

# House File 760

## Bill Text

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1 2 HOUSE FILE 760  
1 3  
1 4 AN ACT  
1 5 RELATING TO APPROPRIATIONS FOR THE DEPARTMENT OF HUMAN  
1 6 SERVICES AND INCLUDING OTHER PROVISIONS AND APPROPRIATIONS  
1 7 INVOLVING HUMAN SERVICES AND HEALTH CARE, AND PROVIDING  
1 8 EFFECTIVE DATES.  
1 9  
1 10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
1 11  
1 12 DIVISION I APPROPRIATIONS  
1 13 Section 1. SOCIAL SERVICES BLOCK GRANT SUPPLEMENTATION.  
1 14 There is appropriated from the fund created in section 8.41 to  
1 15 the department of human services for the fiscal year beginning  
1 16 July 1, 1998, and ending June 30, 1999, from moneys received  
1 17 under the federal temporary assistance for needy families  
1 18 block grant, the following amount, or so much thereof as is  
1 19 necessary, to be used for the purposes designated:  
1 20 For supplementation of the federal social services block  
1 21 grant appropriation in 1998 Iowa Acts, chapter 1210, section  
1 22 12, due to the federal reduction in this block grant and the  
1 23 corresponding decrease pursuant to 1998 Iowa Acts, chapter  
1 24 1210, section 16:  
1 25 ..... \$ 3,239,179  
1 26 The moneys appropriated in this section are allocated for  
1 27 the indicated programs and functions within the department as  
1 28 follows:  
1 29 1. General administration:  
1 30 ..... \$ 205,971  
1 31 2. Field operations:  
1 32 ..... \$ 1,231,939  
1 33 3. Child and family services:  
1 34 ..... \$ 184,262  
1 35 4. Local administrative costs and other local services:  
2 1 ..... \$ 130,650  
2 2 5. Volunteers:  
2 3 ..... \$ 14,279  
2 4 6. Community-based services:  
2 5 ..... \$ 16,421  
2 6 7. MH/MR/DD/BI community services (local purchase):  
2 7 ..... \$ 1,455,657  
2 8 Sec. 2. EARLY CHILDHOOD FISCAL YEAR 1999-2000. The  
2 9 appropriation made in 1998 Iowa Acts, chapter 1218, section 2,  
2 10 from the fund created in section 8.41 to the department of  
2 11 human services for the fiscal year beginning July 1, 1999, and  
2 12 ending June 30, 2000, from moneys received under the federal  
2 13 temporary assistance for needy families block grant shall be  
2 14 used for funding of community-based programs targeted to  
2 15 children from birth through five years of age, developed by  
2 16 community empowerment areas as provided in this section.  
2 17 1. The department may transfer federal temporary  
2 18 assistance for needy families block grant funding allocated in  
2 19 this section to the child care and development block grant in  
2 20 accordance with federal law as necessary to comply with the  
2 21 provisions of this section. The funding shall then be

2 22 provided to community empowerment areas for the fiscal year  
2 23 beginning July 1, 1999, in accordance with all of the  
2 24 following:

2 25 a. The area must be approved as a community empowerment  
2 26 area by the Iowa empowerment board.

2 27 b. The maximum funding amount a community empowerment area  
2 28 is eligible to receive shall be determined by applying the  
2 29 area's percentage of the state's average monthly family  
2 30 investment program population in the preceding fiscal year to  
2 31 the total amount appropriated in this section for fiscal year  
2 32 1999-2000. If the community empowerment board's request for  
2 33 funding is received by the Iowa empowerment board on or after  
2 34 August 1, 1999, the maximum funding amount shall be prorated  
2 35 for the fiscal year and rounded up to the nearest full month.

3 1 c. A community empowerment area receiving funding shall  
3 2 comply with any federal reporting requirements associated with  
3 3 the use of that funding and other results and reporting  
3 4 requirements established by the Iowa empowerment board. The  
3 5 department shall provide technical assistance in identifying  
3 6 and meeting the federal requirements.

3 7 d. The availability of funding provided under this section  
3 8 is subject to changes in federal requirements and amendments  
3 9 to Iowa law.

3 10 2. The moneys distributed in accordance with this section  
3 11 shall be used by communities for the purposes of enhancing  
3 12 quality child day care capacity in support of parent  
3 13 capability to obtain or retain employment. The moneys shall  
3 14 be used with a primary emphasis on low-income families and  
3 15 children from birth to five years of age. Moneys shall be  
3 16 provided in a flexible manner to communities, and shall be  
3 17 used to implement strategies identified by the communities to  
3 18 achieve such purposes. The strategies may include but are not  
3 19 limited to developing capacity for regular child day care,  
3 20 sick child care, night shifts child care, and emergency child  
3 21 care; enhancing linkages between the head start and early head  
3 22 start programs, early childhood development programs, and  
3 23 child day care assistance programs; and implementing other  
3 24 strategies to enhance access to child day care. The moneys  
3 25 may be used to either build capacity or for support of ongoing  
3 26 efforts. In addition to the full-time equivalent positions  
3 27 funded in this Act, 1.00 full-time equivalent position is  
3 28 authorized and the department may use funding appropriated in  
3 29 this section for provision of technical assistance and other  
3 30 support to communities developing and implementing strategies  
3 31 with moneys distributed in accordance with this section.

3 32 3. Moneys which are subject to this section which are not  
3 33 distributed to a community empowerment area or otherwise  
3 34 remain unobligated or unexpended at the end of the fiscal year  
3 35 shall revert to the fund created in section 8.41 to be  
4 1 available for appropriation by the general assembly in a  
4 2 subsequent fiscal year.

4 3 Sec. 3. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is  
4 4 appropriated from the general fund of the state to the  
4 5 department of human services for the fiscal year beginning  
4 6 July 1, 1999, and ending June 30, 2000, the following amount,  
4 7 or so much thereof as is necessary, to be used for the purpose  
4 8 designated:

4 9 To be credited to the family investment program account and  
4 10 used for family investment program assistance under chapter  
4 11 239B:

4 12 ..... \$ 34,330,000

4 13 1. The department of workforce development, in  
4 14 consultation with the department of human services, shall  
4 15 continue to utilize recruitment and employment practices to  
4 16 include former and current family investment program  
4 17 recipients. The department of workforce development shall  
4 18 submit a report of the practices utilized and the results of

4 19 the utilization to the general assembly by January 1, 2000.

4 20 2. It is the intent of the general assembly that the  
4 21 department of human services shall continue to work with the  
4 22 department of workforce development and local community  
4 23 collaborative efforts to provide support services for family  
4 24 investment program participants. The support services shall  
4 25 be directed to those participant families who would benefit  
4 26 from the support services and are likely to have success in  
4 27 achieving economic independence.

4 28 3. Of the funds appropriated in this section, \$9,564,352  
4 29 is allocated for the JOBS program.

4 30 4. The department shall continue to work with religious  
4 31 organizations and other charitable institutions to increase  
4 32 the availability of host homes, referred to as second chance  
4 33 homes or other living arrangements under the federal Personal  
4 34 Responsibility and Work Opportunity Reconciliation Act of  
4 35 1996, Pub. L. No. 104-193, } 103. The purpose of the homes or  
5 1 arrangements is to provide a supportive and supervised living  
5 2 arrangement for minor parents receiving assistance under the  
5 3 family investment program who, under chapter 239B, may receive  
5 4 assistance while living in an alternative setting other than  
5 5 with their parent or legal guardian.

5 6 5. The department, in consultation with the welfare reform  
5 7 advisory group established by the department, shall submit a  
5 8 report to the general assembly by January 1, 2000,  
5 9 recommending categories of families to be eligible for the  
5 10 hardship exemption from the lifetime limit of receipt of  
5 11 assistance, as authorized by 42 U.S.C. } 608(a)(7).

5 12 Sec. 4. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK  
5 13 GRANT. There is appropriated from the fund created in section  
5 14 8.41 to the department of human services for the fiscal year  
5 15 beginning July 1, 1999, and ending June 30, 2000, from moneys  
5 16 received under the federal temporary assistance for needy  
5 17 families block grant pursuant to the federal Personal  
5 18 Responsibility and Work Opportunity Reconciliation Act of  
5 19 1996, Pub. L. No. 104-193, which are federally appropriated  
5 20 for the federal fiscal years beginning October 1, 1997, and  
5 21 ending September 30, 1998, beginning October 1, 1998, and  
5 22 ending September 30, 1999, and beginning October 1, 1999, and  
5 23 ending September 30, 2000, the following amounts, or so much  
5 24 thereof as is necessary, to be used for the purposes  
5 25 designated:

5 26 Moneys appropriated in this section shall be used in  
5 27 accordance with the federal law making the funds available,  
5 28 applicable Iowa law, appropriations made from the general fund  
5 29 of the state in this Act for the purpose designated, and  
5 30 administrative rules adopted to implement the federal and Iowa  
5 31 law. If actual federal revenues credited to the fund created  
5 32 in section 8.41 through June 30, 2000, are less than the  
5 33 amounts appropriated in this section, the amounts appropriated  
5 34 shall be reduced proportionately and the department may reduce  
5 35 expenditures as deemed necessary by the department to meet the  
6 1 reduced funding level:

6 2 1. To be credited to the family investment program account  
6 3 and used for assistance under the family investment program  
6 4 under chapter 239B:

6 5 ..... \$ 51,830,229

6 6 2. To be credited to the family investment program account  
6 7 and used for the job opportunities and basic skills (JOBS)  
6 8 program, and implementing family investment agreements, in  
6 9 accordance with chapter 239B:

6 10 ..... \$ 19,980,113

6 11 3. For field operations:  
6 12 ..... \$ 12,232,764

6 13 4. For general administration:  
6 14 ..... \$ 3,121,071

6 15 5. For local administrative costs:

6 16 ..... \$ 2,079,733  
6 17 6. For state child care assistance:  
6 18 ..... \$ 16,782,891  
6 19 7. For emergency assistance:  
6 20 ..... \$ 2,694,544  
6 21 8. For mental health and developmental disabilities  
6 22 community services:  
6 23 ..... \$ 3,867,402  
6 24 9. For child and family services:  
6 25 ..... \$ 23,491,419  
6 26 10. For pregnancy prevention grants on the condition that  
6 27 family planning services are funded:  
6 28 ..... \$ 1,958,979  
6 29 11. For technology needs and other resources necessary to  
6 30 meet federal welfare reform reporting, tracking, and case  
6 31 management requirements:  
6 32 ..... \$ 1,000,000  
6 33 12. For supervised community treatment under child and  
6 34 family services:  
6 35 ..... \$ 300,000  
7 1 13. For volunteers:  
7 2 ..... \$ 37,935  
7 3 14. For individual development accounts under chapter  
7 4 541A:  
7 5 ..... \$ 200,000

7 6 Of the amounts appropriated in this section, \$10,201,116  
7 7 for the fiscal year beginning July 1, 1999, shall be  
7 8 transferred to the appropriation of the federal social  
7 9 services block grant for that fiscal year.

7 10 It is the intent of the general assembly that eligible  
7 11 funding available under the federal temporary assistance for  
7 12 needy families block grant that is not appropriated or not  
7 13 otherwise expended is considered reserved for economic  
7 14 downturns and welfare reform purposes and is subject to  
7 15 further state appropriation to support families in their  
7 16 movement toward self-sufficiency.

7 17 The department shall report quarterly, any changes in  
7 18 allocations of temporary assistance for needy families moneys,  
7 19 to the legislative fiscal bureau and to the chairpersons and  
7 20 ranking members of the joint appropriations subcommittee on  
7 21 human services.

7 22 Sec. 5. FAMILY INVESTMENT PROGRAM ACCOUNT.

7 23 1. Moneys credited to the family investment program (FIP)  
7 24 account for the fiscal year beginning July 1, 1999, and ending  
7 25 June 30, 2000, shall be used in accordance with the following  
7 26 requirements:

7 27 a. The department shall provide assistance in accordance  
7 28 with chapter 239B.

7 29 b. The department shall continue the special needs program  
7 30 under the family investment program.

7 31 c. The department shall continue to comply with federal  
7 32 welfare reform data requirements pursuant to the  
7 33 appropriations made for that purpose.

7 34 d. The department shall continue expansion of the  
7 35 electronic benefit transfer program as necessary to comply  
8 1 with federal requirements. Notwithstanding 1998 Iowa Acts,  
8 2 chapter 1218, section 5, subsection 1, paragraph "d", the  
8 3 target date for statewide implementation of the program is  
8 4 October 1, 2002.

8 5 e. The department shall continue to conduct an evaluation  
8 6 of the welfare reform program and child well-being provisions  
8 7 to measure the program's effectiveness, impacts on children  
8 8 and families, and impacts across programs, and to identify  
8 9 effective strategies.

8 10 f. The department shall continue to contract for services  
8 11 in developing and monitoring an entrepreneurial training  
8 12 program to provide technical assistance to families which

8 13 receive assistance under the family investment program.  
8 14 g. For family investment agreements entered into on or  
8 15 after July 1, 1996, the maximum allowable time period for  
8 16 supported postsecondary education is limited to a total of  
8 17 twenty-four months. The twenty-four-month allowance shall  
8 18 only be available for a period of thirty-six consecutive  
8 19 months.

8 20 2. The department may use a portion of the moneys credited  
8 21 to the family investment account under this section, as  
8 22 necessary for salaries, support, maintenance, and  
8 23 miscellaneous purposes for not more than the following full-  
8 24 time equivalent positions:

8 25 ..... FTEs 11.00

8 26 3. The department may transfer funds in accordance with  
8 27 section 8.39, either federal or state, to or from the child  
8 28 day care appropriations made for the fiscal year beginning  
8 29 July 1, 1999, if the department deems this would be a more  
8 30 effective method of paying for JOBS program child care, to  
8 31 maximize federal funding, or to meet federal maintenance of  
8 32 effort requirements.

8 33 4. Moneys appropriated in this Act and credited to the  
8 34 family investment program account for the fiscal year  
8 35 beginning July 1, 1999, and ending June 30, 2000, are  
9 1 allocated as follows:

9 2 a. For the food stamp employment and training program:  
9 3 ..... \$ 250,000

9 4 b. For the family development and self-sufficiency grant  
9 5 program as provided under section 217.12:  
9 6 ..... \$ 5,697,829

9 7 (1) Of the funds allocated for the family development and  
9 8 self-sufficiency grant program in this lettered paragraph, not  
9 9 more than 5 percent of the funds shall be used for the  
9 10 administration of the grant program.

9 11 (2) Based upon the annual evaluation report concerning  
9 12 each grantee funded by previously appropriated funds and  
9 13 through the solicitation of additional grant proposals, the  
9 14 family development and self-sufficiency council may use the  
9 15 allocated funds to renew or expand existing grants or award  
9 16 new grants. In utilizing the increased funding to expand the  
9 17 program, the council shall give consideration, in addition to  
9 18 other criteria established by the council, to a grant  
9 19 proposal's intended use of local funds with a grant and to  
9 20 whether a grant proposal would expand the availability of the  
9 21 program's services to a wider geographic area.

9 22 (3) Family development and self-sufficiency grantees shall  
9 23 not supplant previous local funding with state or federal  
9 24 funds.

9 25 (4) The department shall continue to implement the family  
9 26 development and self-sufficiency grant program statewide  
9 27 during FY 1999-2000.

9 28 c. For income maintenance reengineering:  
9 29 ..... \$ 700,000

9 30 d. For the diversion program and incentive grants as  
9 31 follows:

9 32 (1) For the diversion subaccount of the family investment  
9 33 program account:  
9 34 ..... \$ 3,200,000

9 35 Moneys allocated to the diversion subaccount shall be used  
10 1 to continue the pilot initiative of providing incentives to  
10 2 assist families who meet income eligibility requirements for  
10 3 the family investment program in obtaining or retaining  
10 4 employment, to assist participant families in overcoming  
10 5 barriers to obtaining employment, and to assist families in  
10 6 stabilizing employment and in reducing the likelihood of the  
10 7 family returning to the family investment program. Incentives  
10 8 may be provided in the form of payment or services. The  
10 9 department may limit the availability of the pilot initiative

10 10 on the basis of geographic area or numbers of individuals  
10 11 provided with incentives. The department shall attempt to  
10 12 assess and screen individuals who would most likely benefit  
10 13 from the services. The department shall expand the diversion  
10 14 initiative in the fiscal year 1999-2000. In addition to the  
10 15 full-time equivalent positions authorized in this Act, 1.00  
10 16 FTE is authorized and the department may use up to \$50,000 to  
10 17 facilitate community investment in welfare reform and to  
10 18 support expansion of the diversion program. The department  
10 19 may grant diversion moneys to the level of the entity  
10 20 operating an initiative. The department may adopt additional  
10 21 eligibility criteria as necessary for compliance with federal  
10 22 law and for screening those families who would be most likely  
10 23 to become eligible for the family investment program if  
10 24 diversion incentives would not be provided.

