within three days following admission,  
45 the peer review organization shall provide for a  
46 screening and request an assessment if the screening  
47 indicates the need for an assessment.

48 7. The following elders are exempt from screening  
49 and assessment:

50 a. An elder transferring between nursing

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HSB 87

*Martin J.  
F. Meyer  
E. ...*

HUMAN RESOURCES

SENATE/HOUSE FILE 582  
BY (PROPOSED GOVERNOR'S BILL)

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

A BILL FOR

1 An Act relating to the establishment of a preadmission assessment  
2 program for frail elders considering placement or residing in  
3 a nursing facility.

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

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1 Section 1. NEW SECTION. 231.61 PREADMISSION ASSESSMENT  
2 PROGRAM -- FRAIL ELDERLY.

3 1. As used in this section, unless the context otherwise  
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5 a. "Case management program for the frail elderly" or  
6 "program" means a comprehensive system, administered by the  
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8 client is monitored by a case manager who assists the client  
9 in making appropriate use of the long-term care continuum  
10 which ranges from home care to institutionalization. The  
11 program includes screening; assessment; interdisciplinary case  
12 conferences; a written plan of care; information about,  
13 referral to, or provision of services; case monitoring;  
14 follow-up and reassessment to assure proper placement within  
15 the continuum of care; evaluation of the service outcome; and  
16 exit planning.

17 b. "Frail elder" means a person sixty-five years of age or  
18 older who is seeking admission to a nursing facility.

19 c. "Nursing facility" means nursing facility as defined in  
20 section 135C.1.

21 d. "Preadmission assessment" or "assessment" means a face-  
22 to-face conference between a case management program assessor  
23 and a frail elder which includes an evaluation of physical  
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25 living; transportation needs; nutritional needs; support  
26 system; physical environment; and financial status of a frail  
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28 2. The department shall administer the preadmission  
29 assessment program for frail elders through the area agencies  
30 on aging and in conjunction with the area agencies on aging  
31 case management program for the frail elderly to determine if  
32 alternatives to admission to a nursing facility are  
33 appropriate for and available to the frail elder.

34 3. An assessor involved with the program shall perform a  
35 preadmission assessment of a frail elder, prior to the frail

1 elder's admission to a nursing facility. The assessor shall  
2 inform the frail elder and the frail elder's family of the  
3 date, time, and location of the performance of the assessment  
4 and shall inform the frail elder and the frail elder's family  
5 of the right to have a physician present during the  
6 assessment.

7 4. A frail elder or the frail elder's family may request a  
8 preadmission assessment, on a form developed and provided by  
9 the department prior to the frail elder's pending admission to  
10 a nursing facility. If an assessment has not been requested  
11 in the previous six month period the nursing facility shall  
12 require that an assessment be completed prior to admission.

13 5. The assessor may perform an assessment of a nursing  
14 facility resident if the resident, the resident's family, or  
15 the nursing facility request the assessment.

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17 interdisciplinary case conference, the case management staff  
18 may recommend alternatives to placement in a nursing facility,  
19 based upon the information gathered during the assessment and  
20 may develop an alternative plan for care for the frail elder,  
21 in cooperation with the frail elder and the frail elder's  
22 family.

23 7. If a frail elder's attending physician determines that  
24 emergency placement of the frail elder in a nursing facility  
25 is necessary, a nursing facility may admit the frail elder  
26 prior to completion of a preadmission assessment. Within  
27 three days following admission, the nursing facility shall  
28 submit a request for assessment and the medical record of the  
29 frail elder to the area agency on aging case management  
30 program.

31 8. The following frail elders are exempt from preadmission  
32 assessment:

33 a. A person transferring between nursing facilities.

34 b. A person admitted to a nursing facility prior to  
35 January 1, 1994.

1 c. A person with a primary diagnosis of mental  
2 retardation, a developmental disability, or a mental illness.

3 d. A person entering a nursing facility who has completed  
4 an assessment with the program within the six months prior to  
5 application for admission.

6 Sec. 2. CONTINGENCY. This Act shall not be implemented  
7 until adequate funding is appropriated to the department, as  
8 determined by the director.

9 EXPLANATION

10 This bill establishes a preadmission assessment program for  
11 frail elders seeking admission to nursing facilities, as a  
12 part of the case management program for the frail elderly.  
13 The assessment program is to be administered by the department  
14 of elder affairs through the area agencies on aging in  
15 conjunction with the area agencies on aging case management  
16 program for the frail elderly. Assessors involved in the  
17 program are to perform the assessments in order to recommend  
18 appropriate and available care for the frail elder. The  
19 assessments are also available upon the request of a frail  
20 elder, the frail elder's family, the nursing facility to which  
21 a frail elder is contemplating admission, a nursing facility  
22 resident, the resident's family, or the nursing facility in  
23 which the resident resides, upon the request of any of these  
24 entities. Provisions are made for emergency placements and  
25 exemptions from preadmission assessment are enumerated. The  
26 bill provides a contingency that the program not be  
27 implemented until adequate funding is appropriated, as  
28 determined by the director.

