

S - 2/28/96 Commerce
S - 3/6/96 Do Pass

FEB 15 1996
Place On Calendar

HOUSE FILE 2230
BY COMMITTEE ON COMMERCE
AND REGULATION

(SUCCESSOR TO HSB 550)

Passed House, Date ^(P.455) 2/27/96 Passed Senate, Date 3/27/96 (P.1081)
Vote: Ayes 84 Nays 0 Vote: Ayes 49 Nays 0
Approved April 4, 1996

A BILL FOR

1 An Act relating to the duties of the department of inspections
2 and appeals concerning liens on improper provider payments
3 from the department of human services, the administration of
4 certain health care statutes, and the conducting of audits.

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

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HF 2230

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, 135G, 135H, 135J, 137A, 137B, 137C, 137D, 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.

20 EXPLANATION

21 The bill provides in chapter 10A that the director of the
22 department of inspections and appeals is responsible for
23 administering chapters 135G, concerning birth centers, 135H,
24 concerning psychiatric medical institutions for children, and
25 135J, concerning licensed hospice programs. Currently, these
26 individual chapters provide for department of inspections and
27 appeals administration but no reference to these drafters is
28 made in chapter 10A.

29 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

1 Iowa department of public health contractors.

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HSB 550

Van Fossen - Chair
Cormack
Doderer

Succeeded By
SF/HF 2230 COMMERCE - REGULATION

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
INSPECTIONS AND APPEALS
BILL)

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

A BILL FOR

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

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

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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, 135G, 135H, 135J, 137A, 137B, 137C, 137D, and
5 137E.

6 Sec. 2. Section 10A.302, subsections 1 and 5, Code 1995,
7 are amended by striking the subsections.

8 EXPLANATION

9 The bill provides in chapter 10A that the director of the
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.

17 The bill also eliminates the requirement that the
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.

21 BACKGROUND STATEMENT

22 SUBMITTED BY THE AGENCY

23 The bill adds additional Code chapters the department of
24 inspections and appeals is responsible for administering.
25 These chapters came into existence after the department was
26 created.

27 The bill also strikes functions under the audits division
28 of the department of inspections and appeals for which the
29 department is no longer responsible.

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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 99B, 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.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved April 4, 1996

TERRY E. BRANSTAD
Governor