10 25 (2) For continuation of innovative strategies on a  
10 26 statewide or pilot project basis for supporting job retention,  
10 27 family structure, or both, including services to noncustodial  
10 28 parents and young parents:

10 29 ..... \$ 500,000

10 30 (3) Of the moneys allocated in subparagraph (2), not more  
10 31 than \$100,000 shall be used to develop or continue community-  
10 32 level parental obligation pilot projects. A pilot project  
10 33 shall be operated with the goal of assisting parents who are  
10 34 living apart in meeting their parental obligations and in  
10 35 supporting their children. Any pilot project shall maximize  
11 1 the use of existing community resources for family counseling,  
11 2 legal services, mediation, job training and job skills  
11 3 development, substance abuse treatment and prevention, health  
11 4 maintenance, and personal mentoring. Local communities shall  
11 5 also be encouraged to provide financial resources.

11 6 (a) Notwithstanding any other provision of law to the  
11 7 contrary, the department shall develop procedures for the  
11 8 pilot projects to expedite all of the following:

11 9 (i) The establishment and adjustment of support  
11 10 obligations, with the consent of both parents, in a manner  
11 11 which may deviate from the child support guidelines.

11 12 (ii) Changes in income withholding orders based on  
11 13 individual case circumstances.

11 14 (iii) Satisfaction of a portion of support amounts owed to  
11 15 the state based on cooperation and compliance by the  
11 16 noncustodial parent with project requirements.

11 17 (iv) Adjustment of visitation and shared custody  
11 18 arrangements in a manner which enhances the ability of each  
11 19 parent to meet parental obligations.

11 20 (b) The department shall adopt rules for the development,  
11 21 operation, and monitoring of a project; to establish the  
11 22 minimum required amount of community support; to establish  
11 23 expedited procedures; and to establish other criteria and  
11 24 procedures as appropriate.

11 25 (c) The department shall use the funds authorized in this  
11 26 subparagraph to employ one full-time equivalent position to  
11 27 manage the pilot project or projects. The department shall  
11 28 also use the authorized funds to employ other full-time  
11 29 equivalent positions or to provide services, as necessary, to  
11 30 assist in the coordination, development, and operation of  
11 31 community-level pilot projects and to achieve the expedited  
11 32 procedures established. Any full-time equivalent positions  
11 33 authorized in this subparagraph subdivision are in addition to  
11 34 any other full-time equivalent positions authorized by law.

11 35 (d) The department shall submit a report regarding any  
12 1 community level parental obligation pilot projects developed  
12 2 or continued under this subparagraph. The report shall be  
12 3 submitted on or before December 15, 1999, to the persons  
12 4 designated by this Act for report submission.

12 5 (4) Of the moneys allocated in subparagraph (2), not more  
12 6 than \$200,000 shall be used to continue to study the impact

12 7 that moving unemployed family investment program parents into  
12 8 employment has on the well-being of the children, the parent,  
12 9 and the family. The department shall include in this well-  
12 10 being study a method of actual contact with the families and  
12 11 children, and shall consider broad-based impacts, such as  
12 12 educational achievement, health status, housing stability,  
12 13 family stability, and use of supportive social services. The  
12 14 department shall also seek funding through foundations and the  
12 15 federal government in order to supplement the funding for this  
12 16 study. The results of the study shall be submitted to the  
12 17 persons required by this Act to receive reports.

12 18 (5) Of the moneys allocated in subparagraph (2), not more  
12 19 than \$100,000 shall be used for providing additional incentive  
12 20 payments to contracted agencies who demonstrate success at  
12 21 completing well-being visits for families terminated from the  
12 22 family investment program under a limited benefit plan. The  
12 23 department shall use these funds to increase payments to  
12 24 agencies who complete a higher percentage of well-being  
12 25 visits, who achieve a significant percentage of visits in a  
12 26 face-to-face format, or who are able to observe and interact  
12 27 with the children during a significant percentage of visits.

12 28 e. From moneys appropriated in this Act from the federal  
12 29 temporary assistance for needy families block grant and  
12 30 credited to the family investment program account, for a pilot  
12 31 project for diversion from the family investment program of  
12 32 persons adjudicated to receive child welfare services who  
12 33 become 18 years of age and may be at risk of becoming  
12 34 dependent upon government benefits, in accordance with this  
12 35 paragraph:

13 1 ..... \$ 100,000

13 2 The pilot project shall be a cooperative effort involving a  
13 3 local office of the department and a local service provider  
13 4 that is the recipient of a grant and that provides local,  
13 5 private matching funds for the project. Under the pilot  
13 6 project, the local service provider shall provide housing and  
13 7 services to persons participating in the project, and the  
13 8 local sources of matching funds shall cover some of these  
13 9 expenses as well as providing employment opportunities and  
13 10 other assistance. The department shall provide funding for  
13 11 staff expenses. The persons participating in the project  
13 12 shall provide payment for housing and other services, based  
13 13 upon ability to pay. A goal of the pilot project is for  
13 14 participants to transition out of the pilot project within a  
13 15 year.

13 16 5. Of the child support collections assigned under the  
13 17 family investment program, an amount equal to the federal  
13 18 share of support collections shall be credited to the child  
13 19 support recovery appropriation. The remainder of the assigned  
13 20 child support collections received by the child support  
13 21 recovery unit shall be credited to the family investment  
13 22 program account.

13 23 6. The department may adopt emergency administrative rules  
13 24 for the family investment, food stamp, and medical assistance  
13 25 programs, if necessary, to comply with federal requirements.  
13 26 Prior to adoption of the rules, the department shall consult  
13 27 with the welfare reform council and the chairpersons and  
13 28 ranking members of the joint appropriations subcommittee on  
13 29 human services.

13 30 7. The department may continue to streamline and simplify  
13 31 the employer verification process for applicants,  
13 32 participants, and employers in the administration of the  
13 33 department's programs. The department may contract with  
13 34 companies collecting data from employers when the information  
13 35 is needed in the administration of these programs. The  
14 1 department may limit the availability of the initiative on the  
14 2 basis of geographic area or number of individuals.

14 3 8. Notwithstanding 1998 Iowa Acts, chapter 1218, section

14 4 5, subsection 7, moneys appropriated to the department of  
14 5 human services in 1995 Iowa Acts, chapter 220, section 11, for  
14 6 purposes of costs associated with the development of the X-  
14 7 PERT computer system shall not revert at the close of the  
14 8 fiscal year beginning July 1, 1998, but shall remain available  
14 9 until the close of the fiscal year beginning July 1, 1999, to  
14 10 be used as provided in this subsection. Notwithstanding  
14 11 section 8.57, subsection 5, paragraph "c", of these moneys,  
14 12 \$350,000 shall be used for the purpose of reviewing and  
14 13 decreasing the error rate of the food stamp program in order  
14 14 to meet federal requirements for food stamp payment accuracy,  
14 15 \$7,445 shall be used for welfare reform system improvements,  
14 16 \$212,846 shall be used for a technology initiative to provide  
14 17 a buy-in option under the medical assistance program for  
14 18 persons with disabilities if Senate File 211 is enacted by the  
14 19 Seventy-eighth General Assembly, 1999 Session, and \$129,709  
14 20 shall be used for county billing system improvements. The  
14 21 department shall submit a report of the food stamp program  
14 22 error rate review and findings of the review to the general  
14 23 assembly on or before December 15, 1999.

14 24 Sec. 6. EMERGENCY ASSISTANCE. There is appropriated from  
14 25 the general fund of the state to the department of human  
14 26 services for the fiscal year beginning July 1, 1999, and  
14 27 ending June 30, 2000, the following amount, or so much thereof  
14 28 as is necessary, to be used for the purpose designated:

14 29 For emergency assistance to families with dependent  
14 30 children for homeless prevention programs:  
14 31 ..... \$ 10,000

14 32 1. The emergency assistance provided for in this section  
14 33 and federal moneys appropriated for this purpose in this Act  
14 34 shall be available beginning October 1 of the fiscal year and  
14 35 shall be provided only if all other publicly funded resources  
15 1 have been exhausted. Specifically, emergency assistance is  
15 2 the program of last resort and shall not supplant assistance  
15 3 provided by the low-income home energy assistance program  
15 4 (LIHEAP), county general relief, and veterans affairs  
15 5 programs. The department shall establish a \$500 maximum  
15 6 payment, per family, in a twelve-month period. The emergency  
15 7 assistance includes, but is not limited to, assisting people  
15 8 who face eviction, potential eviction, or foreclosure, utility  
15 9 shutoff or fuel shortage, loss of heating energy supply or  
15 10 equipment, homelessness, utility or rental deposits, or other  
15 11 specified crisis which threatens family or living  
15 12 arrangements. The emergency assistance shall be available to  
15 13 migrant families who would otherwise meet eligibility  
15 14 criteria. The department may contract for the administration  
15 15 and delivery of the program. The program shall be terminated  
15 16 when funds are exhausted.

15 17 2. For the fiscal year beginning July 1, 1999, the  
15 18 department shall continue the process for the state to receive  
15 19 refunds of utility and rent deposits, including any accrued  
15 20 interest, for emergency assistance recipients which were paid  
15 21 by persons other than the state. The department shall also  
15 22 receive refunds, including any accrued interest, of assistance  
15 23 paid with funding available under this program. The refunds  
15 24 received by the department under this subsection shall be  
15 25 deposited with the moneys of the appropriation made in this  
15 26 section and used as additional funds for the emergency  
15 27 assistance program. Notwithstanding section 8.33, moneys  
15 28 received by the department under this subsection which remain  
15 29 after the emergency assistance program is terminated and state  
15 30 or federal moneys in the emergency assistance account which  
15 31 remain unobligated or unexpended at the close of the fiscal  
15 32 year shall not revert to the general fund of the state but  
15 33 shall remain available for expenditure when the program  
15 34 resumes operation on October 1 in the succeeding fiscal year.  
15 35 Notwithstanding 1998 Iowa Acts, chapter 1218, section 6,



16 1 subsection 2, the requirements of this subsection shall apply  
16 2 retroactively to all such refunds received by the department  
16 3 in the state fiscal year beginning July 1, 1998.

16 4 3. Of the funds appropriated in this section, \$10,000 is  
16 5 allocated to the community voice mail program to continue the  
16 6 existing program. The funds shall be made available beginning  
16 7 July 1, 1999. The community voice mail program shall submit  
16 8 semiannual reports to the department which, at a minimum,  
16 9 specify, on a county basis, the unduplicated number of  
16 10 households participating in the program for the previous six-  
16 11 month period. The first six-month period for which a report  
16 12 shall be submitted begins July 1, 1999, and the report shall  
16 13 be submitted no later than the last business day of the month  
16 14 immediately following the end of the six-month period.

16 15 Sec. 7. MEDICAL ASSISTANCE. There is appropriated from  
16 16 the general fund of the state to the department of human  
16 17 services for the fiscal year beginning July 1, 1999, and  
16 18 ending June 30, 2000, the following amount, or so much thereof  
16 19 as is necessary, to be used for the purpose designated:

16 20 For medical assistance, including reimbursement for  
16 21 abortion services, which shall be available under the medical  
16 22 assistance program only for those abortions which are  
16 23 medically necessary:  
16 24 ..... \$415,455,590

16 25 1. Medically necessary abortions are those performed under  
16 26 any of the following conditions:

16 27 a. The attending physician certifies that continuing the  
16 28 pregnancy would endanger the life of the pregnant woman.

16 29 b. The attending physician certifies that the fetus is  
16 30 physically deformed, mentally deficient, or afflicted with a  
16 31 congenital illness.

16 32 c. The pregnancy is the result of a rape which is reported  
16 33 within 45 days of the incident to a law enforcement agency or  
16 34 public or private health agency which may include a family  
16 35 physician.

17 1 d. The pregnancy is the result of incest which is reported  
17 2 within 150 days of the incident to a law enforcement agency or  
17 3 public or private health agency which may include a family  
17 4 physician.

17 5 e. Any spontaneous abortion, commonly known as a  
17 6 miscarriage, if not all of the products of conception are  
17 7 expelled.

17 8 2. Notwithstanding section 8.39, the department may  
17 9 transfer funds appropriated in this section to a separate  
17 10 account established in the department's case management unit  
17 11 for expenditures required to provide case management services  
17 12 for mental health, mental retardation, and developmental  
17 13 disabilities services under medical assistance which are  
17 14 jointly funded by the state and county, pending final  
17 15 settlement of the expenditures. Funds received by the case  
17 16 management unit in settlement of the expenditures shall be  
17 17 used to replace the transferred funds and are available for  
17 18 the purposes for which the funds were appropriated in this  
17 19 section.

17 20 3. a. The county of legal settlement shall be billed for  
17 21 50 percent of the nonfederal share of the cost of case  
17 22 management provided for adults, day treatment, and partial  
17 23 hospitalization in accordance with sections 249A.26 and  
17 24 249A.27, and 100 percent of the nonfederal share of the cost  
17 25 of care for adults which is reimbursed under a federally  
17 26 approved home and community-based waiver that would otherwise  
17 27 be approved for provision in an intermediate care facility for  
17 28 persons with mental retardation, provided under the medical  
17 29 assistance program. The state shall have responsibility for  
17 30 the remaining 50 percent of the nonfederal share of the cost  
17 31 of case management provided for adults, day treatment, and  
17 32 partial hospitalization. For persons without a county of

17 33 legal settlement, the state shall have responsibility for 100  
17 34 percent of the nonfederal share of the costs of case  
17 35 management provided for adults, day treatment, partial  
18 1 hospitalization, and the home and community-based waiver  
18 2 services. The case management services specified in this  
18 3 subsection shall be billed to a county only if the services  
18 4 are provided outside of a managed care contract.

18 5 b. The state shall pay the entire nonfederal share of the  
18 6 costs for case management services provided to persons 17  
18 7 years of age and younger who are served in a medical  
18 8 assistance home and community-based waiver program for persons  
18 9 with mental retardation.

18 10 c. Medical assistance funding for case management services  
18 11 for eligible persons 17 years of age and younger shall also be  
18 12 provided to persons residing in counties with child welfare  
18 13 decategorization projects implemented in accordance with  
18 14 section 232.188, provided these projects have included these  
18 15 persons in their service plan and the decategorization project  
18 16 county is willing to provide the nonfederal share of costs.

18 17 d. When paying the necessary and legal expenses of  
18 18 intermediate care facilities for persons with mental  
18 19 retardation (ICFMR), the cost payment requirements of section  
18 20 222.60 shall be considered fulfilled when payment is made in  
18 21 accordance with the medical assistance payment rates  
18 22 established for ICFMRs by the department and the state or a  
18 23 county of legal settlement is not obligated for any amount in  
18 24 excess of the rates.

18 25 4. The department shall utilize not more than \$60,000 of  
18 26 the funds appropriated in this section to continue the  
18 27 AIDS/HIV health insurance premium payment program as  
18 28 established in 1992 Iowa Acts, Second Extraordinary Session,  
18 29 Chapter 1001, section 409, subsection 6. Of the funds  
18 30 allocated in this subsection, not more than \$5,000 may be  
18 31 expended for administrative purposes.

18 32 5. Of the funds appropriated to the Iowa department of  
18 33 public health for substance abuse grants, \$950,000 for the  
18 34 fiscal year beginning July 1, 1999, shall be transferred to  
18 35 the department of human services for an integrated substance  
19 1 abuse managed care system.

19 2 6. The department shall aggressively implement the medical  
19 3 assistance home and community-based waiver for persons with  
19 4 physical disabilities as a means to further develop the  
19 5 personal assistance services program under section 225C.46.  
19 6 The waiver shall be limited in application to persons with  
19 7 physical disabilities who reside in a medical institution at  
19 8 the time of applying for assistance. The range for the number  
19 9 of persons to be served under this waiver at any one time is  
19 10 at least 35 and not more than 100 persons. Of the number of  
19 11 persons served, a maximum of 10 persons with physical  
19 12 disabilities who are at imminent risk of placement in a  
19 13 medical institution shall be approved for waiver services.

19 14 7. The department of human services, in consultation with  
19 15 the Iowa department of public health and the department of  
19 16 education, shall continue the program to utilize the early and  
19 17 periodic screening, diagnosis, and treatment (EPSDT) funding  
19 18 under medical assistance, to the extent possible, to implement  
19 19 the screening component of the EPSDT program through the  
19 20 school system. The department may enter into contracts to  
19 21 utilize maternal and child health centers, the public health  
19 22 nursing program, or school nurses in implementing this  
19 23 provision.

19 24 8. The department shall continue the case study for  
19 25 outcome-based performance standards for programs serving  
19 26 persons with mental retardation or other developmental  
19 27 disabilities proposed pursuant to 1994 Iowa Acts, chapter  
19 28 1170, section 56.

19 29 9. The department shall continue a medical assistance home

19 30 and community-based services waiver to allow children with  
19 31 mental retardation, who would otherwise require ICF/MR care,  
19 32 to be served in out-of-home settings of up to eight beds which  
19 33 meet standards established by the department. If the waiver  
19 34 is not approved, up to \$1,487,314 of the funds appropriated in  
19 35 this section may be transferred to the appropriation in this  
20 1 Act for child and family services, to be used for group foster  
20 2 care maintenance and services.

