

## FEB 1 5 1996 Place On Calendar

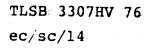
HOUSE FILE 2230 BY COMMITTEE ON COMMERCE AND REGULATION

(SUCCESSOR TO HSB 550)

 $\begin{array}{c} (p,455) \\ (p,455) \\ \end{array}$ Passed House, Date 2/27/96 Passed Senate, Date 3/27/96(p.1081)Vote: Ayes 84 Nays O Vote: Ayes 49 Nays O Approved 41,1996

## A BILL FOR

1 An Act relating to the duties of the department of inspections and appeals concerning liens on improper provider payments 2 from the department of human services, the administration of 3 4 certain health care statutes, and the conducting of audits. 5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA: 6



VF JJZ

S.F. H.F. 223

1 Section 1. Section 10A.104, subsection 9, Code Supplement 2 1995, is amended to read as follows:

3 9. Administer and enforce this chapter, and chapters 99B,
4 135B, 135C, <u>135G</u>, <u>135H</u>, <u>135J</u>, <u>137A</u>, <u>137B</u>, <u>137C</u>, <u>137D</u>, and
5 137E.

6 Sec. 2. Section 10A.108, subsection 1, unnumbered 7 paragraph 1, Code 1995, is amended to read as follows: 8 If a person refuses or neglects to repay benefits or 9 provider payments inappropriately obtained from the department 10 of human services, the amount inappropriately obtained, 11 including any interest, penalty, or costs attached to the 12 amount, constitutes a debt and is a lien in favor of the state 13 upon all property and any rights or title to or interest in 14 property, whether real or personal, belonging to the person 15 for the period established in subsection 2, with the exception 16 of property which is exempt from execution pursuant to chapter 17 627.

18 Sec. 3. Section 10A.302, subsections 1 and 5, Code 1995, 19 are amended by striking the subsections.

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## EXPLANATION

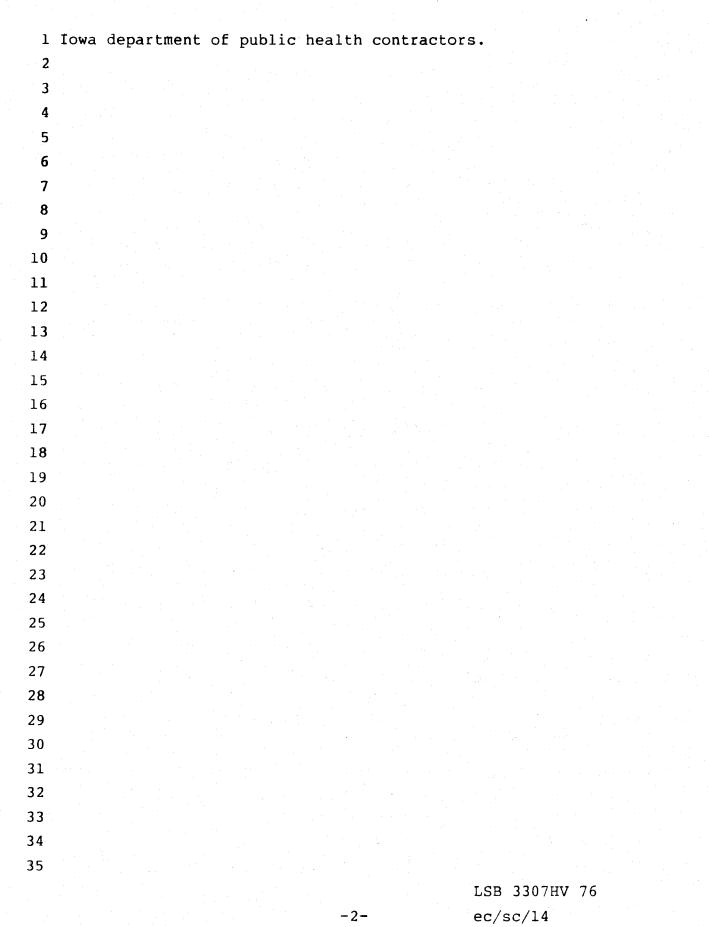
The bill provides in chapter 10A that the director of the department of inspections and appeals is responsible for administering chapters 135G, concerning birth centers, 135H, concerning psychiatric medical institutions for children, and 5 135J, concerning licensed hospice programs. Currently, these individual chapters provide for department of inspections and appeals administration but no reference to these drafters is made in chapter 10A.

