

HSB 253

APPROPRIATIONS

SF/1/2/79

SENATE/HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY JOINT
APPROPRIATIONS SUBCOMMITTEE ON
HEALTH AND HUMAN RIGHTS)

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

A BILL FOR

1 An Act relating to and making appropriations to the department
2 for the blind, the Iowa state civil rights commission, the
3 department of elder affairs, the Iowa department of public
4 health, the department of human rights, the governor's office
5 of drug control policy, and the commission of veterans
6 affairs, and providing an effective date.

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

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7/1/02

1 Section 1. DEPARTMENT FOR THE BLIND. There is
2 appropriated from the general fund of the state to the
3 department for the blind for the fiscal year beginning July 1,
4 2001, and ending June 30, 2002, the following amount, or so
5 much thereof as is necessary, to be used for the purposes
6 designated:

7 For salaries, support, maintenance, miscellaneous purposes,
8 and for not more than the following full-time equivalent
9 positions:

10	\$	1,690,993
11	FTEs	106.50

12 Sec. 2. CIVIL RIGHTS COMMISSION. There is appropriated
13 from the general fund of the state to the Iowa state civil
14 rights commission for the fiscal year beginning July 1, 2001,
15 and ending June 30, 2002, the following amount, or so much
16 thereof as is necessary, to be used for the purposes
17 designated:

18 For salaries, support, maintenance, miscellaneous purposes,
19 and for not more than the following full-time equivalent
20 positions:

21	\$	1,082,743
22	FTEs	38.05

23 If the anticipated amount of federal funding from the
24 federal equal employment opportunity commission and the
25 federal department of housing and urban development exceeds
26 \$736,000 during the fiscal year beginning July 1, 2001, the
27 Iowa state civil rights commission may exceed the staffing
28 level authorized in this section to hire additional staff to
29 process or to support the processing of employment and housing
30 complaints during that fiscal year.

31 Sec. 3. DEPARTMENT OF ELDER AFFAIRS. There is
32 appropriated from the general fund of the state to the
33 department of elder affairs for the fiscal year beginning July
34 1, 2001, and ending June 30, 2002, the following amount, or so
35 much thereof as is necessary, to be used for the purposes

1 designated:

2 1. For aging programs for the department of elder affairs
3 and area agencies on aging to provide citizens of Iowa who are
4 over 60 years of age with case management for the frail
5 elderly, Alzheimer's support, retired senior volunteer
6 program, resident advocate committee coordination, employment,
7 and other services which may include, but are not limited to,
8 mental health outreach, adult day care, respite care, chore
9 services, telephone reassurance, information and assistance,
10 and home repair services, including the winterizing of homes,
11 and for the construction of entrance ramps which make
12 residences accessible to the physically handicapped, and for
13 salaries, support, administration, maintenance, miscellaneous
14 purposes, and for not more than the following full-time
15 equivalent positions with the department of elder affairs:

16	\$	4,473,611
17	FTEs	30.00

18 a. Funds appropriated in this subsection may be used to
19 supplement federal funds under federal regulations. To
20 receive funds appropriated in this subsection, a local area
21 agency on aging shall match the funds with moneys from other
22 sources according to rules adopted by the department. Funds
23 appropriated in this subsection may be used for elderly
24 services not specifically enumerated in this subsection only
25 if approved by an area agency on aging for provision of the
26 service within the area.

27 b. It is the intent of the general assembly that the Iowa
28 chapters of the Alzheimer's association and the case
29 management program for the frail elderly shall collaborate and
30 cooperate fully to assist families in maintaining family
31 members with Alzheimer's disease in the community for the
32 longest period of time possible.

33 c. The department shall maintain policies and procedures
34 regarding Alzheimer's support and the retired senior volunteer
35 program.

1 2. The department may grant an exception for a limited
2 period of time, determined by the department to be reasonable,
3 to allow for compliance by persons regulated by the department
4 or applicants for assisted living certification with any part
5 of chapter 104A relative to buildings in existence on July 1,
6 1998. The determination of the period of time allowed for
7 compliance shall be commensurate with the anticipated
8 magnitude of expenditure, disruption of services, and the
9 degree of hazard presented. The department shall also be
10 authorized to modify the accessibility requirements otherwise
11 applicable to such applicants for buildings in existence on
12 July 1, 1998, if the department determines that compliance
13 with the requirements would be unreasonable, but only if it is
14 determined that noncompliance with the requirements would not
15 present an unreasonable degree of danger.

16 Sec. 4. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. There
17 is appropriated from the general fund of the state to the
18 governor's office of drug control policy for the fiscal year
19 beginning July 1, 2001, and ending June 30, 2002, the
20 following amount, or so much thereof as is necessary, to be
21 used for the purpose designated:

22 For salaries, support, maintenance, miscellaneous purposes
23 including statewide coordination of the drug abuse resistance
24 education (D.A.R.E.) program, and for not more than the
25 following full-time equivalent positions:

26	\$	487,759
27	FTEs	13.00

28 Sec. 5. DEPARTMENT OF PUBLIC HEALTH. There is
29 appropriated from the general fund of the state to the Iowa
30 department of public health for the fiscal year beginning July
31 1, 2001, and ending June 30, 2002, the following amounts, or
32 so much thereof as is necessary, to be used for the purposes
33 designated:

34 1. ADDICTIVE DISORDERS

35 For reducing the prevalence of use of tobacco, alcohol, and

1 other drugs, and treating individuals affected by addictive
2 behaviors, including gambling, and for not more than the
3 following full-time equivalent positions:

4 \$ 1,492,239
5 FTEs 13.65

6 a. The department shall continue to coordinate with
7 substance abuse treatment and prevention providers regardless
8 of funding source to assure the delivery of substance abuse
9 treatment and prevention programs.

10 b. The commission on substance abuse, in conjunction with
11 the department, shall continue to coordinate the delivery of
12 substance abuse services involving prevention, social and
13 medical detoxification, and other treatment by medical and
14 nonmedical providers to uninsured and court-ordered substance
15 abuse patients in all counties of the state.

16 2. ADULT WELLNESS

17 For maintaining or improving the health status of adults,
18 with target populations between the ages of 18 through 60, and
19 for not more than the following full-time equivalent
20 positions:

21 \$ 567,197
22 FTEs 21.99

23 3. CHILD AND ADOLESCENT WELLNESS

24 For promoting the optimum health status for children and
25 adolescents from birth through 21 years of age, and for not
26 more than the following full-time equivalent positions:

27 \$ 1,256,538
28 FTEs 48.53

29 4. CHRONIC CONDITIONS

30 For serving individuals identified as having chronic
31 conditions or special health care needs, and for not more than
32 the following full-time equivalent positions:

33 \$ 1,627,510
34 FTEs 8.58

35 5. COMMUNITY CAPACITY

1 For strengthening the health care delivery system at the
2 local level, and for not more than the following full-time
3 equivalent positions:

4 \$ 1,464,710
5 FTEs 23.70

6 6. ELDERLY WELLNESS

7 For optimizing the health of persons 60 years of age and
8 older, and for not more than the following full-time
9 equivalent positions:

10 \$ 10,602,737
11 FTEs 0.80

12 7. ENVIRONMENTAL HAZARDS

13 For reducing the public's exposure to hazards in the
14 environment, primarily chemical hazards, and for not more than
15 the following full-time equivalent positions:

16 \$ 166,234
17 FTEs 8.00

18 8. INFECTIOUS DISEASES

19 For reducing the incidence and prevalence of communicable
20 diseases, and for not more than the following full-time
21 equivalent positions:

22 \$ 1,209,818
23 FTEs 34.30

24 9. INJURIES

25 For providing support and protection to victims of abuse or
26 injury, or programs that are designed to prevent abuse or
27 injury, and for not more than the following full-time
28 equivalent positions:

29 \$ 1,653,331
30 FTEs 7.95

31 10. PUBLIC PROTECTION

32 For protecting the health and safety of the public through
33 establishing standards and enforcing regulations, and for not
34 more than the following full-time equivalent positions:

35 \$ 6,923,647

1 FTEs 136.77

2 a. The department may expend funds received from licensing
3 fees in addition to amounts appropriated in this subsection,
4 if those additional expenditures are directly the result of a
5 scope of practice review committee or unanticipated litigation
6 costs arising from the discharge of an examining board's
7 regulatory duties. Before the department expends or encumbers
8 funds for a scope of practice review committee or an amount in
9 excess of the funds budgeted for an examining board, the
10 director of the department of management shall approve the
11 expenditure or encumbrance. The amounts necessary to fund any
12 unanticipated litigation or scope of practice review committee
13 expense in the fiscal year beginning July 1, 2001, shall not
14 exceed 5 percent of the average annual fees generated by the
15 boards for the previous two fiscal years.

16 b. For the fiscal year beginning July 1, 2001, the
17 department shall retain fees collected from the certification
18 of lead inspectors and lead abaters pursuant to section
19 135.105A to support the certification program; and shall
20 retain fees collected from the licensing, registration,
21 authorization, accreditation, and inspection of x-ray machines
22 used for mammographically guided breast biopsy, screening, and
23 diagnostic mammography, pursuant to section 136C.10 to support
24 the administration of the chapter. The department may also
25 retain fees collected pursuant to section 136C.10 on all
26 shippers of radioactive material waste containers transported
27 across Iowa if the department does not obtain funding to
28 support the oversight and regulation of this activity, and for
29 x-ray radiology examination fees collected by the department
30 and reimbursed to a private organization conducting the
31 examination. For the fiscal year beginning July 1, 2001, the
32 department shall also retain any new or increased fees
33 implemented by the department pursuant to legislation enacted
34 by the general assembly in 2001 for activities not otherwise
35 funded by amounts appropriated in this section. Fees retained

1 by the department pursuant to this lettered paragraph are
2 appropriated to the department for the purposes specified in
3 this lettered paragraph.

4 c. The department may retain and expend not more than
5 \$263,458 for lease and maintenance expenses for the relocation
6 of licensure boards from the executive hills state office
7 building from fees collected pursuant to section 147.80 by the
8 board of dental examiners, the board of pharmacy examiners,
9 the board of medical examiners, and the board of nursing
10 examiners in the fiscal year beginning July 1, 2001, and
11 ending June 30, 2002. Fees retained by the department
12 pursuant to this lettered paragraph are appropriated to the
13 department for the purposes described in this lettered
14 paragraph.

15 d. The department may retain and expend not more than
16 \$100,000 for reduction of the number of days necessary to
17 process medical license requests and for reduction of the
18 number of days needed for consideration of malpractice cases
19 from fees collected pursuant to section 147.80 by the board of
20 medical examiners in the fiscal year beginning July 1, 2001,
21 and ending June 30, 2002. Fees retained by the department
22 pursuant to this lettered paragraph are appropriated to the
23 department for the purposes described in this lettered
24 paragraph.

25 e. If a person in the course of responding to an emergency
26 renders aid to an injured person and becomes exposed to bodily
27 fluids of the injured person, that emergency responder shall
28 be entitled to hepatitis testing and immunization in
29 accordance with the latest available medical technology to
30 determine if infection with hepatitis has occurred. The
31 person shall be entitled to reimbursement from the EMS funds
32 available under this subsection only if the reimbursement is
33 not available through any employer or third-party payor.

34 f. The board of dental examiners may retain and expend not
35 more than \$98,740 from revenues generated pursuant to section

1 147.80. Fees retained by the board pursuant to this lettered
2 paragraph are appropriated to the department to be used for
3 the purposes of regulating dental assistants.

4 g. The state board of medical examiners, the state board
5 of pharmacy examiners, the state board of dental examiners,
6 and the state board of nursing examiners shall prepare
7 estimates of projected receipts to be generated by the
8 licensing, certification, and examination fees of each board
9 as well as a projection of the fairly apportioned
10 administrative costs and rental expenses attributable to each
11 board. Each board shall annually review and adjust its
12 schedule of fees so that, as nearly as possible, projected
13 receipts equal projected costs.

14 h. The state board of medical examiners, the state board
15 of pharmacy examiners, the state board of dental examiners,
16 and the state board of nursing examiners shall retain their
17 individual executive officers, but are strongly encouraged to
18 share administrative, clerical, and investigative staffs to
19 the greatest extent possible.

20 i. For the period ending June 30, 2002, the state board of
21 medical examiners, the state board of pharmacy examiners, the
22 state board of dental examiners, and the state board of
23 podiatry examiners shall not sanction or otherwise take any
24 action against licensees who use an automatic dispensing
25 system for prescription drugs in the absence of a pharmacist
26 or practitioner that would otherwise be in violation of
27 section 147.107, subsection 2, and section 155A.33, provided
28 both of the following conditions are met:

- 29 (1) The licensee utilizes an internal quality control
30 assurance plan that ensures accuracy in dispensing.
- 31 (2) The licensee remains responsible for the verification
32 and accuracy of the automated dispensing system in accordance
33 with the standards adopted by the licensee's examining board.