20 3 10. Notwithstanding section 8.33, moneys appropriated in  
20 4 1998 Iowa Acts, chapter 1218, section 29, for the purpose of  
20 5 developing a county billing system, that remain unencumbered  
20 6 or unobligated at the close of the fiscal year beginning July  
20 7 1, 1998, shall not revert, but shall remain available for the  
20 8 purpose designated until the close of the succeeding fiscal  
20 9 year.

20 10 11. If funding is available through nonstate and  
20 11 nonfederal sources to provide matching funds for federal  
20 12 funds, the department may add not more than five full-time  
20 13 equivalent positions, in addition to those authorized in this  
20 14 Act, for out-stationing of eligibility determination staff.  
20 15 If such funding is provided by a provider of medical  
20 16 assistance services, the full-time equivalent position shall  
20 17 be out-stationed at that provider's location.

20 18 12. The department shall convene representatives of  
20 19 interest groups to identify ways to improve home and  
20 20 community-based waiver services offered through the medical  
20 21 assistance program and to assess the feasibility of  
20 22 implementing such identified improvements. The assessment  
20 23 shall include an estimate of the costs associated with any  
20 24 recommendations for improvement and a time frame for  
20 25 implementation of the recommendations. Interest group  
20 26 representatives shall include but are not limited to  
20 27 representatives of consumers of services, family members of  
20 28 consumers, advocacy groups for persons with disabilities  
20 29 eligible for such services, counties, and providers of  
20 30 services. The department shall submit a report of the  
20 31 findings and recommendations of the group to the general  
20 32 assembly on or before December 15, 1999.

20 33 13. The nonfederal share of moneys refunded to the  
20 34 department from the managed mental health and substance abuse  
20 35 care plan shall be credited to this medical assistance  
21 1 appropriation. Up to \$350,000 of the refunded moneys may be  
21 2 transferred to be used as matching funds for a children's  
21 3 mental health grant managed by the division of mental health  
21 4 and developmental disabilities.

21 5 14. The department shall work with county representatives  
21 6 in aggressively taking the steps necessary to implement the  
21 7 rehabilitation option for services to persons with chronic  
21 8 mental illness under the medical assistance program through  
21 9 use of county funding as a match for the federal funding.

21 10 15. Of the funds appropriated in this section, the  
21 11 department may use up to \$207,000 to implement a disease-  
21 12 specific pharmaceutical case management study, beginning  
21 13 January 1, 2000, to measure the effects of case management for  
21 14 medical assistance recipients identified by the department as  
21 15 being at high risk for medication-related problems. The funds  
21 16 shall be used to equally reimburse physician-pharmacist teams  
21 17 for participation in the study. An advisory committee whose  
21 18 membership consists of representatives of the Iowa medical  
21 19 society, the Iowa pharmacy association, and the department of  
21 20 human services shall establish and implement the  
21 21 pharmaceutical case management study. The university of Iowa  
21 22 colleges of medicine and pharmacy shall perform an evaluation  
21 23 of the study at no cost to the state and shall submit a final  
21 24 report of the findings of the evaluation and any  
21 25 recommendations to the general assembly by December 15, 2002.  
21 26 The department shall submit a progress report relating to the

21 27 program by December 15, 2001, and a final report by December  
21 28 15, 2002, to the general assembly. The department may adopt  
21 29 emergency rules to implement the provisions of this  
21 30 subsection.

21 31 16. Notwithstanding any provision to the contrary and if  
21 32 allowed under federal law and regulation, for the fiscal year  
21 33 beginning July 1, 1999, \$65,000 of the penalties collected as  
21 34 authorized by section 249A.19 shall not be deposited in the  
21 35 general fund of the state but are appropriated and shall be  
22 1 used by the department to continue to fund the recruitment and  
22 2 retention strategies to provide additional training and  
22 3 support for certified nurse aides, employed by nursing  
22 4 facilities, as a means of reducing staff turnover.

22 5 17. The department shall evaluate the feasibility and  
22 6 fiscal impact of implementing twelve-month continuous  
22 7 eligibility for children eligible for medical assistance  
22 8 pursuant to chapter 249A. If in accordance with federal law,  
22 9 the department may implement the twelve-month continuous  
22 10 eligibility policy on a less than a statewide basis. The  
22 11 department shall submit a report of its evaluation of the  
22 12 fiscal impact of the proposed policy and recommendations to  
22 13 the general assembly by October 1, 1999.

22 14 18. The department shall develop a process for enrollment  
22 15 that eliminates the face-to-face interview for children  
22 16 eligible for medical assistance only. The department may  
22 17 adopt emergency rules to implement this subsection.

22 18 19. The department may adopt emergency rules to implement  
22 19 section 249A.3, subsection 5A, as enacted by this Act.

22 20 Sec. 8. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There  
22 21 is appropriated from the general fund of the state to the  
22 22 department of human services for the fiscal year beginning  
22 23 July 1, 1999, and ending June 30, 2000, the following amount,  
22 24 or so much thereof as is necessary, to be used for the purpose  
22 25 designated:

22 26 For administration of the health insurance premium payment  
22 27 program, including salaries, support, maintenance, and  
22 28 miscellaneous purposes, and for not more than the following  
22 29 full-time equivalent positions:  
22 30 ..... \$ 397,000  
22 31 ..... FTEs 17.00

22 32 Sec. 9. CHILDREN'S HEALTH INSURANCE PROGRAM. There is  
22 33 appropriated from the general fund of the state to the  
22 34 department of human services for the fiscal year beginning  
22 35 July 1, 1999, and ending June 30, 2000, the following amount,  
23 1 or so much thereof as is necessary, to be used for the purpose  
23 2 designated:

23 3 For maintenance of the healthy and well kids in Iowa  
23 4 program pursuant to chapter 514I for receipt of federal  
23 5 financial participation under Title XXI of the federal Social  
23 6 Security Act, which creates the state children's health  
23 7 insurance program:  
23 8 ..... \$ 10,250,000

23 9 1. The department may transfer funds appropriated in this  
23 10 Act for medical assistance to be used for the purpose of  
23 11 expanding health care coverage to children under the medical  
23 12 assistance program. The department shall provide periodic  
23 13 updates to the general assembly of expenditures of funds  
23 14 appropriated in this section.

23 15 2. Notwithstanding section 8.33, moneys appropriated in  
23 16 this section and in 1998 Iowa Acts, chapter 1218, section 9,  
23 17 that remain unencumbered or unobligated at the close of the  
23 18 fiscal year shall not revert but shall be credited to the  
23 19 HAWK-I trust fund and are appropriated and shall be used for  
23 20 the children's health insurance program.

23 21 3. The HAWK-I board shall conduct a study of the costs of  
23 22 providing family coverage under the state children's health  
23 23 insurance program and shall submit a report of the findings of

23 24 the study and any recommendations by December 15, 1999, to the  
23 25 persons designated under this Act to receive reports.

23 26 Sec. 10. MEDICAL CONTRACTS. There is appropriated from  
23 27 the general fund of the state to the department of human  
23 28 services for the fiscal year beginning July 1, 1999, and  
23 29 ending June 30, 2000, the following amount, or so much thereof  
23 30 as is necessary, to be used for the purpose designated:

23 31 For medical contracts:  
23 32 ..... \$ 7,659,250

23 33 1. The department shall expand the drug prior  
23 34 authorization requirement to reduce costs to the medical  
23 35 assistance program for prescription drugs. The department  
24 1 shall adopt emergency rules to implement this subsection.

24 2 2. The department shall ensure that the drug utilization  
24 3 review commission conducts its meetings in accordance with  
24 4 chapter 21 and that the commission incorporates term limits  
24 5 for physician and pharmacist members in its membership policy.

24 6 3. In any managed care contract for mental health or  
24 7 substance abuse services entered into by the department on or  
24 8 after July 1, 1999, the request for proposals shall provide  
24 9 for coverage of dual diagnosis mental health and substance  
24 10 abuse treatment. To the extent possible, the department shall  
24 11 also amend any such contract existing on July 1, 1999, to  
24 12 provide for such coverage.

24 13 4. Notwithstanding section 8.33, \$10,750 of the moneys  
24 14 appropriated to the department of human services in 1998 Iowa  
24 15 Acts, chapter 1218, section 10, that remain unencumbered or  
24 16 unobligated at the close of the fiscal year shall not revert  
24 17 but shall remain available for expenditure for the purposes  
24 18 designated in this section until the close of the succeeding  
24 19 fiscal year.

24 20 Sec. 11. STATE SUPPLEMENTARY ASSISTANCE. There is  
24 21 appropriated from the general fund of the state to the  
24 22 department of human services for the fiscal year beginning  
24 23 July 1, 1999, and ending June 30, 2000, the following amount,  
24 24 or so much thereof as is necessary, to be used for the  
24 25 purposes designated:

24 26 For state supplementary assistance, funeral assistance, and  
24 27 the medical assistance home and community-based services  
24 28 waiver rent subsidy program:  
24 29 ..... \$ 20,500,000

24 30 1. The department shall increase the personal needs  
24 31 allowance for residents of residential care facilities by the  
24 32 same percentage and at the same time as federal supplemental  
24 33 security income and federal social security benefits are  
24 34 increased due to a recognized increase in the cost of living.  
24 35 The department may adopt emergency rules to implement this  
25 1 subsection.

25 2 2. a. If during the fiscal year beginning July 1, 1999,  
25 3 the department projects that state supplementary assistance  
25 4 expenditures for a calendar year will not meet the federal  
25 5 pass-along requirement specified in Title XVI of the federal  
25 6 Social Security Act, section 1618, as codified in 42 U.S.C. }  
25 7 1382g, the department may take actions including but not  
25 8 limited to increasing the personal needs allowance for  
25 9 residential care facility residents and making programmatic  
25 10 adjustments or upward adjustments of the residential care  
25 11 facility or in-home health-related care reimbursement rates  
25 12 prescribed in this Act to ensure that federal requirements are  
25 13 met. The department may adopt emergency rules to implement  
25 14 the provisions of this subsection.

25 15 b. If during the fiscal year beginning July 1, 1999, the  
25 16 department projects that state supplementary assistance  
25 17 expenditures will exceed the amount appropriated, the  
25 18 department may transfer funds appropriated in this Act for  
25 19 medical assistance for the purposes of the state supplementary  
25 20 assistance program. However, funds shall only be transferred

25 21 from the medical assistance appropriation if the funds  
25 22 transferred are projected to be in excess of the funds  
25 23 necessary for the medical assistance program.

25 24 3. The department may use up to \$75,000 of the funds  
25 25 appropriated in this section for a rent subsidy program for  
25 26 adult persons to whom all of the following apply:

25 27 a. Are receiving assistance under a medical assistance  
25 28 home and community-based services (HCBS) waiver.

25 29 b. Were discharged from a medical institution in which  
25 30 they have resided or were at risk of institutional placement,  
25 31 not to exceed 100 slots. Within available funding and  
25 32 demonstrated need, the department may make subsidy funds  
25 33 available to HCBS waiver-eligible adults meeting criteria in  
25 34 paragraph "a" and this paragraph at any time on or after July  
25 35 1, 1995.

26 1 The goal of the subsidy program shall be to encourage and  
26 2 assist in enabling persons who currently reside in a medical  
26 3 institution to move to a community living arrangement. An  
26 4 eligible person may receive assistance in meeting their rental  
26 5 expense and, in the initial two months of eligibility, in  
26 6 purchasing necessary household furnishings and supplies. The  
26 7 program shall be implemented so that it does not meet the  
26 8 federal definition of state supplementary assistance and will  
26 9 not impact the federal pass-along requirement specified in  
26 10 Title XVI of the federal Social Security Act, section 1618, as  
26 11 codified in 42 U.S.C. } 1382g.

26 12 Sec. 12. CHILD DAY CARE ASSISTANCE. There is appropriated  
26 13 from the general fund of the state to the department of human  
26 14 services for the fiscal year beginning July 1, 1999, and  
26 15 ending June 30, 2000, the following amount, or so much thereof  
26 16 as is necessary, to be used for the purposes designated:

26 17 For child care programs:

26 18 ..... \$ 5,050,750

26 19 1. Of the funds appropriated in this section, \$4,407,073  
26 20 shall be used for state child care assistance.

26 21 2. For the purposes of this subsection, the term "poverty  
26 22 level" means the poverty level defined by the poverty income  
26 23 guidelines published by the United States department of health  
26 24 and human services. Based upon the availability of the  
26 25 funding provided in section 4, subsection 2, and other funding  
26 26 appropriated for state child care assistance, the department  
26 27 shall establish waiting lists for state child care assistance  
26 28 in descending order of prioritization as follows:

26 29 a. Families with an income at or below 100 percent of the  
26 30 federal poverty level whose members are employed at least 28  
26 31 hours per week, and parents with a family income at or below  
26 32 100 percent of the federal poverty level who are under the age  
26 33 of 21 and are participating in an educational program leading  
26 34 to a high school diploma or equivalent.

26 35 b. Parents with a family income at or below 100 percent of  
27 1 the federal poverty level who are under the age of 21 and are  
27 2 participating, at a satisfactory level, in an approved  
27 3 training program or in an educational program.

27 4 c. Families with an income of more than 100 percent but  
27 5 not more than 140 percent of the federal poverty level whose  
27 6 members are employed at least 28 hours per week.

27 7 d. Families with an income at or below 175 percent of the  
27 8 federal poverty level whose members are employed at least 28  
27 9 hours per week with a special needs child as a member of the  
27 10 family.

27 11 3. Nothing in this section shall be construed or is  
27 12 intended as, or shall imply, a grant of entitlement for  
27 13 services to persons who are eligible for assistance due to an  
27 14 income level consistent with the requirements of this section.  
27 15 Any state obligation to provide services pursuant to this  
27 16 section is limited to the extent of the funds appropriated in  
27 17 this section.

27 18 4. Of the funds appropriated in this section, \$636,641 is  
27 19 allocated for the statewide program for child day care  
27 20 resource and referral services under section 237A.26.

27 21 5. The department may use any of the funds appropriated in  
27 22 this section as a match to obtain federal funds for use in  
27 23 expanding child day care assistance and related programs. For  
27 24 the purpose of expenditures of state and federal child day  
27 25 care funding, funds shall be considered obligated at the time  
27 26 expenditures are projected or are allocated to the  
27 27 department's regions. Projections shall be based on current  
27 28 and projected caseload growth, current and projected provider  
27 29 rates, staffing requirements for eligibility determination and  
27 30 management of program requirements including data systems  
27 31 management, staffing requirements for administration of the  
27 32 program, contractual and grant obligations and any transfers  
27 33 to other state agencies, and obligations for decategorization  
27 34 or innovation projects.

27 35 6. During the 1999-2000 fiscal year, the department shall  
28 1 utilize the moneys deposited in the child day care credit fund  
28 2 created in section 237A.28 for state child care assistance, in  
28 3 addition to the moneys allocated for that purpose in this  
28 4 section.

28 5 Sec. 13. CHILD SUPPORT RECOVERY. There is appropriated  
28 6 from the general fund of the state to the department of human  
28 7 services for the fiscal year beginning July 1, 1999, and  
28 8 ending June 30, 2000, the following amount, or so much thereof  
28 9 as is necessary, to be used for the purposes designated:

28 10 For child support recovery, including salaries, support,  
28 11 maintenance, and miscellaneous purposes and for not more than  
28 12 the following full-time equivalent positions:

28 13 .....	\$ 6,750,000
28 14 .....	FTEs 243.22

28 15 1. The director of human services, within the limitations  
28 16 of the moneys appropriated in this section, or moneys  
28 17 transferred from the family investment program account for  
28 18 this purpose, shall establish new positions and add employees  
28 19 to the child support recovery unit if the director determines  
28 20 that both the current and additional employees together can  
28 21 reasonably be expected to maintain or increase net state  
28 22 revenue at or beyond the budgeted level. If the director adds  
28 23 employees, the department shall demonstrate the cost-  
28 24 effectiveness of the current and additional employees by  
28 25 reporting to the joint appropriations subcommittee on human  
28 26 services the ratio of the total amount of administrative costs  
28 27 for child support recoveries to the total amount of the child  
28 28 support recovered.

28 29 2. Nonpublic assistance application fees and other user  
28 30 fees received by the child support recovery unit are  
28 31 appropriated and shall be used for the purposes of the child  
28 32 support recovery program. The director of human services may  
28 33 add positions within the limitations of the amount  
28 34 appropriated for salaries and support for the positions. The  
28 35 director shall report any positions added pursuant to this  
29 1 subsection to the chairpersons and ranking members of the  
29 2 joint appropriations subcommittee on human services and the  
29 3 legislative fiscal bureau.

29 4 3. The director of human services, in consultation with  
29 5 the department of management and the legislative fiscal  
29 6 committee, is authorized to receive and deposit state child  
29 7 support incentive earnings in the manner specified under  
29 8 applicable federal requirements.