The bill provides for the establishment of a lien in favor 30 of the state concerning any provider payments improperly 31 obtained from the department of human services that have not 32 been repaid.

33 The bill also eliminates the requirement that the 34 department of inspections and appeals is responsible for 35 conducting audits of real estate broker trust accounts and

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S.F. \_\_\_\_\_ H.F. 2230





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HS\$ 550

Van Fossen-Chain Succeeded By SF/HF 2230 COMMERCE - REGULATION Cormack SENATE/HOUSE FILE Doderer BY (PROPOSED DEPARTMENT OF INSPECTIONS AND APPEALS BILL)

Passed	Senate,	Date	_ Passed	House	, Date	
Vote:	Ayes	Nays	Vote:	Ayes	Nays	
	Ар	proved				

## A BILL FOR

An Act relating to the duties of the department of inspections
 and appeals concerning the administration of certain health
 care statutes and the conducting of audits.

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



TLSB	3307DP	76					
ec/sc/14							

S.F. \_\_\_\_\_ H.F. \_\_\_\_\_

Section 1. Section 10A.104, subsection 9, Code Supplement 1 2 1995, is amended to read as follows: 9. Administer and enforce this chapter, and chapters 99B, 3 4 135B, 135C, 135G, 135H, 135J, 137A, 137B, 137C, 137D, and 5 137E. Sec. 2. Section 10A.302, subsections 1 and 5, Code 1995, 6 7 are amended by striking the subsections. EXPLANATION 8 The bill provides in chapter 10A that the director of the 9 10 department of inspections and appeals is responsible for 11 administering chapters 135G, concerning birth centers, 135H, 12 concerning psychiatric medical institutions for children, and 13 135J, concerning licensed hospice programs. Currently, these 14 individual chapters provide for department of inspections and 15 appeals administration but no reference to these drafters is 16 made in chapter 10A. The bill also eliminates the requirement that the 17 18 department of inspections and appeals is responsible for 19 conducting audits of real estate broker trust accounts and 20 Iowa department of public health contractors. BACKGROUND STATEMENT 21 SUBMITTED BY THE AGENCY 22 The bill adds additional Code chapters the department of 23 24 inspections and appeals is responsible for administering. 25 These chapters came into existence after the department was 26 created. The bill also strikes functions under the audits division 27 28 of the department of inspections and appeals for which the 29 department is no longer responsible. 30 31 32 33 34 35 LSB 3307DP 76

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Sec. 3. Section 10A.302, subsections 1 and 5, Code 1995, are amended by striking the subsections.

HOUSE FILE 2230

AN ACT

RELATING TO THE DUTIES OF THE DEPARTMENT OF INSPECTIONS AND APPEALS CONCERNING LIENS ON IMPROPER PROVIDER PAYMENTS FROM THE DEPARTMENT OF HUMAN SERVICES, THE ADMINISTRATION OF CERTAIN HEALTH CARE STATUTES, AND THE CONDUCTING OF AUDITS.

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

Section 1. Section 10A.104, subsection 9, Code Supplement 1995, is amended to read as follows:

9. Administer and enforce this chapter, and chapters 998, 135B, 135C, 135G, 135H, 135J, 137A, 137B, 137C, 137D, and 137E.

Sec. 2. Section 10A.108, subsection 1, unnumbered paragraph 1, Code 1995, is amended to read as follows:

If a person refuses or neglects to repay benefits or provider payments inappropriately obtained from the department of human services, the amount inappropriately obtained, including any interest, penalty, or costs attached to the amount, constitutes a debt and is a lien in favor of the state upon all property and any rights or title to or interest in property, whether real or personal, belonging to the person for the period established in subsection 2, with the exception of property which is exempt from execution pursuant to chapter 627.

RON J. CORBETT 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 2230, Seventy-sixth General Assembly.

Approved April 4, 1996

Governor

ELIZABETH ISAACSON Chief Clerk of the House

TERRY E. BRANSTAD