34 It is the intent of the general assembly that the board of
35 medical examiners, the board of pharmacy examiners, the board

1 of dental examiners, and the board of podiatry examiners shall
2 meet to identify a statutory resolution of the issues raised
3 by the use of automated dispensing systems for prescription
4 drugs and submit their findings and legislative
5 recommendations to the governor and general assembly by
6 December 1, 2001.

7 11. RESOURCE MANAGEMENT

8 For establishing and sustaining the overall ability of the
9 department to deliver services to the public, and for not more
10 than the following full-time equivalent positions:

11	\$	1,260,179
12	FTEs	59.33

13 12. The state university of Iowa hospitals and clinics
14 under the control of the state board of regents shall not
15 receive indirect costs from the funds appropriated in this
16 section.

17 13. A local health care provider or nonprofit health care
18 organization seeking grant moneys administered by the Iowa
19 department of public health shall provide documentation that
20 the provider or organization has coordinated its services with
21 other local entities providing similar services.

22 14. a. The department shall apply for available federal
23 funds for sexual abstinence education programs in accordance
24 with the federal Personal Responsibility and Work Opportunity
25 Reconciliation Act of 1996, Pub. L. No. 104-193, § 912.

26 b. It is the intent of the general assembly to comply with
27 the United States Congress' intent to provide education that
28 promotes abstinence from sexual activity outside of marriage
29 and reduces pregnancies, by focusing efforts on those persons
30 most likely to father and bear children out of wedlock.

31 c. Any sexual abstinence education program awarded moneys
32 under the grant program shall meet the definition of
33 abstinence education in the federal law. Grantees shall be
34 evaluated based upon the extent to which the abstinence
35 program successfully communicates the goals set forth in the

1 federal law.

2 Sec. 6. DEPARTMENT OF HUMAN RIGHTS. There is appropriated
3 from the general fund of the state to the department of human
4 rights for the fiscal year beginning July 1, 2001, and ending
5 June 30, 2002, the following amounts, or so much thereof as is
6 necessary, to be used for the purposes designated:

7 1. CENTRAL ADMINISTRATION DIVISION

8 For salaries, support, maintenance, miscellaneous purposes,
9 and for not more than the following full-time equivalent
10 positions:

11	\$	277,345
12	FTEs	7.00

13 2. DEAF SERVICES DIVISION

14 For salaries, support, maintenance, miscellaneous purposes,
15 and for not more than the following full-time equivalent
16 positions:

17	\$	350,211
18	FTEs	7.00

19 The fees collected by the division for provision of
20 interpretation services by the division to obligated agencies
21 shall be disbursed pursuant to the provisions of section 8.32,
22 and shall be dedicated and used by the division for continued
23 and expanded interpretation services.

24 3. PERSONS WITH DISABILITIES DIVISION

25 For salaries, support, maintenance, miscellaneous purposes,
26 and for not more than the following full-time equivalent
27 positions:

28	\$	192,587
29	FTEs	3.50

30 4. LATINO AFFAIRS DIVISION

31 For salaries, support, maintenance, miscellaneous purposes,
32 and for not more than the following full-time equivalent
33 positions:

34	\$	172,528
35	FTEs	3.00

1 5. STATUS OF WOMEN DIVISION

2 For salaries, support, maintenance, miscellaneous purposes,
3 including the Iowans in transition program, and the domestic
4 violence and sexual assault-related grants, and for not more
5 than the following full-time equivalent positions:

6	\$	400,996
7	FTEs	3.00

8 6. STATUS OF AFRICAN-AMERICANS DIVISION

9 For salaries, support, maintenance, miscellaneous purposes,
10 and for not more than the following full-time equivalent
11 positions:

12	\$	137,714
13	FTEs	2.00

14 7. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

15 For salaries, support, maintenance, miscellaneous purposes,
16 and for not more than the following full-time equivalent
17 positions:

18	\$	412,481
19	FTEs	9.20

20 The criminal and juvenile justice planning advisory council
21 and the juvenile justice advisory council shall coordinate
22 their efforts in carrying out their respective duties relative
23 to juvenile justice.

24 It is the intent of the general assembly that the
25 department of human rights employ sufficient staff to meet the
26 federal funding match requirements established by the federal
27 office for juvenile justice and delinquency prevention. The
28 governor's advisory council on juvenile justice shall
29 determine the staffing level necessary to carry out federal
30 and state mandates for juvenile justice.

31 8. COMMUNITY GRANT FUND

32 For the community grant fund established in section
33 232.190, to be used for the purposes of the community grant
34 fund and for not more than the following full-time equivalent
35 positions:

1	\$	425,000
2	FTEs	1.44

3 9. SHARED STAFF. The divisions of the department of human
 4 rights shall retain their individual administrators, but shall
 5 share staff to the greatest extent possible.

6 Sec. 7. COMMISSION OF VETERANS AFFAIRS. There is
 7 appropriated from the general fund of the state to the
 8 commission of veterans affairs for the fiscal year beginning
 9 July 1, 2001, and ending June 30, 2002, the following amounts,
 10 or so much thereof as is necessary, to be used for the
 11 purposes designated:

12 1. COMMISSION OF VETERANS AFFAIRS ADMINISTRATION

13 For salaries, support, maintenance, miscellaneous purposes,
 14 including the war orphan educational fund established pursuant
 15 to chapter 35, and for not more than the following full-time
 16 equivalent positions:

17	\$	283,190
18	FTEs	5.00

19 The commission of veterans affairs may use the gifts
 20 accepted by the chairperson of the commission of veterans
 21 affairs, or designee, and other resources available to the
 22 commission for use at its Camp Dodge office. The commission
 23 shall report annually to the governor and the general assembly
 24 on monetary gifts received by the commission for the Camp
 25 Dodge office.

26 2. IOWA VETERANS HOME

27 For salaries, support, maintenance, miscellaneous purposes,
 28 and for not more than the following full-time equivalent
 29 positions:

30	\$	45,388,702
31	FTEs	889.84

32 a. The Iowa veterans home may use the gifts accepted by
 33 the chairperson of the commission of veterans affairs and
 34 other resources available to the commission for use at the
 35 Iowa veterans home.

1 b. If medical assistance revenues are expanded at the Iowa
2 veterans home, and this expansion results in medical
3 assistance reimbursements which exceed the amount budgeted for
4 that purpose in the fiscal year beginning July 1, 2001, and
5 ending June 30, 2002, the Iowa veterans home may expend the
6 excess amounts to exceed the number of full-time equivalent
7 positions authorized for the purpose of meeting related
8 certification requirements or to provide additional beds. The
9 expenditure of additional funds received, as outlined in this
10 paragraph, is subject to the approval by the department of
11 management. The amount approved by the department of
12 management for expenditure shall be considered repayment
13 receipts.

14 c. Any Iowa veterans home successor contractor shall not
15 consider employees of a state institution or facility to be
16 new employees for purposes of employee wages, health
17 insurance, or retirement benefits.

18 d. The chairpersons and ranking members of the joint
19 appropriations subcommittee on health and human rights shall
20 be notified by January 15 of any calendar year during which a
21 request for proposals is anticipated to be issued regarding
22 any Iowa veterans home contract involving employment, for
23 purposes of providing legislative review and oversight.

24 e. The Iowa veterans home may retain reimbursements for
25 medication costs obtained from the federal department of
26 veterans affairs for the fiscal year beginning July 1, 2001,
27 and ending June 30, 2002, in an amount sufficient for the
28 payment of new and increased pharmaceutical costs and lease
29 payments on a unit dose machine. Moneys retained pursuant to
30 this paragraph are appropriated to the Iowa veterans home to
31 be used for the purposes of this paragraph.

32 Sec. 8. GAMBLING TREATMENT FUND -- APPROPRIATION.

33 1. There is appropriated from funds available in the
34 gambling treatment fund established in the office of the
35 treasurer of state pursuant to section 99E.10 to the Iowa

1 department of public health for the fiscal year beginning July
2 1, 2001, and ending June 30, 2002, the following amounts, or
3 so much thereof as is necessary, to be used for the purposes
4 designated:

5 a. Addictive disorders

6 To be utilized for the benefit of persons with addictions:

7 \$ 1,690,000

8 b. For transfer to the commission of veterans affairs to
9 be utilized for the benefit of the Iowa veterans home:

10 \$ 371,488

11 c. Gambling treatment program

12 The funds remaining in the gambling treatment fund after
13 the appropriations in paragraphs "a" and "b" are made, up to
14 the following amount, for funding of administrative costs and
15 to provide programs which may include, but are not limited to,
16 outpatient and follow-up treatment for persons affected by
17 problem gambling, rehabilitation and residential treatment
18 programs, information and referral services, education and
19 preventive services, and financial management services:

20 \$ 1,692,000

21 2. For the fiscal year beginning July 1, 2001, and ending
22 June 30, 2002, from the tax revenue received by the state
23 racing and gaming commission pursuant to section 99D.15,
24 subsections 1, 3, and 4, an amount equal to three-tenths of
25 one percent of the gross sum wagered by the pari-mutuel method
26 is to be deposited into the gambling treatment fund.

27 Sec. 9. VITAL RECORDS. The vital records modernization
28 project as enacted in 1993 Iowa Acts, chapter 55, section 1,
29 as amended by 1994 Iowa Acts, chapter 1068, section 8, as
30 amended by 1997 Iowa Acts, chapter 203, section 9, 1998 Iowa
31 Acts, chapter 1221, section 9, and 1999 Iowa Acts, chapter
32 201, section 17, and as continued by 2000 Iowa Acts, chapter
33 1222, section 10, shall be extended until June 30, 2002, and
34 the increased fees to be collected pursuant to that project
35 shall continue to be collected and are appropriated to the

1 Iowa department of public health until June 30, 2002.

2 Sec. 10. EFFECTIVE AND APPLICABILITY DATES. Section 5,
3 subsection 10, paragraph "i", of this Act relating to the
4 automatic dispensing system for prescription drugs, being
5 deemed of immediate importance, takes effect upon enactment.

6 EXPLANATION

7 This bill makes appropriations for the 2001-2002 fiscal
8 year to the department for the blind, the Iowa state civil
9 rights commission, the state commission of veterans affairs,
10 the governor's office of drug control policy, and the
11 departments of elder affairs, public health, and human rights.

12 The bill includes authority for the Iowa department of
13 public health to retain and fees as necessary, to reduce the
14 number of days necessary to process medical license requests
15 and to consider malpractice cases. These fees are collected
16 pursuant to Code section 147.80 by the board of medical
17 examiners in fiscal years beginning July 1, 2000, and ending
18 June 30, 2001.

19 The bill also provides that for the fiscal year beginning
20 July 1, 2001, and ending June 30, 2002, certain funds
21 available in the gambling treatment fund established in the
22 office of the treasurer of state pursuant to Code section
23 99E.10 are appropriated to the Iowa department of public
24 health and to the commission of veterans affairs for the Iowa
25 veterans home.

26 The bill extends the vital records modernization project to
27 June 30, 2002.

28 The bill provides that for the period ending June 30, 2002,
29 the state board of medical examiners, the state board of
30 pharmacy examiners, the state board of dental examiners, and
31 the state board of podiatry examiners shall not sanction or
32 otherwise take any action against licensees who use an
33 automatic dispensing system for prescription drugs in the
34 absence of a pharmacist or practitioner. This provision takes
35 effect upon enactment.

REPRINTED

H. 4/19/01 Do Pass

APR 19 2001
WAYS AND MEANS

HOUSE FILE 726
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 253)

Passed House, Date ^(P. 1471) 4-24-01 Passed Senate, Date ^(P. 1396) 4/30/01
Vote: Ayes 51 Nays 42 Vote: Ayes 28 Nays 20
Approved 5/24/01

re Passed 5/3/01 (P. 1472)
Vote 29-20

A BILL FOR

1 An Act relating to and making appropriations to the department
2 for the blind, the Iowa state civil rights commission, the
3 department of elder affairs, the Iowa department of public
4 health, the department of human rights, the governor's office
5 of drug control policy, and the commission of veterans
6 affairs, providing a criminal surcharge increase, and
7 providing an effective date.

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

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HF 726

1 Section 1. DEPARTMENT FOR THE BLIND. There is
2 appropriated from the general fund of the state to the
3 department for the blind for the fiscal year beginning July 1,
4 2001, and ending June 30, 2002, the following amount, or so
5 much thereof as is necessary, to be used for the purposes
6 designated:

7 For salaries, support, maintenance, miscellaneous purposes,
8 and for not more than the following full-time equivalent
9 positions:

10	\$	1,790,993
11	FTEs	106.50

12 Sec. 2. CIVIL RIGHTS COMMISSION. There is appropriated
13 from the general fund of the state to the Iowa state civil
14 rights commission for the fiscal year beginning July 1, 2001,
15 and ending June 30, 2002, the following amount, or so much
16 thereof as is necessary, to be used for the purposes
17 designated:

18 For salaries, support, maintenance, miscellaneous purposes,
19 and for not more than the following full-time equivalent
20 positions:

21	\$	1,082,743
22	FTEs	38.05

23 If the anticipated amount of federal funding from the
24 federal equal employment opportunity commission and the
25 federal department of housing and urban development exceeds
26 \$736,000 during the fiscal year beginning July 1, 2001, the
27 Iowa state civil rights commission may exceed the staffing
28 level authorized in this section to hire additional staff to
29 process or to support the processing of employment and housing
30 complaints during that fiscal year.