29 9 4. The director of human services may establish new  
29 10 positions and add state employees to the child support  
29 11 recovery unit or contract for delivery of services if the  
29 12 director determines the employees are necessary to replace  
29 13 county-funded positions eliminated due to termination,  
29 14 reduction, or nonrenewal of a chapter 28E contract. However,

29 15 the director must also determine that the resulting increase  
29 16 in the state share of child support recovery incentives  
29 17 exceeds the cost of the positions or contract, the positions  
29 18 or contract are necessary to ensure continued federal funding  
29 19 of the program, or the new positions or contract can  
29 20 reasonably be expected to recover at least twice the amount of  
29 21 money necessary to pay the salaries and support for the new  
29 22 positions or the contract will generate at least 200 percent  
29 23 of the cost of the contract.

29 24 5. If initiated by the judicial branch, the child support  
29 25 recovery unit shall continue to work with the judicial branch  
29 26 to determine the feasibility of implementing a pilot project  
29 27 utilizing a court-appointed referee for judicial  
29 28 determinations on child support matters. The extent and  
29 29 location of any pilot project shall be jointly developed by  
29 30 the judicial branch and the child support recovery unit.

29 31 6. The department shall expend up to \$50,000, including  
29 32 federal financial participation, for the fiscal year beginning  
29 33 July 1, 1999, for a child support public awareness campaign.  
29 34 The department and the office of the attorney general shall  
29 35 cooperate in continuation of the campaign. The public  
30 1 awareness campaign shall emphasize, through a variety of media  
30 2 activities, the importance of maximum involvement of both  
30 3 parents in the lives of their children as well as the  
30 4 importance of payment of child support obligations.

30 5 7. The department shall continue the option to provide and  
30 6 supervise a community service pilot project for absent parents  
30 7 who are ordered by the court to perform community service for  
30 8 failure to pay child support pursuant to section 598.23A.

30 9 8. Surcharges paid by obligors and received by the unit as  
30 10 a result of the referral of support delinquency by the child  
30 11 support recovery unit to any private collection agency are  
30 12 appropriated to the department and shall be used to pay the  
30 13 costs of any contracts with the collection agencies.

30 14 Sec. 14. JUVENILE INSTITUTIONS. There is appropriated  
30 15 from the general fund of the state to the department of human  
30 16 services for the fiscal year beginning July 1, 1999, and  
30 17 ending June 30, 2000, the following amount, or so much thereof  
30 18 as is necessary, to be used for the purposes designated:

30 19 For the operation of the state training school and the Iowa  
30 20 juvenile home, including salaries, support, maintenance, and  
30 21 miscellaneous purposes and for not more than the following  
30 22 full-time equivalent positions:

30 23 For the state juvenile institutions:  
30 24 ..... \$ 15,748,000  
30 25 ..... FTEs 356.45

30 26 1. The following amounts of the funds appropriated and  
30 27 full-time equivalent positions authorized in this section are  
30 28 allocated for the Iowa juvenile home at Toledo:

30 29 ..... \$ 6,220,000  
30 30 ..... FTEs 136.54

30 31 It is the intent of the general assembly that beginning in  
30 32 the fiscal year commencing on July 1, 2000, the Iowa juvenile  
30 33 home at Toledo will serve only females. In preparation for  
30 34 this change, the department shall develop service options to  
30 35 appropriately place males for whom placement at the Iowa  
31 1 juvenile home would otherwise be appropriate. The principal  
31 2 option considered in placing males shall be placement at  
31 3 existing state facilities. Of the funding appropriated in  
31 4 this section, not more than \$50,000 shall be used for expert  
31 5 assistance to prepare for this change and to improve the  
31 6 educational curriculum and other services to females placed at  
31 7 the Iowa juvenile home.

31 8 2. The following amounts of the funds appropriated and  
31 9 full-time equivalent positions authorized in this section are  
31 10 allocated for the state training school at Eldora:

31 11 ..... \$ 9,528,000



31 12 ..... FTEs 219.91  
31 13 Of the funding allocated in this subsection, \$40,000 is  
31 14 designated for aftercare services for persons who were placed  
31 15 at the state training school at Eldora.

31 16 3. During the fiscal year beginning July 1, 1999, the  
31 17 population levels at the state juvenile institutions shall not  
31 18 exceed the population guidelines established under 1990 Iowa  
31 19 Acts, chapter 1239, section 21, as adjusted for additional  
31 20 beds developed at the institutions.

31 21 4. A portion of the moneys appropriated in this section  
31 22 shall be used by the state training school and by the Iowa  
31 23 juvenile home for grants for adolescent pregnancy prevention  
31 24 activities at the institutions in the fiscal year beginning  
31 25 July 1, 1999.

31 26 5. Within the amount appropriated in this section, the  
31 27 department may reallocate funds as necessary to best fulfill  
31 28 the needs of the institutions provided for in the  
31 29 appropriation.

31 30 6. Notwithstanding section 8.33, \$378,114 of the moneys  
31 31 appropriated to the department of human services in 1998 Iowa  
31 32 Acts, chapter 1218, section 14, for a new cottage at the state  
31 33 training school at Eldora shall not revert but shall remain  
31 34 available for expenditure for the purposes designated until  
31 35 the close of the succeeding fiscal year.

32 1 Sec. 15. CHILD AND FAMILY SERVICES. There is appropriated  
32 2 from the general fund of the state to the department of human  
32 3 services for the fiscal year beginning July 1, 1999, and  
32 4 ending June 30, 2000, the following amount, or so much thereof  
32 5 as is necessary, to be used for the purpose designated:  
32 6 For child and family services:  
32 7 ..... \$107,450,000

32 8 1. The department may transfer funds appropriated in this  
32 9 section as necessary to pay the nonfederal costs of services  
32 10 reimbursed under medical assistance or the family investment  
32 11 program which are provided to children who would otherwise  
32 12 receive services paid under the appropriation in this section.  
32 13 The department may transfer funds appropriated in this section  
32 14 to the appropriations in this Act for general administration  
32 15 and for field operations for resources necessary to implement  
32 16 and operate the services funded in this section. Transfers  
32 17 made under this subsection remain subject to the notice  
32 18 provision of section 8.39, subsections 3 and 4.

32 19 2. a. Of the funds appropriated in this section, up to  
32 20 \$28,510,211 is allocated as the statewide expenditure target  
32 21 under section 232.143 for group foster care maintenance and  
32 22 services.

32 23 b. (1) If at any time after September 30, 1999,  
32 24 annualization of a region's current expenditures indicates a  
32 25 region is at risk of exceeding its group foster care  
32 26 expenditure target under section 232.143 by more than five  
32 27 percent, the department and juvenile court services shall  
32 28 examine all group foster care placements in that region in  
32 29 order to identify those which might be appropriate for  
32 30 termination. In addition, any aftercare services believed to  
32 31 be needed for the children whose placements may be terminated  
32 32 shall be identified. The department and juvenile court  
32 33 services shall initiate action to set dispositional review  
32 34 hearings for the placements identified. In such a  
32 35 dispositional review hearing, the juvenile court shall  
33 1 determine whether needed aftercare services are available and  
33 2 whether termination of the placement is in the best interest  
33 3 of the child and the community.

33 4 (2) The department shall provide quarterly reports to the  
33 5 judicial branch, juvenile court services, the legislative  
33 6 fiscal bureau, and decategorization boards on the number of  
33 7 children placed in group foster care and the amount of  
33 8 expenditure for group foster care by county.

33 9 c. (1) Of the funds appropriated in this section, not  
33 10 more than \$6,492,887 is allocated as the state match funding  
33 11 for psychiatric medical institutions for children.

33 12 (2) The department may transfer all or a portion of the  
33 13 amount allocated in this lettered paragraph for psychiatric  
33 14 medical institutions for children (PMICs) to the appropriation  
33 15 in this Act for medical assistance and shall not amend the  
33 16 managed mental health care contract to include PMICs.

33 17 d. Of the funds allocated in this subsection, \$1,360,045  
33 18 is allocated as the state match funding for 50 highly  
33 19 structured juvenile program beds. If the number of beds  
33 20 provided for in this lettered paragraph is not utilized, the  
33 21 remaining funds allocated may be used for group foster care.

33 22 e. For the fiscal year beginning July 1, 1999, the  
33 23 requirements of section 232.143 applicable to the juvenile  
33 24 court and to representatives of the juvenile court shall be  
33 25 applicable instead to juvenile court services and to  
33 26 representatives of juvenile court services. The  
33 27 representatives appointed by the department of human services  
33 28 and by juvenile court services to establish the plan to  
33 29 contain expenditures for children placed in group foster care  
33 30 ordered by the court within the budget target allocated to the  
33 31 region shall establish the plan in a manner so as to ensure  
33 32 the moneys allocated to the region under section 232.141 shall  
33 33 last the entire fiscal year. Funds for a child placed in  
33 34 group foster care shall be considered encumbered for the  
33 35 duration of the child's projected or actual length of stay,  
34 1 whichever is applicable.

34 2 f. The funding allocation in this subsection provides  
34 3 additional funding, compared to the prior fiscal year, in an  
34 4 amount equal to the cost of 41 group foster care beds. It is  
34 5 the intent of the general assembly that the additional funding  
34 6 allow for the availability of at least 20 additional beds to  
34 7 be available for placement of females.

34 8 3. The department shall continue the goal that not more  
34 9 than 15 percent of the children placed in foster care funded  
34 10 under the federal Social Security Act, Title IV-E, may be  
34 11 placed in foster care for a period of more than 24 months.

34 12 4. In accordance with the provisions of section 232.188,  
34 13 the department shall continue the program to decategorize  
34 14 child welfare services in additional counties or clusters of  
34 15 counties.

34 16 5. A portion of the funding appropriated in this section  
34 17 may be used for emergency family assistance to provide other  
34 18 resources required for a family participating in a family  
34 19 preservation or reunification project to stay together or to  
34 20 be reunified.

34 21 6. Notwithstanding section 234.35, subsection 1, for the  
34 22 fiscal year beginning July 1, 1999, state funding for shelter  
34 23 care paid pursuant to section 234.35, subsection 1, paragraph  
34 24 "h", shall be limited to \$7,160,257.

34 25 7. Of the funding appropriated in this section, not more  
34 26 than \$517,546 may be used to develop and maintain the state's  
34 27 implementation of the national adoption and foster care  
34 28 information system pursuant to the requirements of Pub. L.  
34 29 No. 99-509. The department may transfer funds as necessary  
34 30 from the appropriations in this Act for field operations and  
34 31 general administration to implement this subsection. Moneys  
34 32 allocated in accordance with this subsection shall be  
34 33 considered encumbered for the purposes of section 8.33.

34 34 8. Of the funding appropriated in this section, up to  
34 35 \$689,791 may be used as determined by the department for any  
35 1 of the following purposes:

35 2 a. For general administration of the department to improve  
35 3 staff training efforts.

35 4 b. For oversight of termination of parental rights and  
35 5 permanency planning efforts on a statewide basis.

35 6 c. For personnel, assigned by the attorney general, to  
35 7 provide additional services relating to termination of  
35 8 parental rights and child in need of assistance cases.

35 9 d. For specialized permanency planning field operations  
35 10 staff.

35 11 9. Of the funds appropriated in this section, not more  
35 12 than \$830,784 shall be expended to implement a subsidized  
35 13 guardianship program to provide financial assistance to  
35 14 guardians of children who have a permanency order under  
35 15 section 232.104, subsection 2, paragraph "d", subparagraph  
35 16 (1), and for whom all of the following apply:

35 17 a. The option of reunification has been eliminated and  
35 18 termination of parental rights is not appropriate.

35 19 b. The child has lived in foster care for at least 12  
35 20 months.

35 21 c. The child is either 14 years of age or older, or if the  
35 22 child is under 14 years of age, is part of a sibling group  
35 23 which precludes availability for adoption.

35 24 d. The placement does not require departmental  
35 25 supervision.

35 26 The financial assistance provided under this subsection  
35 27 shall be in an amount equal to that provided for family foster  
35 28 care. For the purposes of medical assistance and child  
35 29 support recovery, the payments are considered foster care  
35 30 payments.

35 31 10. The department may adopt administrative rules  
35 32 following consultation with child welfare services providers  
35 33 to implement outcome-based child welfare services pilot  
35 34 projects. The rules may include, but are not limited to, the  
35 35 development of program descriptions, provider licensing and  
36 1 certification standards, reimbursement and payment amounts,  
36 2 contract requirements, assessment and service necessity  
36 3 requirements, eligibility criteria, claims submission  
36 4 procedures, and accountability standards.

36 5 11. The department shall continue to make adoption  
36 6 presubsidy and adoption subsidy payments to adoptive parents  
36 7 at the beginning of the month for the current month.

36 8 12. Federal funds received by the state during the fiscal  
36 9 year beginning July 1, 1999, as the result of the expenditure  
36 10 of state funds appropriated during a previous state fiscal  
36 11 year for a service or activity funded under this section,  
36 12 shall be used as additional funding for services provided  
36 13 under this section. Moneys received by the department in  
36 14 accordance with the provisions of this subsection shall remain  
36 15 available for the purposes designated until June 30, 2001,  
36 16 notwithstanding section 8.33.

36 17 13. In addition to the report for group foster care  
36 18 placements, the department shall continue to report quarterly  
36 19 to the legislative fiscal bureau concerning the status of each  
36 20 region's funding expenditures compared with allocations in the  
36 21 regional plan for services provided under this section.

36 22 14. The department and juvenile court services shall  
36 23 continue to develop criteria for the department regional  
36 24 administrator and chief juvenile court officer to grant  
36 25 exceptions to extend eligibility, within the funds allocated,  
36 26 for intensive tracking and supervision and for supervised  
36 27 community treatment to delinquent youth beyond age 18 who are  
36 28 subject to release from the state training school, a highly  
36 29 structured juvenile program, or group care. The department  
36 30 shall report the number of such exceptions granted and the  
36 31 related expenditures to the joint appropriations subcommittee  
36 32 on human services on or before January 1, 2000.

36 33 15. Of the moneys appropriated in this section, not more  
36 34 than \$565,859 is allocated to provide clinical assessment  
36 35 services as necessary to continue funding of children's  
37 1 rehabilitation services under medical assistance in accordance  
37 2 with federal law and requirements. The funding allocated is

37 3 the amount projected to be necessary for providing the  
37 4 clinical assessment services.

37 5 16. Of the funding appropriated in this section,  
37 6 \$3,696,286 shall be used for protective child day care  
37 7 assistance.

37 8 17. Of the moneys appropriated in this section, up to  
37 9 \$3,290,000 is allocated for the payment of the expenses of  
37 10 court-ordered services provided to juveniles which are a  
37 11 charge upon the state pursuant to section 232.141, subsection  
37 12 4.

37 13 a. Notwithstanding section 232.141 or any other provision  
37 14 of law, the amount allocated in this subsection shall be  
37 15 distributed to the judicial districts as determined by the  
37 16 state court administrator. The state court administrator  
37 17 shall make the determination of the distribution amounts on or  
37 18 before June 15, 1999.

37 19 b. (1) Each judicial district shall continue the planning  
37 20 group for the court-ordered services for juveniles provided in  
37 21 that district which was established pursuant to 1991 Iowa  
37 22 Acts, chapter 267, section 119. A planning group shall  
37 23 continue to perform its duties as specified in that law.  
37 24 Reimbursement rates for providers of court-ordered evaluation  
37 25 and treatment services paid under section 232.141, subsection  
37 26 4, shall be negotiated with providers by each judicial  
37 27 district's planning group.

37 28 (2) Each district planning group shall submit an annual  
37 29 report in January to the state court administrator and the  
37 30 department of human services. The report shall cover the  
37 31 preceding fiscal year and shall include a preliminary report  
37 32 on the current fiscal year. The administrator and the  
37 33 department shall compile these reports and submit the reports  
37 34 to the chairpersons and ranking members of the joint  
37 35 appropriations subcommittee on human services and the  
38 1 legislative fiscal bureau.

38 2 c. The department of human services shall develop policies  
38 3 and procedures to ensure that the funds allocated in this  
38 4 subsection are spent only after all other reasonable actions  
38 5 have been taken to utilize other funding sources and  
38 6 community-based services. The policies and procedures shall  
38 7 be designed to achieve the following objectives relating to  
38 8 services provided under chapter 232:

38 9 (1) Maximize the utilization of funds which may be  
38 10 available from the medical assistance program including usage  
38 11 of the early and periodic screening, diagnosis, and treatment  
38 12 (EPSDT) program.

38 13 (2) Recover payments from any third-party insurance  
38 14 carrier which is liable for coverage of the services,  
38 15 including health insurance coverage.

38 16 (3) Pursue development of agreements with regularly  
38 17 utilized out-of-state service providers which are intended to  
38 18 reduce per diem costs paid to those providers.

38 19 d. The department of human services, in consultation with  
38 20 the state court administrator and the judicial district  
38 21 planning groups, shall compile a report detailing the  
38 22 expenditure categories for the spending in the judicial  
38 23 districts for court-ordered services for juveniles in fiscal  
38 24 year 1998-1999. The report shall include utilization of  
38 25 medical assistance funding. The report shall be submitted on  
38 26 or before October 15, 1999, to the persons designated by this  
38 27 Act to receive reports.

