

H. 3-11-96 Human Resources
H. 3/20/96 Do Pass

FILED FEB 20 1996

SENATE FILE 2235
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 2004)

Passed Senate, ^(p.655) Date 3/6/96 Passed House, Date 3-27-96
Vote: Ayes 50 Nays 0 Vote: Ayes 95 Nays 2
Approved April 4, 1996

A BILL FOR

1 An Act relating to the use of alternative licensing for nursing
2 facilities and providing for a contingent effective date.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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SENATE FILE 2235

H-5503

1 Amend Senate File 2235, as passed by the Senate, as
2 follows:
3 1. Page 1, by inserting after line 28 the
4 following:
5 "Sec. 4. CONTINGENCY -- REPEAL. If the number of
6 inspectors for nursing facilities, as recommended in
7 the annual report submitted by the state long-term
8 care resident's advocate to the general assembly in
9 January in any year are not employed, this Act is
10 repealed on June 30 of the year in which the report is
11 submitted."
12 2. Title page, by striking line 2 and inserting
13 the following: "facilities, providing for a
14 contingent effective date, and providing for a
15 contingent repeal."

By MURPHY of Dubuque

H-5503 FILED MARCH 20, 1996

3/27/96 IN (p.1007)

S.F. 2235

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1 Section 1. Section 135C.2, Code Supplement 1995, is
2 amended by adding the following new subsection:

3 NEW SUBSECTION. 7. The rules adopted by the department
4 regarding nursing facilities shall provide that a nursing
5 facility may choose to be inspected either by the department
6 or by the joint commission on accreditation of health care
7 organizations. The rules regarding acceptance of inspection
8 by the joint commission on accreditation of health care
9 organizations shall include recognition, in lieu of inspection
10 by the department, of comparable inspections and inspection
11 findings of the joint commission on accreditation of health
12 care organizations, if the department is provided with copies
13 of all requested materials relating to the inspection process.

14 Sec. 2. Section 135C.6, Code 1995, is amended by adding
15 the following new subsection:

16 NEW SUBSECTION. 9. Notwithstanding section 135C.9,
17 nursing facilities which are accredited by the joint
18 commission on accreditation of health care organizations shall
19 be licensed without inspection by the department, if the
20 nursing facility has chosen to be inspected by the joint
21 commission on accreditation of health care organizations in
22 lieu of inspection by the department.

23 Sec. 3. CONTINGENCY -- EFFECTIVE DATE. This Act is
24 effective upon passage of federal legislation which provides
25 for acceptance of the joint commission on accreditation of
26 health care organizations inspections for nursing facilities
27 required for participation in programs authorized by either
28 Title XVIII or Title XIX of the federal Social Security Act.

29 EXPLANATION

30 This bill provides for adoption of rules regarding the
31 licensure of nursing facilities. The bill provides that prior
32 to licensure, required inspection of the nursing facility may
33 be provided, at the option of the nursing facility, by the
34 department of inspections and appeals or by the joint
35 commission on accreditation of health care organizations, if

1 all required materials regarding inspection are provided to
2 the department. The bill also provides that the option of
3 inspection by the joint commission on accreditation of health
4 care organizations is effective only after passage of federal
5 legislation which accepts inspections by the joint commission
6 on accreditation of health care organizations for facilities
7 which participate in the medical assistance or Medicare
8 programs.

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SSB-2004

Succeeded By
SF/HF 2235 Human Resource

SENATE FILE _____
BY (PROPOSED COMMITTEE ON HUMAN
RESOURCES BILL BY CHAIR-
PERSON SZYMONIAK)

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

A BILL FOR

1 An Act relating to the use of alternative licensing for nursing
2 facilities.

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

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1 Section 1. Section 135C.2, Code Supplement 1995, is
2 amended by adding the following new subsection:

3 NEW SUBSECTION. 7. The rules adopted by the department
4 regarding nursing facilities shall include recognition, in
5 lieu of inspection by the department, of comparable
6 inspections and inspection findings of the joint commission on
7 accreditation of health care organizations, if the department
8 is provided with copies of all requested materials relating to
9 the inspection process.

10 Sec. 2. Section 135C.6, Code 1995, is amended by adding
11 the following new subsection:

12 NEW SUBSECTION. 9. Notwithstanding section 135C.9,
13 nursing facilities which are accredited by the joint
14 commission on accreditation of health care organizations shall
15 be licensed without inspection by the department.

16 EXPLANATION

17 This bill provides for adoption of rules regarding the
18 licensure of nursing facilities, without inspection by the
19 department of inspections and appeals, if the nursing facility
20 is accredited by inspection by the joint commission on
21 accreditation of health care organizations and if all required
22 materials regarding inspection are provided to the department.

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SENATE FILE 2235

AN ACT

RELATING TO THE USE OF ALTERNATIVE LICENSING FOR NURSING
FACILITIES AND PROVIDING FOR A CONTINGENT EFFECTIVE DATE.

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

Section 1. Section 135C.2, Code Supplement 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 7. The rules adopted by the department regarding nursing facilities shall provide that a nursing facility may choose to be inspected either by the department or by the joint commission on accreditation of health care organizations. The rules regarding acceptance of inspection by the joint commission on accreditation of health care organizations shall include recognition, in lieu of inspection by the department, of comparable inspections and inspection findings of the joint commission on accreditation of health care organizations, if the department is provided with copies of all requested materials relating to the inspection process.

Sec. 2. Section 135C.6, Code 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 9. Notwithstanding section 135C.9, nursing facilities which are accredited by the joint commission on accreditation of health care organizations shall be licensed without inspection by the department, if the nursing facility has chosen to be inspected by the joint commission on accreditation of health care organizations in lieu of inspection by the department.

Sec. 3. CONTINGENCY -- EFFECTIVE DATE. This Act is effective upon passage of federal legislation which provides for acceptance of the joint commission on accreditation of health care organizations inspections for nursing facilities

required for participation in programs authorized by either Title XVIII or Title XIX of the federal Social Security Act.

LEONARD L. BOSWELL
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2235, Seventy-sixth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved April 4, 1996

TERRY E. BRANSTAD
Governor