31 Sec. 3. DEPARTMENT OF ELDER AFFAIRS. There is
32 appropriated from the general fund of the state to the
33 department of elder affairs for the fiscal year beginning July
34 1, 2001, and ending June 30, 2002, the following amount, or so
35 much thereof as is necessary, to be used for the purposes

1 designated:

2 1. For aging programs for the department of elder affairs
3 and area agencies on aging to provide citizens of Iowa who are
4 over 60 years of age with case management for the frail
5 elderly, Alzheimer's support, retired senior volunteer
6 program, resident advocate committee coordination, employment,
7 and other services which may include, but are not limited to,
8 mental health outreach, adult day care, respite care, chore
9 services, telephone reassurance, information and assistance,
10 and home repair services, including the winterizing of homes,
11 and for the construction of entrance ramps which make
12 residences accessible to the physically handicapped, and for
13 salaries, support, administration, maintenance, miscellaneous
14 purposes, and for not more than the following full-time
15 equivalent positions with the department of elder affairs:

16	\$ 4,473,611
17	FTEs 30.00

18 a. Funds appropriated in this subsection may be used to
19 supplement federal funds under federal regulations. To
20 receive funds appropriated in this subsection, a local area
21 agency on aging shall match the funds with moneys from other
22 sources according to rules adopted by the department. Funds
23 appropriated in this subsection may be used for elderly
24 services not specifically enumerated in this subsection only
25 if approved by an area agency on aging for provision of the
26 service within the area.

27 b. It is the intent of the general assembly that the Iowa
28 chapters of the Alzheimer's association and the case
29 management program for the frail elderly shall collaborate and
30 cooperate fully to assist families in maintaining family
31 members with Alzheimer's disease in the community for the
32 longest period of time possible.

33 c. The department shall maintain policies and procedures
34 regarding Alzheimer's support and the retired senior volunteer
35 program.

1 2. The department may grant an exception for a limited
2 period of time, determined by the department to be reasonable,
3 to allow for compliance by persons regulated by the department
4 or applicants for assisted living certification with any part
5 of chapter 104A relative to buildings in existence on July 1,
6 1998. The determination of the period of time allowed for
7 compliance shall be commensurate with the anticipated
8 magnitude of expenditure, disruption of services, and the
9 degree of hazard presented. The department shall also be
10 authorized to modify the accessibility requirements otherwise
11 applicable to such applicants for buildings in existence on
12 July 1, 1998, if the department determines that compliance
13 with the requirements would be unreasonable, but only if it is
14 determined that noncompliance with the requirements would not
15 present an unreasonable degree of danger.

16 Sec. 4. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. There
17 is appropriated from the general fund of the state to the
18 governor's office of drug control policy for the fiscal year
19 beginning July 1, 2001, and ending June 30, 2002, the
20 following amount, or so much thereof as is necessary, to be
21 used for the purpose designated:

22 For salaries, support, maintenance, miscellaneous purposes
23 including statewide coordination of the drug abuse resistance
24 education (D.A.R.E.) program, and for not more than the
25 following full-time equivalent positions:
26 \$ 487,759
27 FTEs 13.00

28 Sec. 5. DEPARTMENT OF PUBLIC HEALTH. There is
29 appropriated from the general fund of the state to the Iowa
30 department of public health for the fiscal year beginning July
31 1, 2001, and ending June 30, 2002, the following amounts, or
32 so much thereof as is necessary, to be used for the purposes
33 designated:

34 1. ADDICTIVE DISORDERS
35 For reducing the prevalence of use of tobacco, alcohol, and

1 other drugs, and treating individuals affected by addictive
2 behaviors, including gambling, and for not more than the
3 following full-time equivalent positions:

4	\$	1,492,239
5	FTEs	13.65

6 a. The department shall continue to coordinate with
7 substance abuse treatment and prevention providers regardless
8 of funding source to assure the delivery of substance abuse
9 treatment and prevention programs.

10 b. The commission on substance abuse, in conjunction with
11 the department, shall continue to coordinate the delivery of
12 substance abuse services involving prevention, social and
13 medical detoxification, and other treatment by medical and
14 nonmedical providers to uninsured and court-ordered substance
15 abuse patients in all counties of the state.

16 2. ADULT WELLNESS

17 For maintaining or improving the health status of adults,
18 with target populations between the ages of 18 through 60, and
19 for not more than the following full-time equivalent
20 positions:

21	\$	567,197
22	FTEs	21.99

23 3. CHILD AND ADOLESCENT WELLNESS

24 For promoting the optimum health status for children and
25 adolescents from birth through 21 years of age, and for not
26 more than the following full-time equivalent positions:

27	\$	1,256,538
28	FTEs	48.53

29 4. CHRONIC CONDITIONS

30 For serving individuals identified as having chronic
31 conditions or special health care needs, and for not more than
32 the following full-time equivalent positions:

33	\$	1,327,510
34	FTEs	8.58

35 5. COMMUNITY CAPACITY

1 For strengthening the health care delivery system at the
2 local level, and for not more than the following full-time
3 equivalent positions:

4 \$ 1,464,710
5 FTEs 23.70

6 6. ELDERLY WELLNESS

7 For optimizing the health of persons 60 years of age and
8 older, and for not more than the following full-time
9 equivalent positions:

10 \$ 10,602,737
11 FTEs 0.80

12 7. ENVIRONMENTAL HAZARDS

13 For reducing the public's exposure to hazards in the
14 environment, primarily chemical hazards, and for not more than
15 the following full-time equivalent positions:

16 \$ 166,234
17 FTEs 8.00

18 8. INFECTIOUS DISEASES

19 For reducing the incidence and prevalence of communicable
20 diseases, and for not more than the following full-time
21 equivalent positions:

22 \$ 1,209,818
23 FTEs 34.30

24 9. INJURIES

25 For providing support and protection to victims of abuse or
26 injury, or programs that are designed to prevent abuse or
27 injury, and for not more than the following full-time
28 equivalent positions:

29 \$ 1,653,331
30 FTEs 7.95

31 10. PUBLIC PROTECTION

32 For protecting the health and safety of the public through
33 establishing standards and enforcing regulations, and for not
34 more than the following full-time equivalent positions:

35 \$ 6,923,647

1 FTES 136.77

2 a. The department may expend funds received from licensing
3 fees in addition to amounts appropriated in this subsection,
4 if those additional expenditures are directly the result of a
5 scope of practice review committee or unanticipated litigation
6 costs arising from the discharge of an examining board's
7 regulatory duties. Before the department expends or encumbers
8 funds for a scope of practice review committee or an amount in
9 excess of the funds budgeted for an examining board, the
10 director of the department of management shall approve the
11 expenditure or encumbrance. The amounts necessary to fund any
12 unanticipated litigation or scope of practice review committee
13 expense in the fiscal year beginning July 1, 2001, shall not
14 exceed 5 percent of the average annual fees generated by the
15 boards for the previous two fiscal years.

16 b. For the fiscal year beginning July 1, 2001, the
17 department shall retain fees collected from the certification
18 of lead inspectors and lead abaters pursuant to section
19 135.105A to support the certification program; and shall
20 retain fees collected from the licensing, registration,
21 authorization, accreditation, and inspection of x-ray machines
22 used for mammographically guided breast biopsy, screening, and
23 diagnostic mammography, pursuant to section 136C.10 to support
24 the administration of the chapter. The department may also
25 retain fees collected pursuant to section 136C.10 on all
26 shippers of radioactive material waste containers transported
27 across Iowa if the department does not obtain funding to
28 support the oversight and regulation of this activity, and for
29 x-ray radiology examination fees collected by the department
30 and reimbursed to a private organization conducting the
31 examination. For the fiscal year beginning July 1, 2001, the
32 department shall also retain any new or increased fees
33 implemented by the department pursuant to legislation enacted
34 by the general assembly in 2001 for activities not otherwise
35 funded by amounts appropriated in this section. Fees retained

1 by the department pursuant to this lettered paragraph are
2 appropriated to the department for the purposes specified in
3 this lettered paragraph.

4 c. The department may retain and expend not more than
5 \$263,458 for lease and maintenance expenses for the relocation
6 of licensure boards from the executive hills state office
7 building from fees collected pursuant to section 147.80 by the
8 board of dental examiners, the board of pharmacy examiners,
9 the board of medical examiners, and the board of nursing
10 examiners in the fiscal year beginning July 1, 2001, and
11 ending June 30, 2002. Fees retained by the department
12 pursuant to this lettered paragraph are appropriated to the
13 department for the purposes described in this lettered
14 paragraph.

15 d. The department may retain and expend not more than
16 \$100,000 for reduction of the number of days necessary to
17 process medical license requests and for reduction of the
18 number of days needed for consideration of malpractice cases
19 from fees collected pursuant to section 147.80 by the board of
20 medical examiners in the fiscal year beginning July 1, 2001,
21 and ending June 30, 2002. Fees retained by the department
22 pursuant to this lettered paragraph are appropriated to the
23 department for the purposes described in this lettered
24 paragraph.

25 e. If a person in the course of responding to an emergency
26 renders aid to an injured person and becomes exposed to bodily
27 fluids of the injured person, that emergency responder shall
28 be entitled to hepatitis testing and immunization in
29 accordance with the latest available medical technology to
30 determine if infection with hepatitis has occurred. The
31 person shall be entitled to reimbursement from the EMS funds
32 available under this subsection only if the reimbursement is
33 not available through any employer or third-party payor.

34 f. The board of dental examiners may retain and expend not
35 more than \$98,740 from revenues generated pursuant to section

1 147.80. Fees retained by the board pursuant to this lettered
2 paragraph are appropriated to the department to be used for
3 the purposes of regulating dental assistants.

4 g. The state board of medical examiners, the state board
5 of pharmacy examiners, the state board of dental examiners,
6 and the state board of nursing examiners shall prepare
7 estimates of projected receipts to be generated by the
8 licensing, certification, and examination fees of each board
9 as well as a projection of the fairly apportioned
10 administrative costs and rental expenses attributable to each
11 board. Each board shall annually review and adjust its
12 schedule of fees so that, as nearly as possible, projected
13 receipts equal projected costs.

14 h. The state board of medical examiners, the state board
15 of pharmacy examiners, the state board of dental examiners,
16 and the state board of nursing examiners shall retain their
17 individual executive officers, but are strongly encouraged to
18 share administrative, clerical, and investigative staffs to
19 the greatest extent possible.

20 i. For the period ending June 30, 2002, the state board of
21 medical examiners, the state board of pharmacy examiners, the
22 state board of dental examiners, and the state board of
23 podiatry examiners shall not sanction or otherwise take any
24 action against licensees who use an automatic dispensing
25 system for prescription drugs in the absence of a pharmacist
26 or practitioner that would otherwise be in violation of
27 section 147.107, subsection 2, and section 155A.33, provided
28 both of the following conditions are met:

- 29 (1) The licensee utilizes an internal quality control
30 assurance plan that ensures accuracy in dispensing.
- 31 (2) The licensee remains responsible for the verification
32 and accuracy of the automated dispensing system in accordance
33 with the standards adopted by the licensee's examining board.

34 It is the intent of the general assembly that the board of
35 medical examiners, the board of pharmacy examiners, the board

1 of dental examiners, and the board of podiatry examiners shall
2 meet to identify a statutory resolution of the issues raised
3 by the use of automated dispensing systems for prescription
4 drugs and submit their findings and legislative
5 recommendations to the governor and general assembly by
6 December 1, 2001.

7 11. RESOURCE MANAGEMENT

8 For establishing and sustaining the overall ability of the
9 department to deliver services to the public, and for not more
10 than the following full-time equivalent positions:

11	\$	1,260,179
12	FTEs	59.33

13 12. The state university of Iowa hospitals and clinics
14 under the control of the state board of regents shall not
15 receive indirect costs from the funds appropriated in this
16 section.

17 13. A local health care provider or nonprofit health care
18 organization seeking grant moneys administered by the Iowa
19 department of public health shall provide documentation that
20 the provider or organization has coordinated its services with
21 other local entities providing similar services.

22 14. a. The department shall apply for available federal
23 funds for sexual abstinence education programs in accordance
24 with the federal Personal Responsibility and Work Opportunity
25 Reconciliation Act of 1996, Pub. L. No. 104-193, § 912.

26 b. It is the intent of the general assembly to comply with
27 the United States Congress' intent to provide education that
28 promotes abstinence from sexual activity outside of marriage
29 and reduces pregnancies, by focusing efforts on those persons
30 most likely to father and bear children out of wedlock.

31 c. Any sexual abstinence education program awarded moneys
32 under the grant program shall meet the definition of
33 abstinence education in the federal law. Grantees shall be
34 evaluated based upon the extent to which the abstinence
35 program successfully communicates the goals set forth in the

1 federal law.