38 28 e. Notwithstanding chapter 232 or any other provision of  
38 29 law, a district or juvenile court in a department of human  
38 30 services district shall not order any service which is a  
38 31 charge upon the state pursuant to section 232.141 if there are  
38 32 insufficient court-ordered services funds available in the  
38 33 district distribution amount to pay for the service. The  
38 34 chief juvenile court officer shall work with the judicial

38 35 district planning group to encourage use of the funds  
39 1 allocated in this subsection such that there are sufficient  
39 2 funds to pay for all court-related services during the entire  
39 3 year. The eight chief juvenile court officers shall attempt  
39 4 to anticipate potential surpluses and shortfalls in the  
39 5 distribution amounts and shall cooperatively request the state  
39 6 court administrator to transfer funds between the districts'  
39 7 distribution amounts as prudent.

39 8 f. Notwithstanding any provision of law to the contrary, a  
39 9 district or juvenile court shall not order a county to pay for  
39 10 any service provided to a juvenile pursuant to an order  
39 11 entered under chapter 232 which is a charge upon the state  
39 12 under section 232.141, subsection 4.

39 13 g. Of the funding allocated in this subsection, not more  
39 14 than \$100,000 may be used by the judicial branch for  
39 15 administration of the requirements under this subsection and  
39 16 for travel associated with court-ordered placements which are  
39 17 a charge upon the state pursuant to section 232.141,  
39 18 subsection 4.

39 19 18. The department shall evaluate the recidivism rates of  
39 20 the public and private treatment programs for juveniles, and  
39 21 shall submit an annual report of the evaluation, by December  
39 22 15, 1999, to the persons designated in this Act for receipt of  
39 23 reports.

39 24 19. Of the funding appropriated in this section,  
39 25 \$3,458,000 is allocated to provide school-based supervision of  
39 26 children adjudicated under chapter 232, including not more  
39 27 than \$580,000 from the allocation in this section for court-  
39 28 ordered services. Not more than \$15,000 of the funding  
39 29 allocated in this subsection may be used for the purpose of  
39 30 training.

39 31 To the extent possible, the personnel providing school-  
39 32 based services shall be prepared with training or experience  
39 33 relating to gender-specific programming to best intervene with  
39 34 youth at risk of being found delinquent or determined to be a  
39 35 child in need of assistance.

40 1 20. a. As determined by the department of management, a  
40 2 necessary amount of the balance of moneys received by the  
40 3 department for the fiscal year beginning July 1, 1999, from  
40 4 the federal government, for the supplemental disproportionate  
40 5 share and supplemental indirect medical education adjustment  
40 6 applicable to state-owned acute care hospitals with more than  
40 7 500 beds, that were transferred by such a hospital and  
40 8 deposited with the appropriation in this Act for medical  
40 9 assistance which are in excess of the state share for medical  
40 10 assistance, shall not be credited to the general fund of the  
40 11 state but instead shall be credited to the appropriation made  
40 12 in this section for use only as provided in this subsection.

40 13 b. The moneys credited to this appropriation shall be used  
40 14 if there is any reduction in the federal financial  
40 15 participation amount for rehabilitation treatment services  
40 16 from the amount projected by the department in creating its  
40 17 budget.

40 18 c. Upon the approval of the director of the department of  
40 19 management, up to an additional \$550,000 of the transferred  
40 20 moneys may be credited to the appropriation in this section to  
40 21 implement the recommendations of the legislative council's  
40 22 child welfare services work group that are approved by the  
40 23 director of human services. If approved by the director, the  
40 24 recommendations to be implemented shall include but are not  
40 25 limited to securing additional federal financial participation  
40 26 under Title IV-E of the federal Social Security Act, and  
40 27 developing an outcome-based data management system. The  
40 28 department shall seek to obtain additional federal financial  
40 29 participation under Titles XIX and IV-E of the federal Social  
40 30 Security Act for activities eligible to draw federal funding  
40 31 and shall coordinate with the work group in implementing this

40 32 and other recommendations of the work group.  
40 33 d. Of the moneys appropriated in this section, up to  
40 34 \$50,000 may be used to support the child welfare services work  
40 35 group.

41 1 21. Of the funds appropriated in this section, \$450,000  
41 2 shall be used to provide day treatment and aftercare services  
41 3 to juvenile females based upon a total of 100 slots, with an  
41 4 average cost of \$41 per day, for the school year and summer  
41 5 school period.

41 6 22. The department shall maximize the capacity to draw  
41 7 federal funding under Title IV-E of the federal Social  
41 8 Security Act and shall submit a quarterly report regarding  
41 9 such maximization to the legislative fiscal bureau, commencing  
41 10 with a report of the quarter beginning July 1, 1999.

41 11 Sec. 16. CONNER DECREE. There is appropriated from the  
41 12 general fund of the state to the department of human services  
41 13 for the fiscal year beginning July 1, 1999, and ending June  
41 14 30, 2000, the following amount, or so much thereof as is  
41 15 necessary, to be used for the purpose designated:

41 16 For providing training in accordance with the consent  
41 17 decree of Conner v. Branstad, No. 4-86-CU-30871(S.D. Iowa,  
41 18 July 14, 1994):  
41 19 ..... \$ 46,000

41 20 Sec. 17. COMMUNITY-BASED PROGRAMS ADOLESCENT PREGNANCY  
41 21 PREVENTION. There is appropriated from the general fund of  
41 22 the state to the department of human services for the fiscal  
41 23 year beginning July 1, 1999, and ending June 30, 2000, the  
41 24 following amount, or so much thereof as is necessary, to be  
41 25 used for the purpose designated:

41 26 For community-based programs, on the condition that family  
41 27 planning services are funded, including salaries, support,  
41 28 maintenance, and miscellaneous purposes and for not more than  
41 29 the following full-time equivalent positions:  
41 30 ..... \$ 1,009,000  
41 31 ..... FTEs 1.00

41 32 1. Funds appropriated in this section shall be used to  
41 33 provide adolescent pregnancy prevention grants which comply  
41 34 with the requirements provided in 1997 Iowa Acts, chapter 208,  
41 35 section 14, subsections 1 and 2, and shall emphasize programs  
42 1 which target the middle school level.

42 2 2. It is the intent of the general assembly that the  
42 3 department of human services and the Iowa department of public  
42 4 health shall continue to identify existing abstinence  
42 5 education or community-based programs which comply with the  
42 6 requirements established in section 912, subchapter V, of the  
42 7 federal Social Security Act, as codified in 42 U.S.C. } 701 et  
42 8 seq. for the matching of federal funds.

42 9 3. Funds appropriated in this section, shall also be used  
42 10 by the department to provide child abuse prevention grants.

42 11 Sec. 18. MENTAL HEALTH INSTITUTES. There is appropriated  
42 12 from the general fund of the state to the department of human  
42 13 services for the fiscal year beginning July 1, 1999, and  
42 14 ending June 30, 2000, the following amount, or so much thereof  
42 15 as is necessary, to be used for the purposes designated:

42 16 For the state mental health institutes, for salaries,  
42 17 support, maintenance, and miscellaneous purposes and for not  
42 18 more than the following full-time equivalent positions:  
42 19 ..... \$ 42,740,000  
42 20 ..... FTEs 856.39

42 21 1. The funds appropriated and full-time equivalent  
42 22 positions authorized in this section are allocated as follows:

42 23 a. State mental health institute at Cherokee:  
42 24 ..... \$ 12,580,000  
42 25 ..... FTEs 249.24

42 26 The amount allocated in this subsection is sufficient for  
42 27 the mental health institute to make budget adjustments in  
42 28 order to continue funding of the inmate labor program and the

42 29 work services center contract, and to retain the nurse  
42 30 positions that were in the final hiring stage in the spring of  
42 31 1999 and other permanent positions.

42 32 b. State mental health institute at Clarinda:

42 33 ..... \$ 7,010,000  
42 34 ..... FTEs 138.59

42 35 c. State mental health institute at Independence:

43 1 ..... \$ 17,710,000  
43 2 ..... FTEs 358.73

43 3 The state mental health institute at Independence shall  
43 4 continue the 30 psychiatric medical institution for children  
43 5 (PMIC) beds authorized in section 135H.6, in a manner which  
43 6 results in no net state expenditure amount in excess of the  
43 7 amount allocated in this lettered paragraph. Counties are not  
43 8 responsible for the costs of PMIC services described in this  
43 9 subparagraph. Subject to the approval of the department, with  
43 10 the exception of revenues required under section 249A.11 to be  
43 11 deposited in the appropriation in this Act for medical  
43 12 assistance, revenues attributable to the PMIC beds established  
43 13 under this subparagraph for the fiscal year beginning July 1,  
43 14 1999, and ending June 30, 2000, shall be deposited in the  
43 15 institute's account, including but not limited to any of the  
43 16 following revenues:

43 17 (1) The federal share of medical assistance revenue  
43 18 received under chapter 249A.

43 19 (2) Moneys received through client participation.

43 20 (3) Any other revenues directly attributable to the PMIC  
43 21 beds.

43 22 d. State mental health institute at Mount Pleasant:

43 23 ..... \$ 5,440,000  
43 24 ..... FTEs 109.83

43 25 (1) Funding is provided in this lettered paragraph for the  
43 26 mental health institute at Mount Pleasant to continue the dual  
43 27 diagnosis mental health and substance abuse program on a net  
43 28 budgeting basis in which 50 percent of the actual per diem and  
43 29 ancillary services costs are chargeable to the patient's  
43 30 county of legal settlement or as a state case, as appropriate.  
43 31 Subject to the approval of the department, revenues  
43 32 attributable to the dual diagnosis program for the fiscal year  
43 33 beginning July 1, 1999, and ending June 30, 2000, shall be  
43 34 deposited in the institute's account, including but not  
43 35 limited to all of the following revenues:

44 1 (a) Moneys received by the state from billings to counties  
44 2 under section 230.20.

44 3 (b) Moneys received from billings to the Medicare program.

44 4 (c) Moneys received from a managed care contractor  
44 5 providing services under contract with the department or any  
44 6 private third party payer.

44 7 (d) Moneys received through client participation.

44 8 (e) Any other revenues directly attributable to the dual  
44 9 diagnosis program.

44 10 (2) The following additional provisions are applicable in  
44 11 regard to the dual diagnosis program:

44 12 (a) A county may split the charges between the county's  
44 13 mental health, mental retardation, and developmental  
44 14 disabilities services fund and the county's budget for  
44 15 substance abuse expenditures.

44 16 (b) If an individual is committed to the custody of the  
44 17 department of corrections at the time the individual is  
44 18 referred for dual diagnosis treatment, the department of  
44 19 corrections shall be charged for the costs of treatment.

44 20 (c) Prior to an individual's voluntary admission for dual  
44 21 diagnosis treatment, the individual shall have been screened  
44 22 through a county's single entry point process to determine the  
44 23 appropriateness of the treatment.

44 24 (d) A county shall not be chargeable for the costs of  
44 25 treatment for an individual enrolled in and authorized by or

44 26 decertified by a managed behavioral care plan under the  
44 27 medical assistance program.

44 28 (3) The department of human services, in cooperation with  
44 29 the department of corrections, shall develop a proposal to  
44 30 provide the option of treatment at the mental health institute  
44 31 at Mount Pleasant or another existing state-owned facility  
44 32 rather than incarceration of an individual who is convicted of  
44 33 use of methamphetamine. The proposal shall identify a payment  
44 34 source other than counties for such treatment. The  
44 35 departments shall submit a report which includes the proposal  
45 1 and any findings or recommendations to the persons designated  
45 2 by this Act to receive reports on or before December 15, 1999.

45 3 2. Within the funds appropriated in this section, the  
45 4 department may reallocate funds as necessary to best fulfill  
45 5 the needs of the institutions provided for in the  
45 6 appropriation.

45 7 3. As part of the discharge planning process at the state  
45 8 mental health institutes, the department shall provide  
45 9 assistance in obtaining eligibility for federal supplemental  
45 10 security income (SSI) to those individuals whose care at a  
45 11 state mental health institute is the financial responsibility  
45 12 of the state.

45 13 4. Each state mental health institute shall continue the  
45 14 net budgeting accounting test of managing revenues and  
45 15 expenditures attributable to the mental health institute in a  
45 16 manner that permits the net state expenditure amount to be  
45 17 determined. Each mental health institute shall submit a  
45 18 status report in October 1999 to the governor and to the  
45 19 persons required to be submitted reports by this Act. The  
45 20 status report shall identify advantages and disadvantages of  
45 21 utilizing the net budgeting approach and any changes in policy  
45 22 or statute recommended to improve implementation of the  
45 23 approach.

45 24 Sec. 19. HOSPITAL-SCHOOLS. There is appropriated from the  
45 25 general fund of the state to the department of human services  
45 26 for the fiscal year beginning July 1, 1999, and ending June  
45 27 30, 2000, the following amount, or so much thereof as is  
45 28 necessary, to be used for the purposes designated:

45 29 For the state hospital-schools, for salaries, support,  
45 30 maintenance, and miscellaneous purposes and for not more than  
45 31 the following full-time equivalent positions:  
45 32 ..... \$ 4,549,284  
45 33 ..... FTEs 1,554.51

45 34 1. The funds appropriated and full-time equivalent  
45 35 positions authorized in this section are allocated as follows:

46 1 a. State hospital-school at Glenwood:  
46 2 ..... \$ 2,783,504  
46 3 ..... FTEs 877.75  
46 4 b. State hospital-school at Woodward:  
46 5 ..... \$ 1,765,780  
46 6 ..... FTEs 676.76

46 7 2. a. The department shall continue operating the  
46 8 hospital-schools at Glenwood and Woodward with a net general  
46 9 fund appropriation. The amounts allocated in this section are  
46 10 the net amounts of state moneys projected to be needed for the  
46 11 state hospital-schools. The purposes of operating with a net  
46 12 general fund appropriation are to encourage the hospital-  
46 13 schools to operate with increased self-sufficiency, to improve  
46 14 quality and efficiency, and to support collaborative efforts  
46 15 between the hospital-schools and counties and other funders of  
46 16 services available from the hospital-schools. The hospital-  
46 17 schools shall not be operated under the net appropriation in a  
46 18 manner which results in a cost increase to the state or cost  
46 19 shifting between the state, the medical assistance program,  
46 20 counties, or other sources of funding for the state hospital-  
46 21 schools. Moneys allocated in subsection 1 may be used  
46 22 throughout the fiscal year in the manner necessary for



46 23 purposes of cash flow management, and for purposes of cash  
46 24 flow management the hospital-schools may temporarily draw more  
46 25 than the amount allocated, provided the amount allocated is  
46 26 not exceeded at the close of the fiscal year.

46 27 b. For purposes of calculating the hospital-schools'  
46 28 August 31, 2000, year-end balance at the close of the 1999-  
46 29 2000 fiscal year, the department shall include county  
46 30 receivables billed but not yet received. However, only  
46 31 receipts received within 120 days of being billed for fiscal  
46 32 year 1999-2000 services shall be included. The state  
46 33 hospital-schools may draw upon the general fund of the state  
46 34 in an amount equal to the receivables amount which is not  
46 35 received.

47 1 c. Subject to the approval of the department, except for  
47 2 revenues under section 249A.11, revenues attributable to the  
47 3 state hospital-schools for the fiscal year beginning July 1,  
47 4 1999, shall be deposited into each hospital-school's account,  
47 5 including but not limited to all of the following:

47 6 (1) Moneys received by the state from billings to counties  
47 7 under section 222.73.

47 8 (2) The federal share of medical assistance revenue  
47 9 received under chapter 249A.

47 10 (3) Federal Medicare program payments.

47 11 (4) Moneys received from client financial participation.

47 12 (5) Other revenues generated from current, new, or  
47 13 expanded services which the state hospital-school is  
47 14 authorized to provide.

47 15 d. In the 1999-2000 fiscal year, a hospital-school's  
47 16 report shall include a listing detailing the items for which  
47 17 depreciation reimbursement funds would have been utilized if  
47 18 the depreciation reimbursement had been retained by the  
47 19 institution. This listing shall be included with the report  
47 20 submitted pursuant to this subsection.

47 21 e. For the purposes of allocating the salary adjustment  
47 22 fund moneys appropriated in another Act, the state hospital-  
47 23 schools shall be considered to be funded entirely with state  
47 24 moneys.

47 25 f. Notwithstanding section 8.33, up to \$500,000 of a state  
47 26 hospital-school's revenues that remain unencumbered or  
47 27 unobligated at the close of the fiscal year shall not revert  
47 28 but shall remain available to be used in the succeeding fiscal  
47 29 year.

47 30 g. Each state hospital-school and the department shall  
47 31 submit a status report in October 1999 to the governor and the  
47 32 joint appropriations subcommittee on human services.

47 33 3. Within the funds appropriated in this section, the  
47 34 department may reallocate funds as necessary to best fulfill  
47 35 the needs of the institutions provided for in the  
48 1 appropriation.

48 2 4. The department may continue to bill for state hospital-  
48 3 school services utilizing a scope of services approach used  
48 4 for private providers of ICFMR services, in a manner which  
48 5 does not shift costs between the medical assistance program,  
48 6 counties, or other sources of funding for the state hospital-  
48 7 schools.