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c. A member of the resident's family, the resident's physician, or a member of the nursing facility staff, may request screening.

5. If, following a screening, a determination of the need for an assessment is made, the case management program assessor shall perform an assessment of the elder, using a standard assessment tool approved by the department. Following the assessment and an interdisciplinary case conference, the case management staff shall explain the options available to the elder, the elder's family, and persons providing support services to the elder for the most appropriate care in the least restrictive environment. The elder, the elder's family, and persons providing support services to the elder, shall choose the care options to be provided to the elder.

6. If an elder's attending physician determines that an emergency placement of the elder in a nursing facility is necessary, a nursing facility may admit the elder prior to completion of a screening or assessment. Within three days following admission, the peer review organization shall provide for a screening and request an assessment if the screening indicates the need for an assessment.

7. The following elders are exempt from screening and assessment:

- a. An elder transferring between nursing facilities, whether or not an intervening hospital stay takes place.
- b. An elder admitted to a nursing facility prior to January 1, 1995.
- c. An elder entering a nursing facility who has completed an assessment under the program within the three-month period prior to application for admission.
- d. An elder admitted to a nursing facility directly from a hospital after receiving acute inpatient care at the hospital, unless the elder requires more than thirty days of nursing facility care, in which case the peer review organization shall conduct a screening within forty days of admission to the nursing facility.

e. An elder transferred within the same continuing care retirement community, as defined in section 523D.1, from a level of care or from a portion of the facility in which residents do not require nursing care, except on an emergency basis, to a level of care which is primarily nursing care or to a portion of the facility which is primarily engaged in providing nursing care.

8. The department shall submit an annual report to the governor and to the general assembly which provides an analysis of the pilot program.

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HAROLD VAN MAANEN  
Speaker of the House

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LEONARD L. BOSWELL  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 582, Seventy-fifth General Assembly.

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ELIZABETH ISAACSON  
Chief Clerk of the House

Approved *April 18* 1994

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TERRY E. BRANSTAD  
Governor

HOUSE FILE 582

AN ACT

RELATING TO THE ESTABLISHMENT OF A SCREENING AND ASSESSMENT PILOT PROGRAM TO DETERMINE THE APPROPRIATENESS OF COMMUNITY-BASED SERVICES FOR ELDERS CONSIDERING PLACEMENT OR RESIDING IN A NURSING FACILITY.

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

Section 1. PREADMISSION SCREENING AND ASSESSMENT PILOT PROGRAM.

1. As used in this section, unless the context otherwise requires:

a. "Assessment" means a face-to-face conference between a case management program assessor and the elder which includes an evaluation of physical health, cognitive and emotional status, activities of daily living, transportation needs, a support system, the physical environment, and the financial status of the elder.

b. "Case management program for elders" means a comprehensive system administered by the department as specified in this chapter.

c. "Department" means the department of elder affairs.

d. "Elder" means a person sixty-five years of age or older.

e. "Nursing facility" means a nursing facility as defined in section 135C.1.

f. "Screening" means an initial review to determine if a face-to-face comprehensive assessment by a case management program assessor is necessary prior to admission or following admission to a nursing facility.

2. Beginning July 1, 1994, and ending June 30, 1996, the department shall administer a preadmission screening and assessment pilot program for elders seeking admission to nursing facilities, in three to six counties in the state,

which have existing case management programs for elders, in consultation with area agencies on the aging, service providers, and the peer review organization. The counties selected shall represent both rural and urban populations. Unless an elder is exempt from the preadmission screening and assessment pilot program pursuant to subsection 5 or 6, an elder shall not be admitted to a nursing facility in a participating county prior to completion of a preadmission screening and, if necessary, an assessment.

3. The department shall determine the appropriate agency to conduct the screening program.

a. The screening shall include but is not limited to a utilization review for the level of care needed and the identification of mental illness, mental retardation, and related mental health conditions of an elder.

b. The screening shall be conducted not more than three months prior to the application for admission of the elder to a nursing facility. If the screening of an elder has not been completed during the three-month period prior to the application for admission, the nursing facility shall request a screening prior to the admission of the elder.

c. During the screening process, the peer review organization shall identify elders with care needs who may be served through coordination of services in the community and shall refer these elders to the area agency on aging in the county of residence of the elder for a complete needs assessment.

4. A post-admission screening of elders in nursing facilities may be initiated based on any of the following criteria:

a. A rehabilitative placement shall be screened, periodically.

b. Residents with relatively low-level care needs, as identified in the existing peer review organization continued stay review process, shall be screened, periodically.