

MAR 12 1997
STATE GOVERNMENT

HOUSE FILE 590
BY HOLVECK

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

A BILL FOR

1 An Act relating to the establishment of a gambling treatment
2 program, creating an advisory committee, and applying a
3 penalty.

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

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HF 590

1 Section 1. NEW SECTION. 135.108 LEGISLATIVE INTENT.

2 The intent of this division is to provide quality treatment
3 and rehabilitation services to residents of this state
4 experiencing difficulties as a result of problem gambling, to
5 ensure that the services are adequately administered by
6 competent persons, and to encourage and coordinate education
7 and other preventive efforts concerning problem gambling.

8 Sec. 2. NEW SECTION. 135.109 DEFINITIONS.

9 As used in this division, unless the context otherwise
10 requires:

11 1. "Committee" means the gambling treatment advisory
12 committee established in section 135.111.

13 2. "Department" means the Iowa department of public
14 health.

15 3. "Director" means the director of public health.

16 4. "Participant" means a resident of this state receiving
17 services provided through the gambling treatment program
18 established in section 135.110.

19 5. "Program" means the gambling treatment program
20 established in section 135.110.

21 Sec. 3. NEW SECTION. 135.110 GAMBLING TREATMENT PROGRAM
22 ESTABLISHED.

23 1. A gambling treatment program is established within the
24 department. The department shall develop, implement, and
25 administer the program, with the assistance of the gambling
26 treatment advisory committee.

27 2. The program shall include the development and
28 implementation of a treatment program for problem gamblers and
29 persons affected by gambling. The program may include the
30 following:

31 a. Outpatient and follow-up treatment.

32 b. Information and referral services.

33 c. Education and preventive services.

34 3. The director may enter into written agreements with
35 public or private agencies to pay for services for problem

1 gamblers and other persons affected by problem gambling. The
2 department shall adopt rules, pursuant to chapter 17A,
3 specifying the criteria for payment to the facilities. The
4 problem gambler or other affected person receiving services is
5 responsible for payment for the costs of the services, either
6 through direct payment to the facility or reimbursement to the
7 department. If the person receiving services has a claim for
8 reimbursement for services, through insurance or otherwise,
9 the person shall assign the claim to the department.

10 4. The director shall announce through public notice the
11 opening of an application period for all contracts that are
12 not for outpatient services. Agencies may submit detailed
13 contract proposals for consideration by the director.
14 Selection criteria include the demonstrated need in the
15 service areas, community support and relationships to existing
16 agencies, general program structure, and plans for using the
17 funds. Contracts for other than outpatient services shall be
18 awarded for a duration not to exceed one year.

19 5. The director shall develop and encourage the
20 development of plans and programs for the prevention of
21 gambling problems and the treatment of persons affected by
22 problem gambling on a statewide basis and in cooperation with
23 public and private agencies by providing technical assistance
24 and other services. In cooperation with local gambling
25 treatment programs, the director shall organize and implement
26 programs for persons offering gambling treatment services. In
27 addition, the director shall prepare, publish, and disseminate
28 educational material concerning problem gambling and its
29 effects, develop and implement an educational program as an
30 integral part of treatment programs for problem gamblers and
31 other persons affected by problem gambling, and assist in the
32 development of gambling educational and treatment programs for
33 employees in both the public and private sectors. The
34 department may contract for any of the services required in
35 this subsection. In addition, the director shall oversee the

1 collection of information on the impact of compulsive gambling
2 on families.

3 Sec. 4. NEW SECTION. 135.111 GAMBLING TREATMENT ADVISORY
4 COMMITTEE ESTABLISHED.

5 1. A gambling treatment advisory committee is established
6 to advise the department on the administration of the program.
7 The committee shall consist of eleven members appointed by the
8 director for terms of office of three years and two senators
9 and two state representatives appointed by the majority and
10 minority leaders of the senate and the speaker and the
11 minority leader of the house of representatives, respectively,
12 for two-year terms. The legislative members shall be
13 nonvoting members. A nonlegislative member shall not be
14 appointed to more than two consecutive three-year terms.
15 Terms of office shall be staggered, and shall commence on July
16 1 of the year of appointment. The membership of the advisory
17 committee shall be gender-balanced as provided in section
18 69.16A and shall comply with section 69.16. The director
19 shall appoint two of the eleven nonlegislative members from
20 the gambling industry, one representing either a pari-mutuel
21 racetrack enclosure licensed pursuant to chapter 99F or an
22 excursion gambling boat licensed pursuant to chapter 99F.

23 2. For a vacancy occurring after the appointment of the
24 initial membership, the committee shall submit a list of at
25 least two names to the director for consideration in filling
26 the vacancy on the committee. The director shall fill the
27 vacancy from the list of names for a term of three years or
28 for the remainder of the unexpired term.

29 3. The committee and the director shall ensure that the
30 committee consists of members from both urban and rural areas
31 and represents a broad cross section of the state, selected
32 from the following groups: recovering gamblers, the judicial
33 department, the legal community, law enforcement officials,
34 the religious community, employees of the lottery division of
35 the department of revenue and finance, employees of the state

1 racing and gaming commission, education professionals, parole
2 and probation officers, psychiatrists licensed under chapter
3 148 or 150A, psychologists licensed under chapter 154B, and
4 representatives from employee assistance programs, consumer
5 credit counseling and financial management agencies, business
6 and industry, human service providers, gambling treatment
7 providers, and other interested citizens.

8 4. Annually, the chairperson of the committee shall be
9 elected by the committee from among its membership. The
10 committee shall meet as frequently as the chairperson deems
11 necessary, but not less than annually. Special meetings may
12 be called by the department, the chairperson, or upon written
13 request by three or more of the members of the committee.

14 5. Committee members who are applicants for or recipients
15 of funds provided under this program are disqualified from
16 voting on decisions relating to the disbursement of those
17 funds for services in which the member has an interest.

18 6. Members of the committee shall be allowed their
19 reasonable and necessary expenses incurred in the performance
20 of their duties paid from funds appropriated for the program.
21 Members of the committee may also be eligible to receive
22 compensation as provided in section 7E.6. Legislative members
23 may be paid from funds appropriated pursuant to section 2.12.

24 Sec. 5. NEW SECTION. 135.112 POWERS AND DUTIES OF THE
25 GAMBLING TREATMENT ADVISORY COMMITTEE.

26 The committee shall:

27 1. Consult with and make recommendations to the department
28 concerning the adoption of rules relating to the treatment of
29 persons affected by problem gambling and carrying out the
30 purposes of this division.

31 2. Recommend services to be offered to those affected by
32 problem gambling and treat problem gamblers and persons
33 affected by problem gamblers.

34 3. Advise the department on budgeting, planning, and
35 priorities for effective treatment of gamblers, families, and

1 those affected by problem gamblers.

2 4. Make recommendations to the director concerning
3 committee vacancies as provided in section 135.111.

4 EXPLANATION

5 This bill provides for the establishment of a gambling
6 treatment program for Iowa residents by the Iowa department of
7 public health. The bill creates and specifies the powers and
8 duties of a gambling treatment advisory committee. The
9 committee shall advise the Iowa department of public health
10 concerning administration of the program.

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