

House Study Bill 538

Bill Text

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1 1 Section 1. Section [10A.104](#), subsection 8, Code Supplement
1 2 1999, is amended to read as follows:
1 3 8. Establish by rule standards and procedures for
1 4 certifying that targeted small businesses are eligible to
1 5 participate in the procurement

~~set aside~~

- program established

1 6 in sections 73.15 through 73.21. The procedure for
1 7 determination of eligibility shall not include self-
1 8 certification by a business. Rules and guidelines adopted
1 9 pursuant to this subsection are subject to review and approval
1 10 by the director of the department of management. The director
1 11 shall maintain a current directory of targeted small
1 12 businesses which have been certified pursuant to this
1 13 subsection.

1 14 Sec. 2. Section [10A.106](#), Code Supplement 1999, is amended
1 15 to read as follows:

1 16 10A.106 DIVISIONS OF THE DEPARTMENT.

1 17 The department is comprised of the following divisions:

1 18 1. Administrative hearings division.

1 19 2. Audits division.

1 20 3. Investigations division.

1 21 4. Inspections division.

1 22 5. Health facilities division.

1 23 The allocation of departmental duties to the divisions of
1 24 the department in sections 10A.302, 10A.402,

~~and~~

- [10A.502](#),

1 25 [10A.702](#), and [10A.801](#) does not prohibit the director from
1 26 reallocating departmental duties within the department. The
1 27 director shall not reallocate any of the duties of the
1 28 division of administrative hearings, created by section
1 29 10A.801, to any other unit of the department.

1 30 Sec. 3. Section [10A.402](#), subsections 2, 3, 4, and 6, Code
1 31 1999, are amended by striking the subsections.

1 32 Sec. 4. Section [10A.502](#), Code 1999, is amended to read as
1 33 follows:

1 34 10A.502 RESPONSIBILITIES.

1 35 The administrator shall coordinate the division's conduct
2 1 of various inspections as otherwise provided for by law
2 2 including but not limited to the following:

2 3 1. Inspections

~~of land situated outside of the state which~~

-
2 4

~~is proposed for sale within the state~~

- and licensing procedures

2 5 related to social and charitable gambling pursuant to chapter
2 6 99B.

2 7 2. Inspections of food establishments, including
2 8 restaurants, hotels, food and beverage vending machines, state
2 9 educational, charitable, correctional, and penal institutions,

2 10 and sanitation inspections in any locality of the state upon
2 11 the written petition of five or more residents of a particular
2 12 locality.
2 13

~~3. Inspections and other licensing procedures relative to~~

~~2 14~~

~~the hospice program, hospitals, and health care facilities.~~

~~2 15~~

~~The division shall be the sole designated licensing authority~~

~~2 16~~

~~for these programs and facilities.~~

~~2 17~~

~~4. Inspections relative to hospital and health care~~

~~2 18~~

~~facility construction projects and licensing boards~~

~~2 19~~

~~established within the department of public health, except the~~

~~2 20~~

~~board of medical examiners, the board of pharmacy examiners,~~

~~2 21~~

~~the board of dental examiners, and the board of nursing.~~

~~2 22~~

~~5. Inspections of child foster care facilities and private~~

~~2 23~~

~~institutions for the care of dependent, neglected, and~~

~~2 24~~

~~delinquent children.~~

~~2 25~~

Article VII

~~2 26~~

HEALTH FACILITIES DIVISION

~~2 27~~

Sec. 5. NEW SECTION. 10A.701 DEFINITIONS.

~~2 28~~

As used in this article, unless the context otherwise

~~2 29~~

requires:

~~2 30~~

1. "Administrator" means the chief administrator who shall

~~2 31~~

coordinate the administration of this division.

~~2 32~~

2. "Division" means the health facilities division of the

~~2 33~~

department of inspections and appeals.

~~2 34~~

Sec. 6. NEW SECTION. 10A.702 RESPONSIBILITIES.

~~2 35~~

The administrator shall coordinate the division's conduct

~~3 1~~

of various inspections and investigations as otherwise

~~3 2~~

provided by law, including but not limited to, all of the

~~3 3~~

following:

~~3 4~~

1. Investigations relative to the standards and practices

~~3 5~~

of hospitals, hospices, birth centers, and health care

3 6 facilities.

3 7 2. Inspections and other licensing procedures relative to
3 8 the hospice program, hospitals, birth centers, and health care
3 9 facilities. The division is designated as the sole licensing
3 10 authority for these programs and facilities.

3 11 3. Inspections relative to hospital and health care
3 12 facility construction projects.

3 13 4. Inspections of child foster care facilities and private
3 14 institutions for the care of dependent, neglected, and
3 15 delinquent children.

3 16 EXPLANATION

3 17 This bill makes changes in the Code relative to the duties
3 18 of divisions within the department of inspections and appeals.

3 19 The amendment to Code section 10A.104 corrects a reference
3 20 to the targeted small business procurement goal program.

3 21 The amendment to Code section 10A.106 establishes the
3 22 health facilities division within the department of
3 23 inspections and appeals. The division currently exists under
3 24 the authority of the director of the department, but is not
3 25 codified. The bill establishes the duties of the division in
3 26 new Code section 10A.702, some of which are currently codified
3 27 as duties of the investigations and inspections divisions of
3 28 the department (eliminated as duties of these divisions in
3 29 this bill), but which are carried out by the health facilities
3 30 division including: investigations relative to standards and
3 31 practices of hospitals, hospices, birth centers, and health
3 32 care facilities; inspections and other licensing procedures
3 33 relative to the hospice program, hospitals, birth centers, and
3 34 health care facilities; inspections relative to hospital and
3 35 health care facility construction projects; and inspections of
4 1 child foster care facilities and private institutions for the
4 2 care of dependent, neglected, and delinquent children.

4 3 The amendment to Code section 10A.402 deletes
4 4 responsibilities that are not currently performed by the
4 5 investigations division, some of which are later codified in
4 6 the bill as duties of the health facilities division. The
4 7 duties eliminated include investigations relative to the
4 8 proposed sale within the state of subdivided land situated
4 9 outside of the state; investigations relative to applications
4 10 for beer and liquor permits; investigations pertaining to
4 11 standards and practices of hospitals, hospices, and health
4 12 care facilities; and investigations relative to the operations
4 13 of the department of elder affairs.

4 14 The amendment to Code section 10A.502 eliminates
4 15 responsibilities listed under the inspections division that
4 16 are not currently performed by that division, some of which
4 17 are later codified in the bill as duties of the health
4 18 facilities division. The bill eliminates as duties of the
4 19 inspections division, inspections of land situated outside of
4 20 Iowa which is proposed for sale within the state; inspections
4 21 and licensing procedures relative to hospices, hospitals, and
4 22 health care facilities; inspections relative to hospital and
4 23 health care facility construction projects and licensing
4 24 boards established within the Iowa department of public
4 25 health, with some exceptions; and inspections of child foster
4 26 care facilities and private institutions for the care of
4 27 dependent, neglected, and delinquent children.

4 28 The bill adds as a duty of the inspections division the
4 29 current practice of inspections of and licensing procedures
4 30 related to social and charitable gambling pursuant to Code
4 31 chapter 99B.

4 32 LSB 5371DP 78

4 33 pf/as/5.2