48 8 5. The state hospital-schools may expand the time limited  
48 9 assessment and respite services during the fiscal year.

48 10 During the fiscal year beginning July 1, 1999, the state  
48 11 hospital-school at Glenwood shall unbundle pharmaceutical  
48 12 costs from the per diem charges for services at the hospital-  
48 13 school. County billings under section 222.73 shall be reduced  
48 14 in an amount equivalent to pharmaceutical costs separately  
48 15 charged to medical assistance as a result of the unbundling.

48 16 6. Notwithstanding section 8.33, up to \$500,000 of a state  
48 17 hospital-school's revenues generated by and moneys  
48 18 appropriated to a state hospital-school pursuant to 1998 Iowa  
48 19 Acts, chapter 1218, section 20, that remain unencumbered or

48 20 unobligated at the close of the fiscal year, shall not revert  
48 21 to any fund but shall remain available for expenditure by the  
48 22 state hospital-school in the succeeding fiscal year.

48 23 Sec. 20. MENTAL ILLNESS SPECIAL SERVICES. There is  
48 24 appropriated from the general fund of the state to the  
48 25 department of human services for the fiscal year beginning  
48 26 July 1, 1999, and ending June 30, 2000, the following amount,  
48 27 or so much thereof as is necessary, to be used for the purpose  
48 28 designated:

48 29 For mental illness special services:  
48 30 ..... \$ 121,220

48 31 1. The department and the Iowa finance authority shall  
48 32 continue the financing for existing community-based facilities  
48 33 and the financing for the development of affordable community-  
48 34 based housing facilities. The department shall assure that  
48 35 clients are referred to the housing as it is developed.

49 1 2. The funds appropriated in this section are to provide  
49 2 funds for construction and start-up costs to develop community  
49 3 living arrangements to provide for persons with mental illness  
49 4 who are homeless. These funds may be used to match federal  
49 5 Stewart B. McKinney Homeless Assistance Act grant funds.

49 6 Sec. 21. FAMILY SUPPORT SUBSIDY PROGRAM. There is  
49 7 appropriated from the general fund of the state to the  
49 8 department of human services for the fiscal year beginning  
49 9 July 1, 1999, and ending June 30, 2000, the following amount,  
49 10 or so much thereof as is necessary, to be used by the division  
49 11 of children and family services for the purpose designated:

49 12 For the family support subsidy program:  
49 13 ..... \$ 1,787,000

49 14 The department may use up to \$267,000 of the moneys  
49 15 appropriated in this section to continue the children-at-home  
49 16 program in current counties and to expand to two new counties,  
49 17 of which not more than \$20,000 shall be used for  
49 18 administrative costs.

49 19 Sec. 22. SPECIAL NEEDS GRANTS. There is appropriated from  
49 20 the general fund of the state to the department of human  
49 21 services for the fiscal year beginning July 1, 1999, and  
49 22 ending June 30, 2000, the following amount, or so much thereof  
49 23 as is necessary, to be used for the purpose designated:

49 24 To provide special needs grants to families with a family  
49 25 member at home who has a developmental disability or to a  
49 26 person with a developmental disability:

49 27 ..... \$ 53,212

49 28 Grants must be used by a family to defray special costs of  
49 29 caring for the family member to prevent out-of-home placement  
49 30 of the family member or to provide for independent living  
49 31 costs. The grants may be administered by a private nonprofit  
49 32 agency which serves people statewide provided that no  
49 33 administrative costs are received by the agency. Regular  
49 34 reports regarding the special needs grants with the family  
49 35 support subsidy program and an annual report concerning the  
50 1 characteristics of the grantees shall be provided to the  
50 2 legislative fiscal bureau.

50 3 The department shall issue a request for proposals for  
50 4 developmental disabilities basic support and advocacy grants.

50 5 Sec. 23. MI/MR/DD STATE CASES. There is appropriated from  
50 6 the general fund of the state to the department of human  
50 7 services for the fiscal year beginning July 1, 1999, and  
50 8 ending June 30, 2000, the following amount, or so much thereof  
50 9 as is necessary, to be used for the purpose designated:

50 10 For purchase of local services for persons with mental  
50 11 illness, mental retardation, and developmental disabilities  
50 12 where the client has no established county of legal  
50 13 settlement:

50 14 ..... \$ 10,090,000

50 15 1. If a county has a county management plan which is  
50 16 approved by the director of human services pursuant to section

50 17 331.439, the services paid for under this section are exempt  
50 18 from the department's purchase of service system requirements.  
50 19 The department shall adopt rules to implement the provisions  
50 20 of this paragraph.

50 21 2. Of the moneys appropriated in this section, up to  
50 22 \$174,000 is allocated for the costs of the reimbursement  
50 23 increase provided in the reimbursement section of this Act for  
50 24 sheltered work, work activity, supported employment, supported  
50 25 work training, supported community living services, and adult  
50 26 residential services paid by the state or county under a state  
50 27 or county purchase of social services contract.

50 28 Sec. 24. REIMBURSEMENT SOCIAL SERVICES. There is  
50 29 appropriated from the general fund of the state to the  
50 30 department of human services for the fiscal year beginning  
50 31 July 1, 1999, and ending June 30, 2000, the following amount,  
50 32 or so much thereof as is necessary, to be used for the  
50 33 purposes designated:

50 34 For the costs of a reimbursement increase in accordance  
50 35 with this section for sheltered work, work activity, supported  
51 1 employment, job placement, enclave, adult day care,  
51 2 transportation, community supervised apartment living  
51 3 arrangements, and adult residential services paid by a county  
51 4 under a state purchase of service (POS) or county contract:  
51 5 ..... \$ 2,000,000

51 6 1. A fiscal year 1997-1998 spending amount for the POS or  
51 7 county contract services designated above shall be determined  
51 8 for each county by identifying the amount expended for the  
51 9 services for fiscal year 1997-1998 in the county's expenditure  
51 10 report submitted by December 1, 1998, pursuant to section  
51 11 331.439, subsection 1, paragraph "a". The individual county  
51 12 spending amounts shall be combined by the department to  
51 13 identify a statewide spending amount. The moneys appropriated  
51 14 in this section shall be distributed to counties based on a  
51 15 county's proportion of the statewide spending amount.

51 16 2. A county shall utilize the distributed moneys to  
51 17 increase reimbursement of those POS or county contract  
51 18 providers whose reimbursement is below the provider's cost or  
51 19 who utilize the reimbursement increase to enhance service  
51 20 staff compensation. A county shall include a progress report  
51 21 describing the county's usage of the distributed moneys as an  
51 22 addendum to the county's expenditure report submitted by  
51 23 December 1, 1999, pursuant to section 331.439, subsection 1,  
51 24 paragraph "a", and a final report describing the usage as an  
51 25 addendum to the expenditure report submitted by December 1,  
51 26 2000. It is the intent of the general assembly that any  
51 27 amount that is not utilized for the required purposes shall be  
51 28 recovered in the fiscal year beginning July 1, 2000, by  
51 29 reducing the county's social services block grant local  
51 30 purchase allocation in an equivalent amount.

51 31 Sec. 25. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES  
51 32 COMMUNITY SERVICES FUND. There is appropriated from the  
51 33 general fund of the state to the mental health and  
51 34 developmental disabilities community services fund created in  
51 35 section 225C.7 for the fiscal year beginning July 1, 1999, and  
52 1 ending June 30, 2000, the following amount, or so much thereof  
52 2 as is necessary, to be used for the purpose designated:

52 3 For mental health and developmental disabilities community  
52 4 services in accordance with this Act:  
52 5 ..... \$ 17,560,000

52 6 1. Of the funds appropriated in this section, \$17,530,000  
52 7 shall be allocated to counties for funding of community-based  
52 8 mental health and developmental disabilities services. The  
52 9 moneys shall be allocated to a county as follows:

52 10 a. Fifty percent based upon the county's proportion of the  
52 11 state's population of persons with an annual income which is  
52 12 equal to or less than the poverty guideline established by the  
52 13 federal office of management and budget.

52 14 b. Fifty percent based upon the county's proportion of the  
52 15 state's general population.

52 16 2. a. A county shall utilize the funding the county  
52 17 receives pursuant to subsection 1 for services provided to  
52 18 persons with a disability, as defined in section 225C.2.  
52 19 However, no more than 50 percent of the funding shall be used  
52 20 for services provided to any one of the service populations.

52 21 b. A county shall use at least 50 percent of the funding  
52 22 the county receives under subsection 1 for contemporary  
52 23 services provided to persons with a disability, as described  
52 24 in rules adopted by the department.

52 25 3. Of the funds appropriated in this section, \$30,000  
52 26 shall be used to support the Iowa compass program providing  
52 27 computerized information and referral services for Iowans with  
52 28 disabilities and their families.

52 29 4. a. Funding appropriated for purposes of the federal  
52 30 social services block grant is allocated for distribution to  
52 31 counties for local purchase of services for persons with  
52 32 mental illness or mental retardation or other developmental  
52 33 disability.

52 34 b. The funds allocated in this subsection shall be  
52 35 expended by counties in accordance with the county's approved  
53 1 county management plan. A county without an approved county  
53 2 management plan shall not receive allocated funds until the  
53 3 county's management plan is approved.

53 4 c. The funds provided by this subsection shall be  
53 5 allocated to each county as follows:

53 6 (1) Fifty percent based upon the county's proportion of  
53 7 the state's population of persons with an annual income which  
53 8 is equal to or less than the poverty guideline established by  
53 9 the federal office of management and budget.

53 10 (2) Fifty percent based upon the amount provided to the  
53 11 county for local purchase of services in the preceding fiscal  
53 12 year.

53 13 5. A county is eligible for funds under this section if  
53 14 the county qualifies for a state payment as described in  
53 15 section 331.439.

53 16 Sec. 26. PERSONAL ASSISTANCE. There is appropriated from  
53 17 the general fund of the state to the department of human  
53 18 services for the fiscal year beginning July 1, 1999, and  
53 19 ending June 30, 2000, the following amount, or so much thereof  
53 20 as is necessary, to be used for the purpose designated:

53 21 For continuation of a pilot project for the personal  
53 22 assistance services program in accordance with this section:  
53 23 ..... \$ 364,000

53 24 1. The funds appropriated in this section shall be used to  
53 25 continue the pilot project for the personal assistance  
53 26 services program under section 225C.46 in an urban and a rural  
53 27 area. Not more than \$36,400 shall be used for administrative  
53 28 costs. The pilot project and any federal home and community-  
53 29 based waiver developed under the medical assistance program  
53 30 shall not be implemented in a manner which would require  
53 31 additional county or state costs for assistance provided to an  
53 32 individual served under the pilot project or the waiver.

53 33 2. It is the intent of the general assembly that for any  
53 34 new applicants for personal assistance, priority shall be  
53 35 given to providing assistance to individuals for education,  
54 1 job training, and other forms of employment support. It is  
54 2 also the intent of the general assembly that if other programs  
54 3 become available which provide similar services, current  
54 4 recipients of personal assistance for whom these similar  
54 5 services are appropriate shall be assisted in attaining  
54 6 eligibility for these programs.

54 7 3. Notwithstanding section 8.33, moneys appropriated in  
54 8 this section that remain unencumbered or unobligated at the  
54 9 close of the fiscal year shall not revert but shall remain  
54 10 available to provide personal assistance payments until the

54 11 close of the succeeding fiscal year.

54 12 Sec. 27. FIELD OPERATIONS. There is appropriated from the  
54 13 general fund of the state to the department of human services  
54 14 for the fiscal year beginning July 1, 1999, and ending June  
54 15 30, 2000, the following amount, or so much thereof as is

54 16 necessary, to be used for the purpose designated:

54 17 For field operations, including salaries, support,  
54 18 maintenance, and miscellaneous purposes and for not more than  
54 19 the following full-time equivalent positions:  
54 20 ..... \$ 49,160,000  
54 21 ..... FTEs 2,071.00

54 22 If a resignation, retirement, or dismissal reducing the  
54 23 number of full-time equivalent positions responsible for  
54 24 mental health or mental retardation services in a local office  
54 25 of the department causes the county to which the local office  
54 26 is assigned to assume responsibilities previously performed by  
54 27 the department's positions, the department shall reimburse the  
54 28 county for the increase in costs connected with the  
54 29 responsibilities assumed.

54 30 Sec. 28. GENERAL ADMINISTRATION. There is appropriated  
54 31 from the general fund of the state to the department of human  
54 32 services for the fiscal year beginning July 1, 1999, and  
54 33 ending June 30, 2000, the following amount, or so much thereof  
54 34 as is necessary, to be used for the purpose designated:

54 35 For general administration, including salaries, support,  
55 1 maintenance, and miscellaneous purposes and for not more than  
55 2 the following full-time equivalent positions:  
55 3 ..... \$ 14,032,000  
55 4 ..... FTEs 366.00

55 5 1. Of the funds appropriated in this section, \$57,000 is  
55 6 allocated for the prevention of disabilities policy council  
55 7 established in section 225B.3.

55 8 2. Of the funds appropriated in this section, \$129,971 for  
55 9 the fiscal year beginning July 1, 1999, shall be transferred  
55 10 to the state university of Iowa for the university-affiliated  
55 11 program for the support of Iowa creative employment options  
55 12 (CEO).

55 13 3. If an expenditure reduction or other cost-saving  
55 14 measure is deemed necessary to maintain expenditures within  
55 15 the amount appropriated to the department in this section, the  
55 16 department shall not implement the reduction or other measure  
55 17 in a manner which reduces service funding for disability  
55 18 rehabilitation programs, including but not limited to,  
55 19 statewide supported employment programs.

55 20 4. Moneys appropriated in this section and in the  
55 21 appropriation for field services that are budgeted for  
55 22 employee salaries and associated benefit costs shall not be  
55 23 obligated or encumbered for any other purpose.

55 24 5. The department shall submit a quarterly report,  
55 25 commencing with the quarter beginning July 1, 1999, to the  
55 26 legislative fiscal bureau specifying the number and type of  
55 27 full-time equivalent positions in the department that are  
55 28 funded but vacant.

55 29 Sec. 29. VOLUNTEERS. There is appropriated from the  
55 30 general fund of the state to the department of human services  
55 31 for the fiscal year beginning July 1, 1999, and ending June  
55 32 30, 2000, the following amount, or so much thereof as is

55 33 necessary, to be used for the purpose designated:

55 34 For development and coordination of volunteer services:  
55 35 ..... \$ 118,500

56 1 Sec. 30. SEXUALLY VIOLENT PREDATORS. There is  
56 2 appropriated from the general fund of the state to the  
56 3 department of human services for the fiscal year beginning  
56 4 July 1, 1999, and ending June 30, 2000, the following amount,  
56 5 or so much thereof as is necessary, to be used for the purpose  
56 6 designated:

56 7 For costs associated with the commitment and treatment of

56 8 sexually violent predators including costs of legal services  
56 9 and other associated costs, including salaries, support,  
56 10 maintenance, and miscellaneous purposes and for not more than  
56 11 the following full-time equivalent positions:  
56 12 ..... \$ 1,531,000  
56 13 ..... FTEs 20.00

56 14 Sec. 31. SEXUALLY VIOLENT PREDATORS FY 1998-1999.  
56 15 There is appropriated from the general fund of the state to  
56 16 the department of human services for the fiscal year beginning  
56 17 July 1, 1998, and ending June 30, 1999, to supplement the  
56 18 appropriation made in 1998 Iowa Acts, chapter 1218, section  
56 19 31, the following amount, or so much thereof as is necessary,  
56 20 to be used for the purposes designated:

56 21 For costs associated with the commitment and treatment of  
56 22 sexually violent predators and for salaries and support for  
56 23 not more than the following full-time equivalent positions:  
56 24 ..... \$ 115,023  
56 25 ..... FTEs 6.63

56 26 Notwithstanding section 8.62 or any other provision of law  
56 27 to the contrary, moneys appropriated in this section that  
56 28 remain unencumbered or unobligated at the close of the fiscal  
56 29 year shall revert in accordance with section 8.33.

56 30 Sec. 32. REACTIVE ATTACHMENT DISORDER TRAINING. There  
56 31 is appropriated from the general fund of the state to the  
56 32 department of human services for the fiscal year beginning  
56 33 July 1, 1999, and ending June 30, 2000, the following amount,  
56 34 or so much thereof as is necessary, to develop a reactive  
56 35 attachment disorder training program for implementation by  
57 1 July 1, 2000:

57 2 ..... \$ 60,000

57 3 The purpose of the program is to provide training and  
57 4 education to therapists and others who provide services  
57 5 through the department to children with reactive attachment  
57 6 disorder. The department shall consult with persons familiar  
57 7 with such training which includes clinically accepted  
57 8 techniques in the development of the training and education.  
57 9 Notwithstanding section 8.33, moneys appropriated in this  
57 10 section that remain unencumbered or unobligated at the close  
57 11 of the fiscal year shall not revert but shall remain available  
57 12 for expenditure for the purposes designated until the close of  
57 13 the succeeding fiscal year. For the purposes of this section,  
57 14 "reactive attachment disorder" means a disorder resulting from  
57 15 the lack of reasonable care and nurturance, usually in the  
57 16 early years of life, which results in the inability to  
57 17 establish normal, stable attachments to caregivers and others.