2 Sec. 6. DEPARTMENT OF HUMAN RIGHTS. There is appropriated
3 from the general fund of the state to the department of human
4 rights for the fiscal year beginning July 1, 2001, and ending
5 June 30, 2002, the following amounts, or so much thereof as is
6 necessary, to be used for the purposes designated:

7 1. CENTRAL ADMINISTRATION DIVISION

8 For salaries, support, maintenance, miscellaneous purposes,
9 and for not more than the following full-time equivalent
10 positions:

11	\$	277,345
12	FTEs	7.00

13 2. DEAF SERVICES DIVISION

14 For salaries, support, maintenance, miscellaneous purposes,
15 and for not more than the following full-time equivalent
16 positions:

17	\$	350,211
18	FTEs	7.00

19 The fees collected by the division for provision of
20 interpretation services by the division to obligated agencies
21 shall be disbursed pursuant to the provisions of section 8.32,
22 and shall be dedicated and used by the division for continued
23 and expanded interpretation services.

24 3. PERSONS WITH DISABILITIES DIVISION

25 For salaries, support, maintenance, miscellaneous purposes,
26 and for not more than the following full-time equivalent
27 positions:

28	\$	192,587
29	FTEs	3.50

30 4. LATINO AFFAIRS DIVISION

31 For salaries, support, maintenance, miscellaneous purposes,
32 and for not more than the following full-time equivalent
33 positions:

34	\$	172,528
35	FTEs	3.00

1 5. STATUS OF WOMEN DIVISION

2 For salaries, support, maintenance, miscellaneous purposes,
3 including the Iowans in transition program, and the domestic
4 violence and sexual assault-related grants, and for not more
5 than the following full-time equivalent positions:

6	\$	400,996
7	FTEs	3.00

8 6. STATUS OF AFRICAN-AMERICANS DIVISION

9 For salaries, support, maintenance, miscellaneous purposes,
10 and for not more than the following full-time equivalent
11 positions:

12	\$	137,714
13	FTEs	2.00

14 7. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

15 For salaries, support, maintenance, miscellaneous purposes,
16 and for not more than the following full-time equivalent
17 positions:

18	\$	412,481
19	FTEs	9.20

20 The criminal and juvenile justice planning advisory council
21 and the juvenile justice advisory council shall coordinate
22 their efforts in carrying out their respective duties relative
23 to juvenile justice.

24 It is the intent of the general assembly that the
25 department of human rights employ sufficient staff to meet the
26 federal funding match requirements established by the federal
27 office for juvenile justice and delinquency prevention. The
28 governor's advisory council on juvenile justice shall
29 determine the staffing level necessary to carry out federal
30 and state mandates for juvenile justice.

31 8. COMMUNITY GRANT FUND

32 For the community grant fund established in section
33 232.190, to be used for the purposes of the community grant
34 fund and for not more than the following full-time equivalent
35 positions:

1 \$ 625,000
2 FTEs 1.44

3 9. SHARED STAFF. The divisions of the department of human
4 rights shall retain their individual administrators, but shall
5 share staff to the greatest extent possible.

6 Sec. 7. COMMISSION OF VETERANS AFFAIRS. There is
7 appropriated from the general fund of the state to the
8 commission of veterans affairs for the fiscal year beginning
9 July 1, 2001, and ending June 30, 2002, the following amounts,
10 or so much thereof as is necessary, to be used for the
11 purposes designated:

12 1. COMMISSION OF VETERANS AFFAIRS ADMINISTRATION

13 For salaries, support, maintenance, miscellaneous purposes,
14 including the war orphan educational fund established pursuant
15 to chapter 35, and for not more than the following full-time
16 equivalent positions:

17 \$ 283,190
18 FTEs 5.00

19 The commission of veterans affairs may use the gifts
20 accepted by the chairperson of the commission of veterans
21 affairs, or designee, and other resources available to the
22 commission for use at its Camp Dodge office. The commission
23 shall report annually to the governor and the general assembly
24 on monetary gifts received by the commission for the Camp
25 Dodge office.

26 2. IOWA VETERANS HOME

27 For salaries, support, maintenance, miscellaneous purposes,
28 and for not more than the following full-time equivalent
29 positions:

30 \$ 45,388,702
31 FTEs 889.84

32 a. The Iowa veterans home may use the gifts accepted by
33 the chairperson of the commission of veterans affairs and
34 other resources available to the commission for use at the
35 Iowa veterans home.

1 b. If medical assistance revenues are expanded at the Iowa
2 veterans home, and this expansion results in medical
3 assistance reimbursements which exceed the amount budgeted for
4 that purpose in the fiscal year beginning July 1, 2001, and
5 ending June 30, 2002, the Iowa veterans home may expend the
6 excess amounts to exceed the number of full-time equivalent
7 positions authorized for the purpose of meeting related
8 certification requirements or to provide additional beds. The
9 expenditure of additional funds received, as outlined in this
10 paragraph, is subject to approval by the department of
11 management. The amount approved by the department of
12 management for expenditure shall be considered repayment
13 receipts.

14 c. Any Iowa veterans home successor contractor shall not
15 consider employees of a state institution or facility to be
16 new employees for purposes of employee wages, health
17 insurance, or retirement benefits.

18 d. The chairpersons and ranking members of the joint
19 appropriations subcommittee on health and human rights shall
20 be notified by January 15 of any calendar year during which a
21 request for proposals is anticipated to be issued regarding
22 any Iowa veterans home contract involving employment, for
23 purposes of providing legislative review and oversight.

24 e. The Iowa veterans home may retain reimbursements for
25 medication costs obtained from the federal department of
26 veterans affairs for the fiscal year beginning July 1, 2001,
27 and ending June 30, 2002, in an amount sufficient for the
28 payment of new and increased pharmaceutical costs and lease
29 payments on a unit dose machine. Moneys retained pursuant to
30 this paragraph are appropriated to the Iowa veterans home to
31 be used for the purposes of this paragraph.

32 Sec. 8. GAMBLING TREATMENT FUND -- APPROPRIATION.

33 1. There is appropriated from funds available in the
34 gambling treatment fund established in the office of the
35 treasurer of state pursuant to section 99E.10 to the Iowa

1 department of public health for the fiscal year beginning July
2 1, 2001, and ending June 30, 2002, the following amounts, or
3 so much thereof as is necessary, to be used for the purposes
4 designated:

5 a. Addictive disorders
6 To be utilized for the benefit of persons with addictions:
7 \$ 1,690,000

8 b. For transfer to the commission of veterans affairs to
9 be utilized for the benefit of the Iowa veterans home:
10 \$ 371,488

11 c. Gambling treatment program
12 The funds remaining in the gambling treatment fund after
13 the appropriations in paragraphs "a" and "b" are made, up to
14 the following amount, for funding of administrative costs and
15 to provide programs which may include, but are not limited to,
16 outpatient and follow-up treatment for persons affected by
17 problem gambling, rehabilitation and residential treatment
18 programs, information and referral services, education and
19 preventive services, and financial management services:
20 \$ 1,692,000

21 2. For the fiscal year beginning July 1, 2001, and ending
22 June 30, 2002, from the tax revenue received by the state
23 racing and gaming commission pursuant to section 99D.15,
24 subsections 1, 3, and 4, an amount equal to three-tenths of
25 one percent of the gross sum wagered by the pari-mutuel method
26 is to be deposited into the gambling treatment fund.

27 Sec. 9. Section 602.8108, subsection 3, paragraph c, Code
28 2001, is amended to read as follows:

29 c. Notwithstanding provisions of this subsection to the
30 contrary, all moneys collected from the drug abuse resistance
31 education surcharge provided in section 911.2 shall be
32 remitted to the treasurer of state for deposit in the general
33 fund of the state and the amount deposited is appropriated to
34 the governor's office of drug control policy for use by the
35 drug abuse resistance education program and other programs

1 directed for a similar purpose.

2 Sec. 10. Section 911.2, Code 2001, is amended to read as
3 follows:

4 911.2 SURCHARGE.

5 When a court imposes a fine or forfeiture for a violation
6 of a state law, or of a city or county ordinance except an
7 ordinance regulating the parking of motor vehicles, the court
8 shall assess an additional penalty in the form of a surcharge
9 equal to thirty percent of the fine or forfeiture imposed. An
10 additional drug abuse resistance education surcharge of five
11 ten dollars shall be assessed by the clerk of the district
12 court if the violation arose out of a violation of an offense
13 provided for in chapter 321J or chapter 124, division IV. In
14 the event of multiple offenses, the surcharge shall be based
15 upon the total amount of fines or forfeitures imposed for all
16 offenses. When a fine or forfeiture is suspended in whole or
17 in part, the surcharge shall be reduced in proportion to the
18 amount suspended.

19 The surcharge is subject to the provisions of chapter 909
20 governing the payment and collection of fines, as provided in
21 section 909.8.

22 Sec. 11. CANCER STUDY AND REPORT. The director of public
23 health, in consultation with an ad hoc committee comprised of
24 public health officials, health care providers, consumer
25 groups, educators, representatives from the state cancer
26 registry, representatives from the cancer chapter team of
27 healthy Iowans 2010, and other members deemed appropriate by
28 the director, shall conduct a study regarding comprehensive
29 cancer control in the state. The study shall include but not
30 be limited to:

31 1. An assessment of the incidence and prevalence of
32 cancer, including determinations of any geographic, social, or
33 economic patterns, or other common characteristics which
34 identify vulnerable populations at risk of cancer.

35 2. An evaluation of the effectiveness of current cancer

1 control efforts in terms of prevention, early detection,
2 treatment, rehabilitation, and quality of life. The study
3 should consider strategies to maximize existing public health
4 and private practice resources through improved coordination
5 and program planning. The study shall also identify
6 opportunities to increase and enhance efforts that focus on
7 cancer with special attention to prostate, bladder,
8 colorectal, skin, lung, oropharyngeal, breast, and cervical
9 cancer.

10 3. A review to encourage screening guidelines and tests
11 that lead to a reduction in site-specific cancer incidence
12 rates.

13 4. An effort to identify additional federal funding
14 sources and opportunities to enhance medical assistance
15 dollars for the treatment of breast and cervical cancer
16 through the federal Breast and Cervical Cancer Prevention and
17 Treatment Act of 2000, Pub. L. No. 106-354.

18 5. An evaluation of the availability and effectiveness of
19 current resources, programs, and efforts to address cancer
20 with special attention to prostate, bladder, colorectal, skin,
21 lung, oropharyngeal, breast, and cervical cancer.

22 The study shall consider the findings and recommendations
23 of healthy Iowans 2010 relating to cancer. The director shall
24 submit a report of the study's recommendations to the governor
25 and the general assembly by January 2, 2002, and present the
26 findings to a joint meeting of the human resources committees
27 of the Iowa general assembly during the 2002 session.

28 Sec. 12. VITAL RECORDS. The vital records modernization
29 project as enacted in 1993 Iowa Acts, chapter 55, section 1,
30 as amended by 1994 Iowa Acts, chapter 1068, section 8, as
31 amended by 1997 Iowa Acts, chapter 203, section 9, 1998 Iowa
32 Acts, chapter 1221, section 9, and 1999 Iowa Acts, chapter
33 201, section 17, and as continued by 2000 Iowa Acts, chapter
34 1222, section 10, shall be extended until June 30, 2002, and
35 the increased fees to be collected pursuant to that project

1 shall continue to be collected and are appropriated to the
2 Iowa department of public health until June 30, 2002.

3 Sec. 13. EFFECTIVE AND APPLICABILITY DATES. Section 5,
4 subsection 10, paragraph "i", of this Act relating to the
5 automatic dispensing system for prescription drugs, being
6 deemed of immediate importance, takes effect upon enactment.

7 EXPLANATION

8 This bill makes appropriations for the 2001-2002 fiscal
9 year to the department for the blind, the Iowa state civil
10 rights commission, the state commission of veterans affairs,
11 the governor's office of drug control policy, and the
12 departments of elder affairs, public health, and human rights.

13 The bill includes authority for the Iowa department of
14 public health to retain fees as necessary, to reduce the
15 number of days necessary to process medical license requests
16 and to consider malpractice cases. These fees are collected
17 pursuant to Code section 147.80 by the board of medical
18 examiners in fiscal years beginning July 1, 2000, and ending
19 June 30, 2001.

20 The bill also provides that for the fiscal year beginning
21 July 1, 2001, and ending June 30, 2002, certain funds
22 available in the gambling treatment fund established in the
23 office of the treasurer of state pursuant to Code section
24 99E.10 are appropriated to the Iowa department of public
25 health and to the commission of veterans affairs for the Iowa
26 veterans home.

27 The bill extends the vital records modernization project to
28 June 30, 2002.

29 The bill provides that for the period ending June 30, 2002,
30 the state board of medical examiners, the state board of
31 pharmacy examiners, the state board of dental examiners, and
32 the state board of podiatry examiners shall not sanction or
33 otherwise take any action against licensees who use an
34 automatic dispensing system for prescription drugs in the
35 absence of a pharmacist or practitioner. This provision takes

1 effect upon enactment.

