

Holmes, chair  
Van Engelshoven  
Houser  
Taylor  
O'Brien

HSB 136

STATE GOVERNMENT

SENATE/HOUSE FILE <sup>SF</sup>      417  
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 release of certain information on claimants of  
2 the extraordinary property tax credit or rent reimbursement to  
3 the department of inspections and appeals.

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

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1 Section 425.28, Code 1999, is amended by adding  
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. The department of revenue and  
4 finance may release information pertaining to a person's  
5 eligibility or claim for or receipt of an extraordinary  
6 property tax credit or rent reimbursement to an employee of  
7 the department of inspections and appeals in the employee's  
8 official conduct of an investigation.

9 EXPLANATION

10 This bill allows the department of revenue and finance to  
11 release information pertaining to an individual's  
12 extraordinary property tax credit or rent reimbursement to  
13 employees of the department of inspections and appeals. The  
14 information could only be released to employees in the  
15 official conduct of an investigation.

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TERRY E. BRANSTAD, GOVERNOR

DEPARTMENT OF INSPECTIONS AND APPEALS

KIM D. SCHMETT, DIRECTOR

JOHN T. SCHAFFNER, DEPUTY DIRECTOR

January 11, 1999

TO: Members of the General Assembly

FR: Kim D. Schmett *KDS*

The Iowa Department of Inspections and Appeals (DIA) is proposing legislation related to the functions performed by its Investigations Division. The bill would allow the director of the Iowa Department of Revenue and Finance (DRF) to release certain types of tax information to investigators who require the information in the performance of their duties.

During the course of Medicaid fraud investigations, DIA personnel are often required to verify whether a Medicaid provider is legally entitled to collect rent reimbursements on behalf of their residents and/or clients. Often time, investigators have found that some nursing home administrators illegally claim the rent reimbursement without applying the credit to the resident/client's account.

The bill will allow DIA investigators, in the performance of their official duties, to obtain information pertaining who files for and who collects the extraordinary property tax credit or reimbursement. If it is determined that an illegal act has been committed, the finding may be shared with the DRF for additional prosecution.

For additional information regarding this proposal, or other questions, please contact David Werning, Legislative Liaison, at 281-7376 or e-mail at [dwernin@max.state.ia.us](mailto:dwernin@max.state.ia.us).

S-3/15/99 State Gov.  
S-3/24/99 No Pass

MAR 1 1999

Place On Calendar

HOUSE FILE

**417**

BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 136)

(P.632) Passed House, Date 3-11-99 Passed Senate, Date 4/15/99 (P.1163)  
Vote: Ayes 98 Nays          Vote: Ayes 44 Nays 0  
Approved May 18, 1999

**A BILL FOR**

1 An Act relating to release of certain information on claimants of  
2 the property tax rent reimbursement to the department of  
3 inspections and appeals.

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

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**HF 417**

1 Section 1. Section 425.28, Code 1999, is amended by adding  
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. The department of revenue and  
4 finance may release information pertaining to a person's  
5 eligibility or claim for or receipt of rent reimbursement to  
6 an employee of the department of inspections and appeals in  
7 the employee's official conduct of an audit or investigation.

8 EXPLANATION

9 This bill allows the department of revenue and finance to  
10 release information pertaining to an individual's eligibility  
11 or claim for property tax rent reimbursement to employees of  
12 the department of inspections and appeals. The information  
13 can only be released to employees officially conducting an  
14 audit or investigation.

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HOUSE FILE 417

House File 417, p. 2

AN ACT  
RELATING TO RELEASE OF CERTAIN INFORMATION ON CLAIMANTS OF  
THE PROPERTY TAX RENT REIMBURSEMENT TO THE DEPARTMENT  
OF INSPECTIONS AND APPEALS.

an employee of the department of inspections and appeals in  
the employee's official conduct of an audit or investigation.

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

Section 1. Section 425.28, Code 1999, is amended by adding  
the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The department of revenue and  
finance may release information pertaining to a person's  
eligibility or claim for or receipt of rent reimbursement to

\_\_\_\_\_  
RON J. CORBETT  
Speaker of the House

\_\_\_\_\_  
MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and  
is known as House File 417, Seventy-eighth General Assembly.

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ELIZABETH ISAACSON  
Chief Clerk of the House

Approved May 18, 1999

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THOMAS J. VILSACK  
Governor

HF 417