57 18 Sec. 33. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY  
57 19 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE  
57 20 DEPARTMENT OF HUMAN SERVICES.

57 21 1. a. For the fiscal year beginning July 1, 1999, the  
57 22 rate for skilled nursing facilities shall be increased by 2  
57 23 percent over the rates in effect on June 30, 1999.

57 24 b. For the fiscal year beginning July 1, 1999, the  
57 25 dispensing fee for pharmacists shall be increased by 2 percent  
57 26 over the rate in effect on June 30, 1999. The reimbursement  
57 27 policy for drug product costs shall be in accordance with  
57 28 federal requirements.

57 29 c. For the fiscal year beginning July 1, 1999,  
57 30 reimbursement rates for inpatient and outpatient hospital  
57 31 services shall be increased by 2 percent over the rates in  
57 32 effect on June 30, 1999. The department shall continue the  
57 33 outpatient hospital reimbursement system based upon ambulatory  
57 34 patient groups implemented pursuant to 1994 Iowa Acts, chapter  
57 35 1186, section 25, subsection 1, paragraph "f". In addition,  
58 1 the department shall continue the revised medical assistance  
58 2 payment policy implemented pursuant to that paragraph to  
58 3 provide reimbursement for costs of screening and treatment  
58 4 provided in the hospital emergency room if made pursuant to

58 5 the prospective payment methodology developed by the  
58 6 department for the payment of outpatient services provided  
58 7 under the medical assistance program.

58 8 d. Reimbursement rates for rural health clinics, hospices,  
58 9 and acute mental hospitals shall be increased in accordance  
58 10 with increases under the federal Medicare program or as  
58 11 supported by their Medicare audited costs.

58 12 e. Reimbursement rates for home health agencies shall be  
58 13 limited to a 2 percent increase over the rate in effect on  
58 14 June 30, 1999.

58 15 f. Federally qualified health centers shall receive cost-  
58 16 based reimbursement for 100 percent of the reasonable costs  
58 17 for the provision of services to recipients of medical  
58 18 assistance.

58 19 g. Beginning July 1, 1999, the reimbursement for dental  
58 20 services shall be increased by 2 percent over the rates in  
58 21 effect on June 30, 1999.

58 22 h. Beginning July 1, 1999, the reimbursement rate for  
58 23 community mental health centers shall be increased by 5  
58 24 percent over the rates in effect on June 30, 1999.

58 25 i. For the fiscal year beginning July 1, 1999, unless  
58 26 otherwise specified in this Act, all noninstitutional medical  
58 27 assistance provider reimbursements shall be increased by 2  
58 28 percent over the rates in effect on June 30, 1999.

58 29 2. a. The basis for establishing the maximum medical  
58 30 assistance reimbursement rate for nursing facilities shall be  
58 31 the 70th percentile of facility costs as calculated from the  
58 32 June 30, 1999, unaudited compilation of cost and statistical  
58 33 data submitted by each facility on medical assistance cost  
58 34 reports. A facility which does not have a current cost report  
58 35 on file with the department as of June 30, 1999, shall  
59 1 continue to receive the per diem rate in effect for that  
59 2 facility on June 30, 1999, until the facility's costs are  
59 3 above that rate or until June 30, 2000, whichever is earlier.  
59 4 A facility shall submit semiannual cost reports beginning July  
59 5 1, 1999, or after, based on the closing date of the facility's  
59 6 fiscal year.

59 7 b. To the extent funds are available within the amount  
59 8 projected for reimbursement of nursing facilities within the  
59 9 appropriation for medical assistance in this Act for the  
59 10 fiscal year beginning July 1, 1999, and within the  
59 11 appropriation for medical assistance as a whole for the fiscal  
59 12 year beginning July 1, 1999, the department shall adjust the  
59 13 maximum medical assistance reimbursement for nursing  
59 14 facilities to the 70th percentile, as calculated from the  
59 15 December 31, 1999, unaudited compilation of cost and  
59 16 statistical data for only those nursing facilities which  
59 17 provide additional written documentation in a cost report  
59 18 which demonstrates increased expenditures for direct care in  
59 19 the form of wages during a cost reporting period in that  
59 20 fiscal year. In order to be eligible for the increased  
59 21 reimbursement, a nursing facility must submit the cost report  
59 22 with the additional documentation by June 30, 2000. To the  
59 23 extent possible, the additional written documentation shall be  
59 24 obtained from the expanded cost report information submitted  
59 25 by nursing facilities in accordance with paragraph "c". Any  
59 26 adjustment shall take effect January 1, 2000.

59 27 c. The department of human services shall adopt emergency  
59 28 rules requiring all nursing facilities to submit a medical  
59 29 assistance cost report on or after July 1, 1999, that  
59 30 incorporates the additional documentation specified in this  
59 31 lettered paragraph. Initially, the additional documentation  
59 32 shall provide baseline information by describing the status of  
59 33 the facility with reference to the information requested as of  
59 34 July 1, 1999, and subsequently the additional documentation  
59 35 shall describe the status of the facility for the period of  
60 1 the cost report. The additional documentation to be

60 2 incorporated in the cost reports shall include all of the  
60 3 following information:

60 4 (1) Information concerning staffing costs including the  
60 5 number of hours of care provided per resident per day on all  
60 6 of the following: nursing services provided by registered  
60 7 nurses, licensed practical nurses, certified nurse aides,  
60 8 restorative aides, certified medication aides, and contracted  
60 9 nursing services; other care services; administrative  
60 10 functions; housekeeping and maintenance; and dietary services.

60 11 (2) The starting and average hourly wage for each class of  
60 12 employees.

60 13 d. The information submitted under paragraph "c" shall be  
60 14 compiled by the department and provided to the general  
60 15 assembly and any legislative committee designated to consider  
60 16 human services reimbursement rates and methodologies.

60 17 3. For the fiscal year beginning July 1, 1999, the maximum  
60 18 cost reimbursement rate for residential care facilities  
60 19 reimbursed by the department shall not be less than \$23.83 per  
60 20 day for the time period of July 1, 1999, through December 31,  
60 21 1999, and shall not be less than \$24.26 per day for the time  
60 22 period of January 1, 2000, through June 30, 2000. The flat  
60 23 reimbursement rate for facilities electing not to file  
60 24 semiannual cost reports shall not be less than \$17.05 per day  
60 25 for the time period of July 1, 1999, through December 31,  
60 26 1999, and shall not be less than \$17.36 per day for the time  
60 27 period of January 1, 2000, through June 30, 2000. For the  
60 28 fiscal year beginning July 1, 1999, the maximum reimbursement  
60 29 rate for providers reimbursed under the in-home health-related  
60 30 care program shall not be less than \$458.20 per month for the  
60 31 time period of July 1, 1999, through December 31, 1999, and  
60 32 shall not be less than \$466.49 per month for the time period  
60 33 of January 1, 2000, through June 30, 2000.

60 34 4. Unless otherwise directed in this section, when the  
60 35 department's reimbursement methodology for any provider  
61 1 reimbursed in accordance with this section includes an  
61 2 inflation factor, this factor shall not exceed the amount by  
61 3 which the consumer price index for all urban consumers  
61 4 increased during the calendar year ending December 31, 1998.

61 5 5. Notwithstanding section 234.38, in the fiscal year  
61 6 beginning July 1, 1999, the foster family basic daily  
61 7 maintenance rate and the maximum adoption subsidy rate for  
61 8 children ages 0 through 5 years shall be \$13.79, the rate for  
61 9 children ages 6 through 11 years shall be \$14.54, the rate for  
61 10 children ages 12 through 15 years shall be \$16.28, and the  
61 11 rate for children ages 16 and older shall be \$16.32.

61 12 6. For the fiscal year beginning July 1, 1999, the maximum  
61 13 reimbursement rates for adoption and independent living  
61 14 services shall be increased by 2 percent over the rates in  
61 15 effect on June 30, 1999. The maximum reimbursement rates for  
61 16 other social service providers shall be the same as the rates  
61 17 in effect on June 30, 1999. However, the rates may be  
61 18 adjusted under any of the following circumstances:

61 19 a. If a new service was added after June 30, 1999, the  
61 20 initial reimbursement rate for the service shall be based upon  
61 21 actual and allowable costs.

61 22 b. If a social service provider loses a source of income  
61 23 used to determine the reimbursement rate for the provider, the  
61 24 provider's reimbursement rate may be adjusted to reflect the  
61 25 loss of income, provided that the lost income was used to  
61 26 support actual and allowable costs of a service purchased  
61 27 under a purchase of service contract.

61 28 c. The department revises the reimbursement rates as part  
61 29 of the changes in the mental health and developmental  
61 30 disabilities services system initiated pursuant to 1995 Iowa  
61 31 Acts, chapter 206, and associated legislation.

61 32 7. The group foster care reimbursement rates paid for  
61 33 placement of children out-of-state shall be calculated



61 34 according to the same rate-setting principles as those used  
61 35 for in-state providers unless the director determines that  
62 1 appropriate care cannot be provided within the state. The  
62 2 payment of the daily rate shall be based on the number of days  
62 3 in the calendar month in which service is provided.

62 4 8. Of the moneys appropriated in this Act for child and  
62 5 family services, \$2,652,296 is allocated to provide for a  
62 6 reimbursement increase to rehabilitative treatment and support  
62 7 services providers effective July 1, 1999.

62 8 9. For the fiscal year beginning July 1, 1999, the  
62 9 combined service and maintenance components of the  
62 10 reimbursement rate paid to a shelter care provider shall be  
62 11 based on the cost report submitted to the department. The  
62 12 maximum reimbursement rate shall be \$79.70 per day. If the  
62 13 department would reimburse the provider at less than the  
62 14 maximum rate but the provider's cost report justifies a rate  
62 15 of at least \$79.70, the department shall readjust the  
62 16 provider's reimbursement rate to the maximum reimbursement  
62 17 rate.

62 18 10. For the fiscal year beginning July 1, 1999, the  
62 19 department shall calculate reimbursement rates for  
62 20 intermediate care facilities for persons with mental  
62 21 retardation at the 80th percentile.

62 22 11. For the fiscal year beginning July 1, 1999, for child  
62 23 day care providers, the department shall set provider  
62 24 reimbursement rates based on the rate reimbursement survey  
62 25 completed in December 1996. The department shall set rates in  
62 26 a manner so as to provide incentives for a nonregistered  
62 27 provider to become registered.

62 28 12. Effective July 1, 1999, the maximum reimbursement rate  
62 29 for psychiatric medical institutions for children (PMICs)  
62 30 shall be increased to \$145.74 per day, based on per day rates  
62 31 for actual costs on June 30, 1999.

62 32 13. The department may adopt emergency rules to implement  
62 33 this section.

62 34 Sec. 34. STATE-COUNTY ASSISTANCE TEAM FULL-TIME  
62 35 EQUIVALENT POSITIONS. Of the full-time equivalent positions  
63 1 authorized in this Act for the state-county assistance team,  
63 2 1.00 FTE shall work with the state-county management  
63 3 committee, 1.00 FTE shall work with the county single entry  
63 4 point process or coordinators, and 4.00 FTEs shall provide  
63 5 technical assistance for community empowerment areas.

63 6 Sec. 35. MOTOR VEHICLE LICENSE REINSTATEMENT PENALTY  
63 7 DEPOSIT AND APPROPRIATION. Notwithstanding the deposit  
63 8 provisions of sections 321.218A and 321A.32A, moneys collected  
63 9 during the fiscal year beginning July 1, 1999, and ending June  
63 10 30, 2000, by the state department of transportation pursuant  
63 11 to those sections shall be deposited to the credit of the  
63 12 department of human services for the fiscal year beginning  
63 13 July 1, 1999, and ending June 30, 2000, and are appropriated  
63 14 as follows:

63 15 For the establishment, improvement, operation, and  
63 16 maintenance of county or multicounty juvenile detention homes.  
63 17 Moneys appropriated in this section shall be allocated among  
63 18 eligible detention homes, prorated on the basis of an eligible  
63 19 detention home's proportion of the costs of all eligible  
63 20 detention homes in the current fiscal year. Notwithstanding  
63 21 section 232.142, subsection 3, the financial aid payable by  
63 22 the state under that provision for the fiscal year beginning  
63 23 July 1, 1999, shall be limited to the amount appropriated in  
63 24 this subsection.

63 25 Sec. 36. 1998 Iowa Acts, chapter 1218, section 33, is  
63 26 amended by striking the section and inserting in lieu thereof  
63 27 the following:

63 28 SEC. 33. DEPARTMENT OF HUMAN SERVICES MOTOR VEHICLE  
63 29 LICENSE REINSTATEMENT PENALTY DEPOSIT AND APPROPRIATION.  
63 30 Notwithstanding the deposit provisions of sections 321.218A

63 31 and 321A.32A, the moneys collected during the fiscal year  
63 32 beginning July 1, 1998, and ending June 30, 1999, by the state  
63 33 department of transportation pursuant to those sections shall  
63 34 be deposited to the credit of the department of human services  
63 35 for the fiscal year beginning July 1, 1998, and ending June  
64 1 30, 1999, and are appropriated as follows:

64 2 For the establishment, improvement, operation, and  
64 3 maintenance of county or multicounty juvenile detention homes.

64 4 Moneys appropriated in this section shall be allocated  
64 5 among eligible detention homes, prorated on the basis of an  
64 6 eligible detention home's proportion of the costs of all  
64 7 eligible detention homes in the previous fiscal year.

64 8 Notwithstanding section 232.142, subsection 3, the financial  
64 9 aid payable by the state under that provision for the fiscal  
64 10 year beginning July 1, 1998, shall be limited to the amount  
64 11 appropriated in this section.

64 12 Sec. 37. STATE INSTITUTIONS COOPERATIVE EFFORTS.

64 13 1. If a state institution administered by the department  
64 14 of human services is to be closed or reduced in size, prior to  
64 15 the closing or reduction the department shall initiate and  
64 16 coordinate efforts in cooperation with the Iowa department of  
64 17 economic development to develop new jobs in the area in which  
64 18 the state institution is located. In addition, the department  
64 19 may take other actions to utilize any closed unit or other  
64 20 facilities and services of an institution, including but not  
64 21 limited to assisting public or private organizations in  
64 22 utilizing the services and facilities. The actions may also  
64 23 include assisting an organization with remodeling and lease  
64 24 costs by forgiving future rental or lease payments to the  
64 25 extent necessary for a period not to exceed five years. The  
64 26 department of human services and the department of economic  
64 27 development shall submit a joint report to the chairpersons  
64 28 and ranking members of the joint appropriations subcommittee  
64 29 on human services on or before January 2, 2000, regarding any  
64 30 efforts made pursuant to this subsection.

64 31 2. For purposes of this section, "state institution" means  
64 32 a state mental health institute, a state hospital-school, the  
64 33 state training school, and the Iowa juvenile home under the  
64 34 authority of the department of human services listed in  
64 35 section 218.1.

65 1 Sec. 38. TRANSFER AUTHORITY. Subject to the provisions of  
65 2 section 8.39, for the fiscal year beginning July 1, 1999, if  
65 3 necessary to meet federal maintenance of effort requirements  
65 4 or to transfer federal temporary assistance for needy families  
65 5 block grant funding to be used for purposes of the federal  
65 6 social services block grant, the department of human services  
65 7 may transfer between any of the appropriations made in this  
65 8 Act and appropriations in law for the federal social services  
65 9 block grant to the department for the following purposes,  
65 10 provided that the combined amount of state and federal  
65 11 temporary assistance for needy families block grant funding  
65 12 for each appropriation remains the same before and after the  
65 13 transfer:

65 14 1. For the family investment program.

65 15 2. For emergency assistance.

65 16 3. For child day care assistance.

65 17 4. For child and family services.

65 18 5. For field operations.

65 19 6. For general administration.

65 20 7. MH/MR/DD/BI community services (local purchase).

65 21 This section shall not be construed to prohibit existing  
65 22 state transfer authority for other purposes.

65 23 Sec. 39. FRAUD AND RECOUPMENT ACTIVITIES. During the  
65 24 fiscal year beginning July 1, 1999, notwithstanding the  
65 25 restrictions in section 239B.11, the department of human  
65 26 services may expend recovered moneys generated through fraud  
65 27 and recoupment activities for additional fraud and recoupment

65 28 activities performed by the department of human services or  
65 29 the department of inspections and appeals, and may add not  
65 30 more than five full-time equivalent positions, in addition to  
65 31 those authorized in this Act, subject to both of the following  
65 32 conditions:

65 33 1. The director of human services or the director of  
65 34 inspections and appeals determines that the investment can  
65 35 reasonably be expected to increase recovery of assistance paid  
66 1 in error, due to fraudulent or nonfraudulent actions, in  
66 2 excess of the amount recovered in the fiscal year beginning  
66 3 July 1, 1997.