2 The bill further provides that the director of public
3 health, in consultation with an ad hoc committee comprised of
4 public health officials, health care providers, consumer
5 groups, educators, representatives from the state cancer
6 registry, representatives from the cancer chapter team of
7 healthy Iowans 2010, and other members, shall conduct a study
8 regarding cancer control in the state and shall submit the
9 study's recommendations to the governor and the general
10 assembly by January 2, 2002.

11 The bill also increases the drug abuse resistance education
12 surcharge under Code section 911.2 from \$5 to \$10.

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HOUSE FILE 726

H-1618

- 1 Amend House File 726 as follows:
- 2 1. By striking page 14, line 27, through page 15,
- 3 line 1.
- 4 2. By renumbering as necessary.

By BELL of Jasper

H-1618 FILED APRIL 19, 2001

Lost
4-24-01 (P. 1470)

HOUSE FILE 726

H-1619

- 1 Amend House File 726 as follows:
- 2 1. Page 3, by striking lines 22 through 27, and
- 3 inserting the following:
- 4 "1. For salaries, support, maintenance, and
- 5 miscellaneous purposes, and for not more than the
- 6 following full-time equivalent positions:
- 7 \$ 487,759
- 8 FTES 13.00
- 9 2. For statewide coordination of the drug abuse
- 10 resistance education (D.A.R.E.) program:
- 11 \$ 75,200"
- 12 2. By renumbering as necessary.

By BELL of Jasper

FORD of Polk

H-1619 FILED APRIL 19, 2001

Lost
4-24-01
(P. 1460)

HOUSE FILE 726

H-1620

- 1 Amend House File 726 as follows:
- 2 1. Page 1, line 21, by striking the figure
- 3 "1,082,743" and inserting the following: "1,200,138".

By SHOULTZ of Black Hawk

H-1620 FILED APRIL 19, 2001

Lost
4/24/01 (P. 1458)

HOUSE FILE 726

H-1621

- 1 Amend House File 726 as follows:
- 2 1. Page 2, by striking lines 2 through 17 and
- 3 inserting the following:
- 4 "1. For aging programs and for salaries, support,
- 5 maintenance, and miscellaneous purposes, and for not
- 6 more than the following full-time equivalent
- 7 positions:
- 8 \$ 5,065,411
- 9 FTES 30.00
- 10 _____. Of the funds appropriated in this subsection,
- 11 not more than \$151,654 shall be used for area agencies
- 12 on aging administrative purposes for citizens of Iowa
- 13 over 60 years of age for care management."
- 14 2. By renumbering as necessary.

By T. TAYLOR of Linn

H-1621 FILED APRIL 19, 2001

Lost
4/24/01 (P. 1460)

HOUSE FILE 726

H-1623

- 1 Amend House File 726 as follows:
- 2 1. Page 5, line 35, by striking the figure
- 3 "6,923,647" and inserting the following: "7,323,647".

By WISE of Lee
REYNOLDS of Van Buren

H-1623 FILED APRIL 20, 2001

Lost 4/24/01 (P. 1461)

HOUSE FILE 726

H-1627

- 1 Amend House File 726 as follows:
- 2 1. Page 14, by inserting after line 26, the
- 3 following:
- 4 "Sec. ____ . Section 135.102, Code 2001, is amended
- 5 by adding the following new subsection:
- 6 NEW SUBSECTION. 6. Model regulations for lead
- 7 hazard remediation to be used in instances in which a
- 8 child is confirmed as lead poisoned. The department
- 9 shall make the model regulations available to local
- 10 boards of health and shall promote the adoption of the
- 11 regulations at the local level, by cities and
- 12 counties."

By FORD of Polk
DOTZLER of Black Hawk
REYNOLDS of Van Buren
SMITH of Marshall

ATTEBERRY of Delaware
OSTERHAUS of Jackson
FOEGE of Linn

H-1627 FILED APRIL 23, 2001

Adopted 4-24-01 (P. 1467)

HOUSE FILE 726

H-1613

- 1 Amend House file 726 as follows:
- 2 1. Page 1, line 10, by striking the figure
- 3 "1,790,993" and inserting the following: "1,856,993".

By ATTEBERRY of Delaware

H-1613 FILED APRIL 19, 2001

Lost 4.24.01 (P. 1452)

HOUSE FILE 726

H-1637

1 Amend House File 726 as follows:

2 1. Page 10, by striking lines 13 through 23, and
3 inserting the following:

4 "2. DEAF SERVICES DIVISION

5 For salaries, support, maintenance, and
6 miscellaneous purposes, and for not more than the
7 following full-time equivalent positions:

8 \$ 364,505
9 FTEs 7.00

10 The fees collected by the division for provision of
11 interpretation services by the division to obligated
12 agencies shall be deposited into the general fund of
13 the state."

14 2. Page 11, by striking lines 1 through 7, and
15 inserting the following:

16 "5. STATUS OF WOMEN DIVISION

17 For salaries, support, maintenance, and
18 miscellaneous purposes, and for not more than the
19 following full-time equivalent positions:

20 \$ 400,996
21 FTEs 3.00

22 a. Of the funds appropriated in this subsection,
23 at least \$100,307 shall be spent for the Iowans in
24 transition program.

25 b. Of the funds appropriated in this subsection,
26 at least \$42,570 shall be spent for domestic violence
27 and sexual assault-related grants."

28 3. Page 11, line 18, by striking the figure
29 "412,481" and inserting the following: "444,126".

30 4. By striking page 11, line 24, through page 12,
31 line 2, and inserting the following:

32 "Of the funds appropriated in this subsection, at
33 least \$36,000 shall be spent for expenses relating to
34 the administration of federal funds for juvenile
35 assistance. The department of human rights shall
36 employ sufficient staff to meet the federal funding
37 match requirements established by the federal office
38 for juvenile justice and delinquency prevention. The
39 governor's advisory council on juvenile justice shall
40 determine the staffing level necessary to carry out
41 federal and state mandates for juvenile justice.

42 8. COMMUNITY GRANT FUND

43 For the community grant fund established in section
44 232.190, to be used for the purposes of the community
45 grant fund, and for not more than the following full-
46 time equivalent positions:

47 \$ 1,498,074
48 FTEs 1.44"

49 5. By renumbering as necessary.

By FORD of Polk

H-1637 FILED APRIL 23, 2001

Host
4/24/01 (p. 1464)

HOUSE FILE 726

H-1638

1 Amend House File 726 as follows:

2 1. By striking page 3, line 32, through page 6,
3 line 1, and inserting the following: "so much thereof
4 as is necessary, to be used for addictive disorders,
5 adult wellness, child and adolescent wellness, chronic
6 conditions, community capacity, elderly wellness,
7 environmental hazards, infectious diseases, injuries,
8 and public protection, and for not more than the
9 following full-time equivalent positions:

10	\$ 29,248,747
11	FTEs 363.60"

12 2. Page 9, by striking lines 7 through 12.

13 3. By renumbering, redesignating, and correcting
14 internal references as necessary.

By SENG of Scott	SHOULTZ of Black Hawk
ATTEBERRY of Delaware	MURPHY of Dubuque
FORD of Polk	

H-1638 FILED APRIL 23, 2001

Lost
4-24-01
(p.1462)

HOUSE FILE 726

H-1646

1 Amend House File 726 as follows:

2 1. By striking page 12, line 13, through page 13,
3 line 13, and inserting the following:

4 "For salaries, support and maintenance, and
5 miscellaneous purposes, and for not more than the
6 following full-time equivalent positions:

7	\$	344,097
8	FTEs	5.00

9 The commission of veterans affairs may use the
10 gifts accepted by the chairperson of the commission of
11 veterans affairs, or designee, and other resources
12 available to the commission for use at its Camp Dodge
13 office. The commission shall report annually to the
14 governor and the general assembly on monetary gifts
15 received by the commission for the Camp Dodge office.

16 2. WAR ORPHANS

17 For the war orphans educational aid fund
18 established pursuant to chapter 35:

19	\$	6,000
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20 3. IOWA VETERANS HOME

21 For salaries, support, maintenance, and
22 miscellaneous purposes, and for not more than the
23 following full-time equivalent positions:

24	\$	47,640,013
25	FTEs	889.84

26 a. The Iowa veterans home may use the gifts
27 accepted by the chairperson of the commission of
28 veterans affairs and other resources available to the
29 commission for use at the Iowa veterans home.

30 b. If revenues are increased at the Iowa veterans
31 home, and this increase results in reimbursements
32 which exceed the amount budgeted for that purpose in
33 the fiscal year beginning July 1, 2001, and ending
34 June 30, 2002, the Iowa veterans home may expend the
35 excess amounts for the purpose of meeting
36 certification requirements or to provide additional
37 beds. The expenditure of additional funds received,
38 as outlined in this paragraph, is subject to the
39 approval by the department of management. The amount
40 approved by the department of management for
41 expenditure shall be considered repayment receipts."

42 2. By renumbering as necessary.

By SMITH of Marshall
 ATTEBERRY of Delaware
 BELL of Jasper
 BUKTA of Clinton
 CHIODO of Polk
 COHOON of Des Moines
 CONNORS of Polk
 DOTZLER of Black Hawk
 FALCK of Fayette
 FOEGE of Linn
 FORD of Polk
 FREVERT of Palo Alto
 GREIMANN of Story
 HATCH of Polk
 JOCHUM of Dubuque
 KREIMAN of Davis
 KUHN of Floyd
 LARKIN of Lee
 LENSING of Johnson
 MASCHER of Johnson
 MAY of Worth

MERTZ of Kossuth
 MURPHY of Dubuque
 MYERS of Johnson
 O'BRIEN of Boone
 OSTERHAUS of Jackson
 PETERSEN of Polk
 QUIRK of Chickasaw
 REYNOLDS of Van Buren
 RICHARDSON of Warren
 SCHERRMAN of Dubuque
 SCHRADER of Marion
 SENG of Scott
 SHOULTZ of Black Hawk
 STEVENS of Dickinson
 D. TAYLOR of Linn
 T. TAYLOR of Linn
 TREMMEL of Wapello
 WARNSTADT of Woodbury
 WINCKLER of Scott
 WISE of Lee

H-1646 FILED APRIL 23, 2001

*lost
 4-24-01
 p. 1466*

HOUSE FILE 726

H-1648

- 1 Amend the amendment, H-1621, to House File 726, as
- 2 follows:
- 3 1. Page 1, line 13, by striking the word "care"
- 4 and inserting the following: "case".

By T. TAYLOR of Linn

H-1648 FILED APRIL 23, 2001

*Adopted
 4-24-01
 (p. 1459)*

HOUSE FILE 726

H-1657

1 Amend House File 726 as follows:

2 1. Page 14, by inserting after line 26 the
3 following:

4 "Sec. ____ . LOW-INCOME HOME ENERGY ASSISTANCE
5 PROGRAM -- APPROPRIATION. There is appropriated from
6 the general fund of the state to the division of
7 community action agencies of the department of human
8 rights for the fiscal year beginning July 1, 2001, and
9 ending June 30, 2002, the following amount, or so much
10 thereof as necessary, to be used for the purpose

A.

11 designated:

12 For the low-income home energy assistance program:
13 \$ 9,452,170"

14 2. Page 14, by inserting before line 27 the
15 following:

B

16 "Sec. 100. Section 455G.3, Code 2001, is amended
17 by adding the following new subsection:

18 NEW SUBSECTION. 6. There is appropriated from the
19 unassigned revenue fund administered by the Iowa
20 comprehensive petroleum underground storage tank fund
21 board to the division of community action agencies of
22 the department of human rights for the fiscal year
23 beginning July 1, 2000, and ending June 30, 2001,
24 three million dollars, to be used for the low-income
25 home energy assistance program."

26 3. Page 17, line 5, by inserting after the word
27 "drugs," the following: "and section 100 of this Act
28 amending section 455G.3".

29 4. Page 17, line 6, by striking the word "takes"
30 and inserting the following: "take".

By HATCH of Polk

H-1657 FILED APRIL 24, 2001

B. Our order - motion to suspend Rules 4/24/01
A. List 4-24-01

HOUSE FILE 726

H-1663

1 Amend the amendment, H-1627, to House File 726, as
2 follows:

3 1. Page 1, line 11, by striking the word "by" and
4 inserting the word "in".

5 2. Page 1, line 12, by inserting after the word
6 "counties" the following: "implementing lead hazard
7 remediation programs. Nothing in this subsection
8 shall be construed as requiring the adoption of the
9 model regulations".

10 3. By renumbering as necessary.

By ALONS of Sioux
FORD of Polk

H-1663 FILED APRIL 24, 2001

Adopted
4-24-01
(P. 1467)

HOUSE FILE 726**H-1664**

- 1 Amend House File 726 as follows:
- 2 1. Page 12, line 1, by striking the figure
- 3 "625,000" and inserting the following: "725,000".
- 4 2. Page 12, line 30, by striking the figure
- 5 "45,388,702" and inserting the following:
- 6 "45,538,702".

By ALONS of Sioux

H-1664 FILED APRIL 24, 2001

Adopted
4-24-01
(p. 1464)

HOUSE FILE 726**H-1671**

- 1 Amend House File 726 as follows:
- 2 1. Page 10, by inserting after line 1 the
- 3 following:
- 4 "___". In implementing the federal substance abuse
- 5 and treatment block grant and any applicable
- 6 provisions of the federal Public Health Service Act,
- 7 the department shall apply the provisions of Pub. L.
- 8 No. 106-310, § 3305, relating to services provided by
- 9 religious and other nongovernmental organizations."
- 10 2. By renumbering as necessary.

By ALONS of Sioux

H-1671 FILED APRIL 24, 2001

W/D
4-24-01
(p. 1462)

HOUSE FILE 726**H-1676**

- 1 Amend House File 726 as follows:
- 2 1. Page 14, line 7, by striking the figure
- 3 "1,690,000" and inserting the following: "1,382,000".
- 4 2. Page 14, line 20, by striking the figure
- 5 "1,692,000" and inserting the following: "2,000,000".

By SIEVERS of Scott
CORMACK of Webster
RAECKER of Polk

H-1676 FILED APRIL 24, 2001

W/D
4-24-01
(p. 1466)

2. 4/26/01 Amend/Do Pass
w/s - 3550
5-4/27/01 Rereferred To: Ways + Means
5-4/27/01 Do Pass

HOUSE FILE 726
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 253)

(As Amended and Passed by the House April 24, 2001)

Passed House, Date 4-24-01 (P. 1471) Passed Senate, Date 4/30/01 (P. 1396)
Vote: Ayes 51 Nays 42 Vote: Ayes 28 Nays 20
Approved 5/24/01

(P. 1704) Re Passed 5/1/01
57-39

Re passed 5/3/01 (P. 1478)
Vote 29-20

A BILL FOR

1 An Act relating to and making appropriations to the department
2 for the blind, the Iowa state civil rights commission, the
3 department of elder affairs, the Iowa department of public
4 health, the department of human rights, the governor's office
5 of drug control policy, and the commission of veterans
6 affairs, providing a criminal surcharge increase, and
7 providing an effective date.

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

House Amendments _____

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1 Section 1. DEPARTMENT FOR THE BLIND. There is
2 appropriated from the general fund of the state to the
3 department for the blind for the fiscal year beginning July 1,
4 2001, and ending June 30, 2002, the following amount, or so
5 much thereof as is necessary, to be used for the purposes
6 designated:

7 For salaries, support, maintenance, miscellaneous purposes,
8 and for not more than the following full-time equivalent
9 positions:

10	\$	1,790,993
11	FTEs	106.50

12 Sec. 2. CIVIL RIGHTS COMMISSION. There is appropriated
13 from the general fund of the state to the Iowa state civil
14 rights commission for the fiscal year beginning July 1, 2001,
15 and ending June 30, 2002, the following amount, or so much
16 thereof as is necessary, to be used for the purposes
17 designated:

18 For salaries, support, maintenance, miscellaneous purposes,
19 and for not more than the following full-time equivalent
20 positions:

21	\$	1,082,743
22	FTEs	38.05

23 If the anticipated amount of federal funding from the
24 federal equal employment opportunity commission and the
25 federal department of housing and urban development exceeds
26 \$736,000 during the fiscal year beginning July 1, 2001, the
27 Iowa state civil rights commission may exceed the staffing
28 level authorized in this section to hire additional staff to
29 process or to support the processing of employment and housing
30 complaints during that fiscal year.

31 Sec. 3. DEPARTMENT OF ELDER AFFAIRS. There is
32 appropriated from the general fund of the state to the
33 department of elder affairs for the fiscal year beginning July
34 1, 2001, and ending June 30, 2002, the following amount, or so
35 much thereof as is necessary, to be used for the purposes

1 designated:

2 1. For aging programs for the department of elder affairs
3 and area agencies on aging to provide citizens of Iowa who are
4 over 60 years of age with case management for the frail
5 elderly, Alzheimer's support, retired senior volunteer
6 program, resident advocate committee coordination, employment,
7 and other services which may include, but are not limited to,
8 mental health outreach, adult day care, respite care, chore
9 services, telephone reassurance, information and assistance,
10 and home repair services, including the winterizing of homes,
11 and for the construction of entrance ramps which make
12 residences accessible to the physically handicapped, and for
13 salaries, support, administration, maintenance, miscellaneous
14 purposes, and for not more than the following full-time
15 equivalent positions with the department of elder affairs:

16	\$ 4,473,611
17	FTEs 30.00

18 a. Funds appropriated in this subsection may be used to
19 supplement federal funds under federal regulations. To
20 receive funds appropriated in this subsection, a local area
21 agency on aging shall match the funds with moneys from other
22 sources according to rules adopted by the department. Funds
23 appropriated in this subsection may be used for elderly
24 services not specifically enumerated in this subsection only
25 if approved by an area agency on aging for provision of the
26 service within the area.

27 b. It is the intent of the general assembly that the Iowa
28 chapters of the Alzheimer's association and the case
29 management program for the frail elderly shall collaborate and
30 cooperate fully to assist families in maintaining family
31 members with Alzheimer's disease in the community for the
32 longest period of time possible.

33 c. The department shall maintain policies and procedures
34 regarding Alzheimer's support and the retired senior volunteer
35 program.

1 2. The department may grant an exception for a limited
2 period of time, determined by the department to be reasonable,
3 to allow for compliance by persons regulated by the department
4 or applicants for assisted living certification with any part
5 of chapter 104A relative to buildings in existence on July 1,
6 1998. The determination of the period of time allowed for
7 compliance shall be commensurate with the anticipated
8 magnitude of expenditure, disruption of services, and the
9 degree of hazard presented. The department shall also be
10 authorized to modify the accessibility requirements otherwise
11 applicable to such applicants for buildings in existence on
12 July 1, 1998, if the department determines that compliance
13 with the requirements would be unreasonable, but only if it is
14 determined that noncompliance with the requirements would not
15 present an unreasonable degree of danger.

16 Sec. 4. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. There
17 is appropriated from the general fund of the state to the
18 governor's office of drug control policy for the fiscal year
19 beginning July 1, 2001, and ending June 30, 2002, the
20 following amount, or so much thereof as is necessary, to be
21 used for the purpose designated:

22 For salaries, support, maintenance, miscellaneous purposes
23 including statewide coordination of the drug abuse resistance
24 education (D.A.R.E.) program, and for not more than the
25 following full-time equivalent positions:

26	\$	487,759
27	FTEs	13.00

28 Sec. 5. DEPARTMENT OF PUBLIC HEALTH. There is
29 appropriated from the general fund of the state to the Iowa
30 department of public health for the fiscal year beginning July
31 1, 2001, and ending June 30, 2002, the following amounts, or
32 so much thereof as is necessary, to be used for the purposes
33 designated:

34 1. ADDICTIVE DISORDERS

35 For reducing the prevalence of use of tobacco, alcohol, and

1 other drugs, and treating individuals affected by addictive
2 behaviors, including gambling, and for not more than the
3 following full-time equivalent positions:

4	\$	1,492,239
5	FTEs	13.65

6 a. The department shall continue to coordinate with
7 substance abuse treatment and prevention providers regardless
8 of funding source to assure the delivery of substance abuse
9 treatment and prevention programs.

10 b. The commission on substance abuse, in conjunction with
11 the department, shall continue to coordinate the delivery of
12 substance abuse services involving prevention, social and
13 medical detoxification, and other treatment by medical and
14 nonmedical providers to uninsured and court-ordered substance
15 abuse patients in all counties of the state.

16 2. ADULT WELLNESS

17 For maintaining or improving the health status of adults,
18 with target populations between the ages of 18 through 60, and
19 for not more than the following full-time equivalent
20 positions:

21	\$	567,197
22	FTEs	21.99

23 3. CHILD AND ADOLESCENT WELLNESS

24 For promoting the optimum health status for children and
25 adolescents from birth through 21 years of age, and for not
26 more than the following full-time equivalent positions:

27	\$	1,256,538
28	FTEs	48.53

29 4. CHRONIC CONDITIONS

30 For serving individuals identified as having chronic
31 conditions or special health care needs, and for not more than
32 the following full-time equivalent positions:

33	\$	1,327,510
34	FTEs	8.58

35 5. COMMUNITY CAPACITY

1 For strengthening the health care delivery system at the
2 local level, and for not more than the following full-time
3 equivalent positions:

4 \$ 1,464,710
5 FTEs 23.70

6 6. ELDERLY WELLNESS

7 For optimizing the health of persons 60 years of age and
8 older, and for not more than the following full-time
9 equivalent positions:

10 \$ 10,602,737
11 FTEs 0.80

12 7. ENVIRONMENTAL HAZARDS

13 For reducing the public's exposure to hazards in the
14 environment, primarily chemical hazards, and for not more than
15 the following full-time equivalent positions:

16 \$ 166,234
17 FTEs 8.00

18 8. INFECTIOUS DISEASES

19 For reducing the incidence and prevalence of communicable
20 diseases, and for not more than the following full-time
21 equivalent positions:

22 \$ 1,209,818
23 FTEs 34.30

24 9. INJURIES

25 For providing support and protection to victims of abuse or
26 injury, or programs that are designed to prevent abuse or
27 injury, and for not more than the following full-time
28 equivalent positions:

29 \$ 1,653,331
30 FTEs 7.95

31 10. PUBLIC PROTECTION

32 For protecting the health and safety of the public through
33 establishing standards and enforcing regulations, and for not
34 more than the following full-time equivalent positions:

35 \$ 6,923,647

1 FTEs 136.77

2 a. The department may expend funds received from licensing
3 fees in addition to amounts appropriated in this subsection,
4 if those additional expenditures are directly the result of a
5 scope of practice review committee or unanticipated litigation
6 costs arising from the discharge of an examining board's
7 regulatory duties. Before the department expends or encumbers
8 funds for a scope of practice review committee or an amount in
9 excess of the funds budgeted for an examining board, the
10 director of the department of management shall approve the
11 expenditure or encumbrance. The amounts necessary to fund any
12 unanticipated litigation or scope of practice review committee
13 expense in the fiscal year beginning July 1, 2001, shall not
14 exceed 5 percent of the average annual fees generated by the
15 boards for the previous two fiscal years.

16 b. For the fiscal year beginning July 1, 2001, the
17 department shall retain fees collected from the certification
18 of lead inspectors and lead abaters pursuant to section
19 135.105A to support the certification program; and shall
20 retain fees collected from the licensing, registration,
21 authorization, accreditation, and inspection of x-ray machines
22 used for mammographically guided breast biopsy, screening, and
23 diagnostic mammography, pursuant to section 136C.10 to support
24 the administration of the chapter. The department may also
25 retain fees collected pursuant to section 136C.10 on all
26 shippers of radioactive material waste containers transported
27 across Iowa if the department does not obtain funding to
28 support the oversight and regulation of this activity, and for
29 x-ray radiology examination fees collected by the department
30 and reimbursed to a private organization conducting the
31 examination. For the fiscal year beginning July 1, 2001, the
32 department shall also retain any new or increased fees
33 implemented by the department pursuant to legislation enacted
34 by the general assembly in 2001 for activities not otherwise
35 funded by amounts appropriated in this section. Fees retained

1 by the department pursuant to this lettered paragraph are
2 appropriated to the department for the purposes specified in
3 this lettered paragraph.

4 c. The department may retain and expend not more than
5 \$263,458 for lease and maintenance expenses for the relocation
6 of licensure boards from the executive hills state office
7 building from fees collected pursuant to section 147.80 by the
8 board of dental examiners, the board of pharmacy examiners,
9 the board of medical examiners, and the board of nursing
10 examiners in the fiscal year beginning July 1, 2001, and
11 ending June 30, 2002. Fees retained by the department
12 pursuant to this lettered paragraph are appropriated to the
13 department for the purposes described in this lettered
14 paragraph.

15 d. The department may retain and expend not more than
16 \$100,000 for reduction of the number of days necessary to
17 process medical license requests and for reduction of the
18 number of days needed for consideration of malpractice cases
19 from fees collected pursuant to section 147.80 by the board of
20 medical examiners in the fiscal year beginning July 1, 2001,
21 and ending June 30, 2002. Fees retained by the department
22 pursuant to this lettered paragraph are appropriated to the
23 department for the purposes described in this lettered
24 paragraph.

25 e. If a person in the course of responding to an emergency
26 renders aid to an injured person and becomes exposed to bodily
27 fluids of the injured person, that emergency responder shall
28 be entitled to hepatitis testing and immunization in
29 accordance with the latest available medical technology to
30 determine if infection with hepatitis has occurred. The
31 person shall be entitled to reimbursement from the EMS funds
32 available under this subsection only if the reimbursement is
33 not available through any employer or third-party payor.

34 f. The board of dental examiners may retain and expend not
35 more than \$98,740 from revenues generated pursuant to section

1 147.80. Fees retained by the board pursuant to this lettered
2 paragraph are appropriated to the department to be used for
3 the purposes of regulating dental assistants.