66 4 2. The amount expended for the additional fraud and  
66 5 recoupment activities shall not exceed the amount of the  
66 6 projected increase in assistance recovered.

66 7 Sec. 40. 1998 Iowa Acts, chapter 1218, section 5,  
66 8 subsection 4, is amended to read as follows:

66 9 4. Of the child support collections assigned under the  
66 10 family investment program, an amount equal to the federal  
66 11 share of support collections shall be credited to the child  
66 12 support recovery appropriation. The remainder of the assigned  
66 13 child support collections

~~and the state share of incentives~~

66 14 received by the child support recovery unit shall be credited  
66 15 to the family investment program account. The appropriation  
66 16 in this Act from the general fund of the state to the  
66 17 department for child support recovery for the fiscal year is  
66 18 reduced by an amount equal to the state share of incentives  
66 19 received by the child support recovery unit and a like amount  
66 20 is added to the appropriation in this Act from the general  
66 21 fund of the state to the department for the family investment  
66 22 program.

66 23 Sec. 41. FINANCIAL ASSISTANCE SERVICES.

66 24 1. For purposes of this section, "financial assistance  
66 25 services" means services or other assistance provided under  
66 26 one or more of the following programs administered by the  
66 27 department of human services: family investment program,  
66 28 PROMISE JOBS program, medical assistance program, food stamp  
66 29 program, state child care assistance program, refugee cash  
66 30 assistance program, emergency assistance program, and child  
66 31 support recovery program.

66 32 2. During the fiscal year beginning July 1, 1999, and  
66 33 ending June 30, 2000, the department of human services may  
66 34 continue to conduct a pilot program or pilot programs for  
66 35 provisions of financial assistance services.

67 1 3. Any pilot program conducted in accordance with this  
67 2 section shall be designed to meet one or more of the following  
67 3 financial assistance services goals:

67 4 a. A reduction in paperwork for applicants and recipients  
67 5 of services, or staff, or both.

67 6 b. Streamlining or expediting the eligibility  
67 7 determination process, to decrease the length of time it takes  
67 8 to inform applicants for financial assistance services as to  
67 9 the disposition of their request for the services.

67 10 c. Streamlining or expediting the referral process for  
67 11 family investment program applicants and recipients to other  
67 12 financial assistance services such as PROMISE JOBS or child  
67 13 support recovery, so that referrals can be initiated in a more  
67 14 timely manner in order to help move applicants and recipients  
67 15 more quickly to economic self-sufficiency or toward reduced  
67 16 reliance on government assistance.

67 17 d. Improved coordination of the management of financial  
67 18 assistance services as applicants for and recipients of the  
67 19 services work toward economic self-sufficiency.

67 20 e. Identification of policies, procedures, and practices  
67 21 that could be altered or eliminated without materially

67 22 affecting the desired results for the family assistance  
67 23 services.

67 24 4. Any pilot program conducted in accordance with this  
67 25 section is subject to the following limitations and  
67 26 parameters:

67 27 a. Notwithstanding any administrative rule, that is not  
67 28 based in federal law, the department may alter policies,  
67 29 procedures, and practices to waive the administrative rule,  
67 30 that are based in state law, provided that the alterations do  
67 31 not decrease an applicant's or recipient's choice of, or  
67 32 ability to obtain, financial assistance services from the  
67 33 department in comparison with the financial assistance  
67 34 services that would otherwise be available. The department  
67 35 may operate one or more pilot projects under this paragraph,  
68 1 in not more than eight counties.

68 2 b. If the department obtains a waiver of federal law or  
68 3 regulation, the department may alter policies, procedures, and  
68 4 practices that are based in federal law, provided that the  
68 5 alterations do not decrease an applicant's or recipient's  
68 6 choice of, or ability to obtain, financial assistance services  
68 7 from the department in comparison with the financial  
68 8 assistance services that would otherwise be available. The  
68 9 department may operate one or more projects under this  
68 10 paragraph, in not more than eight counties.

68 11 c. In order to facilitate rapid implementation, except as  
68 12 provided in paragraph "d", any pilot program authorized under  
68 13 this section is exempt from the rulemaking procedures and  
68 14 rulemaking requirements of chapter 17A. However, following  
68 15 development of the pilot program, the department shall provide  
68 16 a list of the laws or rules being waived to the chairpersons  
68 17 and ranking members of the joint appropriations subcommittee  
68 18 on human services, the administrative rules review committee,  
68 19 the administrative rules coordinator, the legislative fiscal  
68 20 bureau, and the legislative service bureau. In implementing a  
68 21 pilot program under this section, the department shall take  
68 22 steps to make applicants and recipients of services aware of  
68 23 their choices, expectations, rights, and responsibilities.

68 24 d. The department shall adopt emergency rules establishing  
68 25 a framework for the pilot projects implemented under this  
68 26 section. The rules shall identify the participating counties,  
68 27 the maximum duration of each pilot project, and generally  
68 28 describe the scope and nature of each pilot project. Within  
68 29 this framework, the department retains broad discretion to  
68 30 revise a pilot project without further rulemaking describing  
68 31 the revision.

68 32 Sec. 42. REVIEW OF HUMAN SERVICES PROVIDER REIMBURSEMENTS  
68 33 AND ADMINISTRATIVE RULES. The legislative council is  
68 34 requested to authorize the following concerning the department  
68 35 of human services:

69 1 1. Establishment of a task force to review the  
69 2 methodologies and distribution mechanisms used to reimburse  
69 3 providers of medical assistance, state supplementary  
69 4 assistance, social services, and other services funded in the  
69 5 department's budget. The task force should be directed to  
69 6 consider the findings of previous studies; options for funding  
69 7 of services appropriate to individual needs; options for  
69 8 implementation of the resource-based relative value system  
69 9 methodology to determine medical provider reimbursement under  
69 10 the medical assistance program; implementation of waivers,  
69 11 state plan changes, and other approaches allowed by the  
69 12 federal government; options for using tobacco settlement  
69 13 moneys; the option of resource-based reimbursement; review of  
69 14 nursing facility cost reports, including additional written  
69 15 documentation, compiled by the department of human services  
69 16 and submitted pursuant to requirements in the reimbursement  
69 17 section of this Act; and other approaches for improving  
69 18 reimbursement equity between providers and in the amounts

69 19 reimbursed.

69 20 2. An independent review of the department's  
69 21 administrative rules and their impact upon services and staff,  
69 22 with support from foundation or other private funding.

69 23 Sec. 43. SERVICES FOR PERSONS WITH BRAIN INJURY AND  
69 24 PERSONS WITH AUTISM. The state-county management committee  
69 25 shall review the statewide availability of services and  
69 26 funding for persons with brain injury and for persons with  
69 27 autism compared to the availability of mental health and  
69 28 developmental disability services. In addition, the committee  
69 29 shall review current approaches for meeting the needs of  
69 30 persons with mental retardation who are aging, to identify  
69 31 possible improvements. The committee shall make findings and  
69 32 recommendations for actions which may be taken to  
69 33 appropriately address the needs of persons with such  
69 34 disabilities. The findings and recommendations shall be  
69 35 included in the committee's annual report to be submitted by  
70 1 January 1, 2000.

70 2 Sec. 44. HUMAN SERVICES RESTRUCTURING. The legislative  
70 3 council is requested to authorize a human services  
70 4 restructuring task force to consider existing and proposed  
70 5 initiatives for improving the provision of human services and  
70 6 other public services. If created, the task force should be  
70 7 directed to review the community empowerment initiative; the  
70 8 county management provisions for mental health, mental  
70 9 retardation, and developmental disabilities services, referred  
70 10 to as Senate File 69 and the adult mental health and  
70 11 developmental disabilities funding decategorization; child  
70 12 welfare funding decategorization and the service bundling  
70 13 proposal developed by the legislative council's child welfare  
70 14 work group; and other proposals for improving local management  
70 15 of essential public services. The task force should be  
70 16 directed to report its findings and recommendations to the  
70 17 persons in this Act designated for receipt of reports prior to  
70 18 the convening of the general assembly in the year 2000.

70 19 Sec. 45. CHILD PROTECTION EVALUATION. Notwithstanding the  
70 20 requirements of 1997 Iowa Acts, chapter 176, section 23, the  
70 21 independent evaluation of the child protection system shall be  
70 22 completed in the fiscal year which begins July 1, 2000.

70 23 Sec. 46. ADOPTION SPECIAL SERVICES FOSTER CHILD. The  
70 24 department shall review and shall submit recommendations by  
70 25 December 15, 1999, to the general assembly regarding all of  
70 26 the following:

70 27 1. The addition of respite care to the category of special  
70 28 services provided to a child with physical or mental  
70 29 disabilities or an older or otherwise hard-to-place child who  
70 30 is adopted. The review and recommendations shall include an  
70 31 estimate of the cost of the addition and possible funding  
70 32 sources.

70 33 2. The continuation of special services to a foster child  
70 34 following the filing of an adoption petition and for a  
70 35 reasonable time following issuance of an adoption decree  
71 1 relating to the child. The reasonable time may be limited to  
71 2 not less than twenty days following issuance of the adoption  
71 3 decree to allow the adoptive parents to provide documentation  
71 4 of efforts to obtain special services free of cost or under  
71 5 the adoptive parent's insurance policy. The review and  
71 6 recommendations shall include an estimate of the cost of such  
71 7 continuation and possible funding sources.

71 8 Sec. 47. EMERGENCY RULES. If specifically authorized by a  
71 9 provision of this Act, the department of human services or the  
71 10 mental health and developmental disabilities commission may  
71 11 adopt administrative rules under section 17A.4, subsection 2,  
71 12 and section 17A.5, subsection 2, paragraph "b", to implement  
71 13 the provisions and the rules shall become effective  
71 14 immediately upon filing, unless the effective date is delayed  
71 15 by the administrative rules review committee, notwithstanding

71 16 section 17A.4, subsection 5, and section 17A.8, subsection 9,  
71 17 or a later effective date is specified in the rules. Any  
71 18 rules adopted in accordance with this section shall not take  
71 19 effect before the rules are reviewed by the administrative  
71 20 rules review committee. Any rules adopted in accordance with  
71 21 the provisions of this section shall also be published as  
71 22 notice of intended action as provided in section 17A.4.

71 23 Sec. 48. REPORTS. Any reports or information required to  
71 24 be compiled and submitted under this Act shall be submitted to  
71 25 the chairpersons and ranking members of the joint  
71 26 appropriations subcommittee on human services, the legislative  
71 27 fiscal bureau, the legislative service bureau, and to the  
71 28 caucus staffs on or before the dates specified for submission  
71 29 of the reports or information.

71 30 DIVISION II

71 31 Sec. 49. NEW SECTION. 237A.30 HIGH QUALITY CHILD DAY  
71 32 CARE PROVIDERS.

71 33 1. The department shall accept nationally recognized  
71 34 accreditations in identifying and listing high quality child  
71 35 day care providers. Any registered family or group home or  
72 1 licensed child day care provider in this state that is  
72 2 accredited in good standing by the national association for  
72 3 the education of young children or the national association  
72 4 for family child care shall be included in the listing.

72 5 2. Providers included in the listing which remain in good  
72 6 standing with the accrediting body and with state regulation  
72 7 shall be designated as a gold seal quality child day care  
72 8 provider. Any provider included in the listing may publicly  
72 9 utilize the designation as a gold seal quality child day care  
72 10 provider. Child day care resource and referral services shall  
72 11 be encouraged to make use of the providers holding this  
72 12 designation as a resource in quality improvement efforts and  
72 13 to identify these providers in making referrals to the public.

72 14 3. Holders of the gold seal quality designation shall be  
72 15 recognized annually in April during the week of national  
72 16 recognition of young children. A recognition event shall be  
72 17 hosted during that week by a committee which may include but  
72 18 is not limited to the governor, legislative leaders,  
72 19 department staff and other child care experts, and the  
72 20 chairpersons and ranking members of the legislative committees  
72 21 involved with regulation or funding of child day care.

72 22 4. Subject to the availability of funding, an eligible  
72 23 holder of the gold seal quality designation receiving an  
72 24 initial or renewal national accreditation may receive a one-  
72 25 time cash award in the year of initial or renewal  
72 26 accreditation on or after July 1, 1999. Holders of the  
72 27 designation who received funding assistance to obtain the  
72 28 initial or renewal national accreditation under a grant  
72 29 administered by the child development coordinating council or  
72 30 as part of being a federal head start program are not eligible  
72 31 for the cash award. Eligible holders of the designation may  
72 32 receive a cash award of two hundred fifty dollars for  
72 33 registered family and group day care home providers and five  
72 34 hundred dollars for licensed centers.

72 35 Sec. 50. Section [249A.3](#), Code 1999, is amended by adding  
73 1 the following new subsection:

73 2 NEW SUBSECTION. 5A. In determining eligibility for  
73 3 children under subsection 1, paragraphs "b", "f", "g", "j",  
73 4 "k", "n", and "s"; subsection 2, paragraphs "a", "c", "d",  
73 5 "f", and "g"; and subsection 5, paragraph "b", all resources  
73 6 of the family, other than monthly income, shall be  
73 7 disregarded.

73 8 Sec. 51. Section [249A.18](#), Code 1999, is amended to read as  
73 9 follows:

73 10 249A.18 COST-BASED REIMBURSEMENT RURAL HEALTH CLINICS  
73 11 AND FEDERALLY QUALIFIED HEALTH

~~CLINICS~~

~~CENTERS.~~

73 12 Rural health clinics and federally qualified health

~~clinics~~

73 13 centers shall receive cost-based reimbursement for one hundred  
73 14 percent of the reasonable costs for the provision of services  
73 15 to recipients of medical assistance

~~, subject to limitations~~

73 16

~~and exclusions based on federal law and regulations as~~

73 17

~~determined by the director~~

73 18 Sec. 52. NEW SECTION. 514I.11 HAWK-I TRUST FUND.

73 19 1. A HAWK-I trust fund is created in the state treasury  
73 20 under the authority of the department of human services, in  
73 21 which all appropriations and other revenues of the program  
73 22 such as grants, contributions, and participant payments shall  
73 23 be deposited and used for the purposes of the program. The  
73 24 moneys in the fund shall not be considered revenue of the  
73 25 state, but rather shall be funds of the program.

73 26 2. The trust fund shall be separate from the general fund  
73 27 of the state and shall not be considered part of the general  
73 28 fund of the state. The moneys in the trust fund are not  
73 29 subject to section 8.33 and shall not be transferred, used,  
73 30 obligated, appropriated, or otherwise encumbered, except to  
73 31 provide for the purposes of this chapter. Notwithstanding  
73 32 section 12C.7, subsection 2, interest or earnings on moneys  
73 33 deposited in the trust fund shall be credited to the trust  
73 34 fund.

73 35

#### DIVISION III

74 1

#### MISCELLANEOUS PROVISIONS

74 2 Sec. 53. EFFECTIVE DATE. The following provisions of this  
74 3 Act, being deemed of immediate importance, take effect upon  
74 4 enactment:

74 5 1. Section 1, relating to the social services block grant  
74 6 supplementation.

74 7 2. Section 5, subsection 8, relating to the X-PERT  
74 8 computer system.

74 9 3. Section 6, subsection 2, relating to refunds of utility  
74 10 and rent deposits for emergency assistance recipients.

74 11 4. Section 7, subsection 10, relating to development of a  
74 12 county billing system.

74 13 5. Section 9, subsection 2, relating to reversion of  
74 14 appropriations for the healthy and well kids in Iowa program.

74 15 6. Section 10, subsection 4, relating to the reversion of  
74 16 moneys appropriated for medical contracts in 1998 Iowa Acts,  
74 17 chapter 1218, section 10.

74 18 7. Section 14, subsection 6, relating to reversion of  
74 19 moneys appropriated for the state training school at Eldora in  
74 20 1998 Iowa Acts, chapter 1218, section 14.

74 21 8. Section 15, subsection 2, paragraph "e", relating to  
74 22 requirements of section 232.143, for the 1999-2000 fiscal  
74 23 year.

74 24 9. Section 15, subsection 17, relating to determining  
74 25 allocation of court-ordered services funding.

74 26 10. Section 19, subsection 6, relating to fiscal year  
74 27 1998-1999 revenues at the state hospital-schools.

74 28 11. Section 31, providing a fiscal year 1998-1999  
74 29 appropriation for costs associated with treatment and

74 30 commitment of sexually violent predators.  
74 31 12. Section 36, amending 1998 Iowa Acts, chapter 1218,  
74 32 section 33.  
74 33 13. Section 40, amending 1998 Iowa Acts, chapter 1218,  
74 34 section 5.

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BRENT SIEGRIST  
Speaker of the House

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MARY E. KRAMER  
President of the Senate

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75 11 I hereby certify that this bill originated in the House and  
75 12 is known as House File 760, Seventy-eighth General Assembly.

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ELIZABETH ISAACSON  
Chief Clerk of the House

75 17

75 18 Approved \_\_\_\_\_, 1999

75 19

75 20

75 21 \_\_\_\_\_

75 22 THOMAS J. VILSACK

75 23 Governor