4 g. The state board of medical examiners, the state board
5 of pharmacy examiners, the state board of dental examiners,
6 and the state board of nursing examiners shall prepare
7 estimates of projected receipts to be generated by the
8 licensing, certification, and examination fees of each board
9 as well as a projection of the fairly apportioned
10 administrative costs and rental expenses attributable to each
11 board. Each board shall annually review and adjust its
12 schedule of fees so that, as nearly as possible, projected
13 receipts equal projected costs.

14 h. The state board of medical examiners, the state board
15 of pharmacy examiners, the state board of dental examiners,
16 and the state board of nursing examiners shall retain their
17 individual executive officers, but are strongly encouraged to
18 share administrative, clerical, and investigative staffs to
19 the greatest extent possible.

20 i. For the period ending June 30, 2002, the state board of
21 medical examiners, the state board of pharmacy examiners, the
22 state board of dental examiners, and the state board of
23 podiatry examiners shall not sanction or otherwise take any
24 action against licensees who use an automatic dispensing
25 system for prescription drugs in the absence of a pharmacist
26 or practitioner that would otherwise be in violation of
27 section 147.107, subsection 2, and section 155A.33, provided
28 both of the following conditions are met:

29 (1) The licensee utilizes an internal quality control
30 assurance plan that ensures accuracy in dispensing.

31 (2) The licensee remains responsible for the verification
32 and accuracy of the automated dispensing system in accordance
33 with the standards adopted by the licensee's examining board.

34 It is the intent of the general assembly that the board of
35 medical examiners, the board of pharmacy examiners, the board

1 of dental examiners, and the board of podiatry examiners shall
2 meet to identify a statutory resolution of the issues raised
3 by the use of automated dispensing systems for prescription
4 drugs and submit their findings and legislative
5 recommendations to the governor and general assembly by
6 December 1, 2001.

7 11. RESOURCE MANAGEMENT

8 For establishing and sustaining the overall ability of the
9 department to deliver services to the public, and for not more
10 than the following full-time equivalent positions:

11	\$	1,260,179
12	FTEs	59.33

13 12. The state university of Iowa hospitals and clinics
14 under the control of the state board of regents shall not
15 receive indirect costs from the funds appropriated in this
16 section.

17 13. A local health care provider or nonprofit health care
18 organization seeking grant moneys administered by the Iowa
19 department of public health shall provide documentation that
20 the provider or organization has coordinated its services with
21 other local entities providing similar services.

22 14. a. The department shall apply for available federal
23 funds for sexual abstinence education programs in accordance
24 with the federal Personal Responsibility and Work Opportunity
25 Reconciliation Act of 1996, Pub. L. No. 104-193, § 912.

26 b. It is the intent of the general assembly to comply with
27 the United States Congress' intent to provide education that
28 promotes abstinence from sexual activity outside of marriage
29 and reduces pregnancies, by focusing efforts on those persons
30 most likely to father and bear children out of wedlock.

31 c. Any sexual abstinence education program awarded moneys
32 under the grant program shall meet the definition of
33 abstinence education in the federal law. Grantees shall be
34 evaluated based upon the extent to which the abstinence
35 program successfully communicates the goals set forth in the

1 federal law.

2 Sec. 6. DEPARTMENT OF HUMAN RIGHTS. There is appropriated
3 from the general fund of the state to the department of human
4 rights for the fiscal year beginning July 1, 2001, and ending
5 June 30, 2002, the following amounts, or so much thereof as is
6 necessary, to be used for the purposes designated:

7 1. CENTRAL ADMINISTRATION DIVISION

8 For salaries, support, maintenance, miscellaneous purposes,
9 and for not more than the following full-time equivalent
10 positions:

11	\$	277,345
12	FTEs	7.00

13 2. DEAF SERVICES DIVISION

14 For salaries, support, maintenance, miscellaneous purposes,
15 and for not more than the following full-time equivalent
16 positions:

17	\$	350,211
18	FTEs	7.00

19 The fees collected by the division for provision of
20 interpretation services by the division to obligated agencies
21 shall be disbursed pursuant to the provisions of section 8.32,
22 and shall be dedicated and used by the division for continued
23 and expanded interpretation services.

24 3. PERSONS WITH DISABILITIES DIVISION

25 For salaries, support, maintenance, miscellaneous purposes,
26 and for not more than the following full-time equivalent
27 positions:

28	\$	192,587
29	FTEs	3.50

30 4. LATINO AFFAIRS DIVISION

31 For salaries, support, maintenance, miscellaneous purposes,
32 and for not more than the following full-time equivalent
33 positions:

34	\$	172,528
35	FTEs	3.00

1 5. STATUS OF WOMEN DIVISION

2 For salaries, support, maintenance, miscellaneous purposes,
3 including the Iowans in transition program, and the domestic
4 violence and sexual assault-related grants, and for not more
5 than the following full-time equivalent positions:

6	\$	400,996
7	FTEs	3.00

8 6. STATUS OF AFRICAN-AMERICANS DIVISION

9 For salaries, support, maintenance, miscellaneous purposes,
10 and for not more than the following full-time equivalent
11 positions:

12	\$	137,714
13	FTEs	2.00

14 7. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

15 For salaries, support, maintenance, miscellaneous purposes,
16 and for not more than the following full-time equivalent
17 positions:

18	\$	412,481
19	FTEs	9.20

20 The criminal and juvenile justice planning advisory council
21 and the juvenile justice advisory council shall coordinate
22 their efforts in carrying out their respective duties relative
23 to juvenile justice.

24 It is the intent of the general assembly that the
25 department of human rights employ sufficient staff to meet the
26 federal funding match requirements established by the federal
27 office for juvenile justice and delinquency prevention. The
28 governor's advisory council on juvenile justice shall
29 determine the staffing level necessary to carry out federal
30 and state mandates for juvenile justice.

31 8. COMMUNITY GRANT FUND

32 For the community grant fund established in section
33 232.190, to be used for the purposes of the community grant
34 fund and for not more than the following full-time equivalent
35 positions:

1	\$	<u>725,000</u>
2	FTEs	1.44

3 9. SHARED STAFF. The divisions of the department of human
 4 rights shall retain their individual administrators, but shall
 5 share staff to the greatest extent possible.

6 Sec. 7. COMMISSION OF VETERANS AFFAIRS. There is
 7 appropriated from the general fund of the state to the
 8 commission of veterans affairs for the fiscal year beginning
 9 July 1, 2001, and ending June 30, 2002, the following amounts,
 10 or so much thereof as is necessary, to be used for the
 11 purposes designated:

12 1. COMMISSION OF VETERANS AFFAIRS ADMINISTRATION

13 For salaries, support, maintenance, miscellaneous purposes,
 14 including the war orphan educational fund established pursuant
 15 to chapter 35, and for not more than the following full-time
 16 equivalent positions:

17	\$	283,190
18	FTEs	5.00

19 The commission of veterans affairs may use the gifts
 20 accepted by the chairperson of the commission of veterans
 21 affairs, or designee, and other resources available to the
 22 commission for use at its Camp Dodge office. The commission
 23 shall report annually to the governor and the general assembly
 24 on monetary gifts received by the commission for the Camp
 25 Dodge office.

26 2. IOWA VETERANS HOME

27 For salaries, support, maintenance, miscellaneous purposes,
 28 and for not more than the following full-time equivalent
 29 positions:

30	\$	<u>45,538,702</u>
31	FTEs	889.84

32 a. The Iowa veterans home may use the gifts accepted by
 33 the chairperson of the commission of veterans affairs and
 34 other resources available to the commission for use at the
 35 Iowa veterans home.

1 b. If medical assistance revenues are expanded at the Iowa
2 veterans home, and this expansion results in medical
3 assistance reimbursements which exceed the amount budgeted for
4 that purpose in the fiscal year beginning July 1, 2001, and
5 ending June 30, 2002, the Iowa veterans home may expend the
6 excess amounts to exceed the number of full-time equivalent
7 positions authorized for the purpose of meeting related
8 certification requirements or to provide additional beds. The
9 expenditure of additional funds received, as outlined in this
10 paragraph, is subject to approval by the department of
11 management. The amount approved by the department of
12 management for expenditure shall be considered repayment
13 receipts.

14 c. Any Iowa veterans home successor contractor shall not
15 consider employees of a state institution or facility to be
16 new employees for purposes of employee wages, health
17 insurance, or retirement benefits.

18 d. The chairpersons and ranking members of the joint
19 appropriations subcommittee on health and human rights shall
20 be notified by January 15 of any calendar year during which a
21 request for proposals is anticipated to be issued regarding
22 any Iowa veterans home contract involving employment, for
23 purposes of providing legislative review and oversight.

24 e. The Iowa veterans home may retain reimbursements for
25 medication costs obtained from the federal department of
26 veterans affairs for the fiscal year beginning July 1, 2001,
27 and ending June 30, 2002, in an amount sufficient for the
28 payment of new and increased pharmaceutical costs and lease
29 payments on a unit dose machine. Moneys retained pursuant to
30 this paragraph are appropriated to the Iowa veterans home to
31 be used for the purposes of this paragraph.

32 Sec. 8. GAMBLING TREATMENT FUND -- APPROPRIATION.

33 1. There is appropriated from funds available in the
34 gambling treatment fund established in the office of the
35 treasurer of state pursuant to section 99E.10 to the Iowa

1 department of public health for the fiscal year beginning July
2 1, 2001, and ending June 30, 2002, the following amounts, or
3 so much thereof as is necessary, to be used for the purposes
4 designated:

5 a. Addictive disorders

6 To be utilized for the benefit of persons with addictions:

7 \$ 1,690,000

8 b. For transfer to the commission of veterans affairs to
9 be utilized for the benefit of the Iowa veterans home:

10 \$ 371,488

11 c. Gambling treatment program

12 The funds remaining in the gambling treatment fund after
13 the appropriations in paragraphs "a" and "b" are made, up to
14 the following amount, for funding of administrative costs and
15 to provide programs which may include, but are not limited to,
16 outpatient and follow-up treatment for persons affected by
17 problem gambling, rehabilitation and residential treatment
18 programs, information and referral services, education and
19 preventive services, and financial management services:

20 \$ 1,692,000

21 2. For the fiscal year beginning July 1, 2001, and ending
22 June 30, 2002, from the tax revenue received by the state
23 racing and gaming commission pursuant to section 99D.15,
24 subsections 1, 3, and 4, an amount equal to three-tenths of
25 one percent of the gross sum wagered by the pari-mutuel method
26 is to be deposited into the gambling treatment fund.

27 Sec. 9. Section 135.102, Code 2001, is amended by adding
28 the following new subsection:

29 NEW SUBSECTION. 6. Model regulations for lead hazard
30 remediation to be used in instances in which a child is
31 confirmed as lead poisoned. The department shall make the
32 model regulations available to local boards of health and
33 shall promote the adoption of the regulations at the local
34 level, in cities and counties implementing lead hazard
35 remediation programs. Nothing in this subsection shall be

1 construed as requiring the adoption of the model regulations.

2 Sec. 10. Section 602.8108, subsection 3, paragraph c, Code
3 2001, is amended to read as follows:

4 c. Notwithstanding provisions of this subsection to the
5 contrary, all moneys collected from the drug abuse resistance
6 education surcharge provided in section 911.2 shall be
7 remitted to the treasurer of state for deposit in the general
8 fund of the state and the amount deposited is appropriated to
9 the governor's office of drug control policy for use by the
10 drug abuse resistance education program and other programs
11 directed for a similar purpose.

12 Sec. 11. Section 911.2, Code 2001, is amended to read as
13 follows:

14 911.2 SURCHARGE.

15 When a court imposes a fine or forfeiture for a violation
16 of a state law, or of a city or county ordinance except an
17 ordinance regulating the parking of motor vehicles, the court
18 shall assess an additional penalty in the form of a surcharge
19 equal to thirty percent of the fine or forfeiture imposed. An
20 additional drug abuse resistance education surcharge of ~~five~~
21 ten dollars shall be assessed by the clerk of the district
22 court if the violation arose out of a violation of an offense
23 provided for in chapter 321J or chapter 124, division IV. In
24 the event of multiple offenses, the surcharge shall be based
25 upon the total amount of fines or forfeitures imposed for all
26 offenses. When a fine or forfeiture is suspended in whole or
27 in part, the surcharge shall be reduced in proportion to the
28 amount suspended.

29 The surcharge is subject to the provisions of chapter 909
30 governing the payment and collection of fines, as provided in
31 section 909.8.

32 Sec. 12. CANCER STUDY AND REPORT. The director of public
33 health, in consultation with an ad hoc committee comprised of
34 public health officials, health care providers, consumer
35 groups, educators, representatives from the state cancer

1 registry, representatives from the cancer chapter team of
2 healthy Iowans 2010, and other members deemed appropriate by
3 the director, shall conduct a study regarding comprehensive
4 cancer control in the state. The study shall include but not
5 be limited to:

6 1. An assessment of the incidence and prevalence of
7 cancer, including determinations of any geographic, social, or
8 economic patterns, or other common characteristics which
9 identify vulnerable populations at risk of cancer.

10 2. An evaluation of the effectiveness of current cancer
11 control efforts in terms of prevention, early detection,
12 treatment, rehabilitation, and quality of life. The study
13 should consider strategies to maximize existing public health
14 and private practice resources through improved coordination
15 and program planning. The study shall also identify
16 opportunities to increase and enhance efforts that focus on
17 cancer with special attention to prostate, bladder,
18 colorectal, skin, lung, oropharyngeal, breast, and cervical
19 cancer.

20 3. A review to encourage screening guidelines and tests
21 that lead to a reduction in site-specific cancer incidence
22 rates.

23 4. An effort to identify additional federal funding
24 sources and opportunities to enhance medical assistance
25 dollars for the treatment of breast and cervical cancer
26 through the federal Breast and Cervical Cancer Prevention and
27 Treatment Act of 2000, Pub. L. No. 106-354.

28 5. An evaluation of the availability and effectiveness of
29 current resources, programs, and efforts to address cancer
30 with special attention to prostate, bladder, colorectal, skin,
31 lung, oropharyngeal, breast, and cervical cancer.

32 The study shall consider the findings and recommendations
33 of healthy Iowans 2010 relating to cancer. The director shall
submit a report of the study's recommendations to the governor
5 and the general assembly by January 2, 2002, and present the

1 findings to a joint meeting of the human resources committees
2 of the Iowa general assembly during the 2002 session.

3 Sec. 13. VITAL RECORDS. The vital records modernization
4 project as enacted in 1993 Iowa Acts, chapter 55, section 1,
5 as amended by 1994 Iowa Acts, chapter 1068, section 8, as
6 amended by 1997 Iowa Acts, chapter 203, section 9, 1998 Iowa
7 Acts, chapter 1221, section 9, and 1999 Iowa Acts, chapter
8 201, section 17, and as continued by 2000 Iowa Acts, chapter
9 1222, section 10, shall be extended until June 30, 2002, and
10 the increased fees to be collected pursuant to that project
11 shall continue to be collected and are appropriated to the
12 Iowa department of public health until June 30, 2002.

13 Sec. 14. EFFECTIVE AND APPLICABILITY DATES. Section 5,
14 subsection 10, paragraph "i", of this Act relating to the
15 automatic dispensing system for prescription drugs, being
16 deemed of immediate importance, takes effect upon enactment.

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HOUSE FILE 726

S-3550

1 Amend House File 726, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 12, line 30, by striking the figure
 4 "45,538,702" and inserting the following:
 5 "47,268,500".
 6 2. Page 13, by inserting after line 31 the
 7 following:
 8 "f. In an effort to improve public understanding
 9 of the budget of the Iowa veterans home, and to
 10 adequately meet the needs of the residents of the Iowa
 11 veterans home, it is the intent of the general
 12 assembly that the Iowa veterans home shall submit a
 13 report by December 1, 2001, to the fiscal committee of
 14 the legislative council regarding the funds
 15 appropriated to the Iowa veterans home in the previous
 16 fiscal year, and any further information the fiscal
 17 committee may request."
 18 3. Page 14, line 13, by striking the words ", up
 19 to" and inserting the following: "shall be used".
 20 4. Page 14, line 14, by striking the words "the
 21 following amount,"
 22 5. Page 14, by striking lines 19 and 20, and
 23 inserting the following: "preventive services, and
 24 financial management services."
 25 6. By renumbering, relettering, or redesignating
 26 and correcting internal references as necessary.

By COMMITTEE ON APPROPRIATIONS
 JEFF LAMBERTI, CHAIRPERSON

S-3550 FILED APRIL 26, 2001

Adopted
4/30/01 (P. 1389)

HOUSE FILE 726

S-3552

1 Amend House File 726, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 4, line 4, by striking the figure
 4 "1,492,239" and inserting the following: "2,360,225".

By JOE BOLKCOM

S-3552 FILED APRIL 27, 2001

Lost 4/27/01

(P. 1341) HOUSE FILE 726

S-3553

1 Amend House File 726, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 1, line 21, by striking the figure
 4 "1,082,743" and inserting the following: "1,200,138".

By JOE BOLKCOM

S-3553 FILED APRIL 27, 2001

Lost
4/30/01 (P. 1390)

HOUSE FILE 726

S-3554

1 Amend House File 726, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 5, line 35, by striking the figure
 4 "6,923,647" and inserting the following: "7,323,647".
 By JOE BOLKCOM

S-3554 FILED APRIL 27, 2001

Lost
4/30/01 (p.1392)

HOUSE FILE 726

S-3560

1 Amend House File 726, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 2, by striking lines 2 through 17 and
 4 inserting the following:
 5 "1. For aging programs and for salaries, support,
 6 maintenance, and miscellaneous purposes, and for not
 7 more than the following full-time equivalent
 8 positions:
 9 \$ 5,065,411
 10 FTEs 30.00
 11 _____. Of the funds appropriated in this subsection,
 12 not more than \$151,654 shall be used for area agencies
 13 on aging administrative purposes for citizens of Iowa
 14 over 60 years of age for case management."
 15 2. By renumbering as necessary.
 By BETTY A. SOUKUP BILL FINK
 DENNIS H. BLACK ROBERT E. DVORSKY
 JACK HOLVECK PATRICK J. DELUHERY
 MATT McCOY MIKE CONNOLLY
 MARK SHEARER PATRICIA HARPER
 JOE BOLKCOM MICHAEL E. GRONSTAL

S-3560 FILED APRIL 27, 2001

Lost
4/30/01 (p.1390)

HOUSE FILE 726

S-3569

1 Amend House File 726, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 5, line 10, by striking the figure
 4 "10,602,737" and inserting the following:
 5 "10,932,737".
 By JOHNIE HAMMOND

S-3569 FILED APRIL 27, 2001

Lost
4/30/01
(p.1392)

HOUSE FILE 726

S-3561

1 Amend House File 726, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 14, by inserting after line 26 the
 4 following:
 5 "Sec. ____ . LOW-INCOME HOME ENERGY ASSISTANCE
 6 PROGRAM -- APPROPRIATION. There is appropriated from
 7 the general fund of the state to the division of
 8 community action agencies of the department of human
 9 rights for the fiscal year beginning July 1, 2001, and
 10 ending June 30, 2002, the following amount, or so much
 11 thereof as necessary, to be used for the purpose
 12 designated:
 13 For the low-income home energy assistance program:
 14 \$ 9,452,170"
 15 2. Page 15, by inserting before line 2 the
 16 following:
 17 "Sec. 100. Section 455G.3, Code 2001, is amended
 18 by adding the following new subsection:
 19 NEW SUBSECTION. 6. There is appropriated from the
 20 unassigned revenue fund administered by the Iowa
 21 comprehensive petroleum underground storage tank fund
 22 board to the division of community action agencies of
 23 the department of human rights for the fiscal year
 24 beginning July 1, 2000, and ending June 30, 2001,
 25 three million dollars, to be used for the low-income
 26 home energy assistance program."
 27 3. Page 17, line 15, by inserting after the word
 28 "drugs," the following: "and section 100 of this Act
 29 amending section 455G.3".
 30 4. Page 17, line 16, by striking the word "takes"
 31 and inserting the following: "take".

By ROBERT E. DVORSKY MARK SHEARER
 PATRICK J. DELUHERY THOMAS FIEGEN
 MICHAEL E. GRONSTAL MIKE CONNOLLY
 BETTY A. SOUKUP JOE BOLKCOM
 DENNIS H. BLACK BILL FINK
 JACK HOLVECK PATRICIA HARPER
 MATT McCOY

S-3561 FILED APRIL 27, 2001

Lost 4/30/01 (p. 1395) HOUSE FILE 726

S-3562

1 Amend House File 726, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 4, line 33, by striking the figure
 4 "1,327,510" and inserting the following: "1,846,534".

By JACK HOLVECK
 PATRICIA HARPER
 ROBERT E. DVORSKY

S-3562 FILED APRIL 27, 2001

Lost 4/30/01 (p. 1392)

HOUSE FILE 726**S-3564**

- 1 Amend House File 726, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 12, line 31, by striking the figure
 4 "889.84" and inserting the following: "823.85".

By MAGGIE TINSMAN
 JOANN JOHNSON
 JEFF LAMBERTI

S-3564 FILED APRIL 27, 2001

Adopted
4/30/01 (P.1394) **HOUSE FILE 726**

S-3565

- 1 Amend House File 726, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 12, line 1, by striking the figure
 4 "725,000" and inserting the following: "1,498,074".

By STEVEN D. HANSEN
 PATRICK J. DELUHERY

S-3565 FILED APRIL 27, 2001

Lost
4/30/01 (P.1394) **HOUSE FILE 726**

S-3566

- 1 Amend the amendment, S-3550, to House File 726, as
 2 amended, passed, and reprinted by the House, as
 3 follows:
 4 1. Page 1, line 5, by striking the figure
 5 "47,268,500" and inserting the following:
 6 "47,640,013".
 7 2. Page 1, by striking lines 18 through 24 and
 8 inserting the following:
 9 "____. Page 14, by striking lines 8 through 20 and
 10 inserting the following:
 11 "b. Gambling treatment program:
 12 All funds remaining in the gambling treatment fund
 13 after the appropriation in paragraph "a". Such funds
 14 shall be used for funding of administrative costs and
 15 to provide programs which may include, but are not
 16 limited to, outpatient and follow-up treatment for
 17 persons affected by problem gambling, rehabilitation
 18 and residential treatment programs, information and
 19 referral services, education and preventive services,
 20 and financial management services."
 21 3. By renumbering as necessary.

By TOM FLYNN
 PATRICK J. DELUHERY

S-3566 FILED APRIL 27, 2001

Lost
4/30/01
(P.1389)

SENATE AMENDMENT TO
HOUSE FILE 726

H-1763

1 Amend House File 726, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 12, line 30, by striking the figure
4 "45,538,702" and inserting the following:
5 "47,268,500".
6 2. Page 12, line 31, by striking the figure
7 "889.84" and inserting the following: "823.85".
8 3. Page 13, by inserting after line 31 the
9 following:
10 "f. In an effort to improve public understanding
11 of the budget of the Iowa veterans home, and to
12 adequately meet the needs of the residents of the Iowa
13 veterans home, it is the intent of the general
14 assembly that the Iowa veterans home shall submit a
15 report by December 1, 2001, to the fiscal committee of
16 the legislative council regarding the funds
17 appropriated to the Iowa veterans home in the previous
18 fiscal year, and any further information the fiscal
19 committee may request."
20 4. Page 14, line 13, by striking the words ", up
21 to" and inserting the following: "shall be used".
22 5. Page 14, line 14, by striking the words "the
23 following amount,"
24 6. Page 14, by striking lines 19 and 20, and
25 inserting the following: "preventive services, and
26 financial management services."
27 7. By renumbering, relettering, or redesignating
28 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-1763 FILED APRIL 30, 2001

House Concurred 5/1/01 (P. 1703)

HOUSE FILE 726

H-1833

1 Amend the Senate amendment, H-1763, to House File
2 726, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 1, by striking lines 6 and 7.
5 2. By renumbering as necessary.

By SMITH of Marshall

H-1833 FILED MAY 1, 2001

*w/18
5/1/01 (P. 1703)*

HOUSE FILE 726

H-1885

1 Amend the Senate amendment, H-1763, to House File
2 726, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 1, line 7, by striking the figure
5 "823.85" and inserting the following: "845.00".

Adopted 5/1/01 (P. 1703) By ALONS of Sioux

H-1885 FILED MAY 1, 2001

HOUSE AMENDMENT TO SENATE AMENDMENT TO
HOUSE FILE 726

S-3601

1 Amend the Senate amendment, H-1763, to House File
2 726, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, line 7, by striking the figure
5 "823.85" and inserting the following: "845.00".

RECEIVED FROM THE HOUSE

S-3601 FILED MAY 2, 2001
Concurred 5/3/01 (p.1478)

HOUSE FILE 726

AN ACT

RELATING TO AND MAKING APPROPRIATIONS TO THE DEPARTMENT FOR THE BLIND, THE IOWA STATE CIVIL RIGHTS COMMISSION, THE DEPARTMENT OF ELDER AFFAIRS, THE IOWA DEPARTMENT OF PUBLIC HEALTH, THE DEPARTMENT OF HUMAN RIGHTS, THE GOVERNOR'S OFFICE OF DRUG CONTROL POLICY, AND THE COMMISSION OF VETERANS AFFAIRS, PROVIDING A CRIMINAL SURCHARGE INCREASE, AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. DEPARTMENT FOR THE BLIND. There is appropriated from the general fund of the state to the department for the blind for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:
..... \$ 1,790,993
..... FTEs 106.50

Sec. 2. CIVIL RIGHTS COMMISSION. There is appropriated from the general fund of the state to the Iowa state civil rights commission for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:
..... \$ 1,082,743
..... FTEs 38.05

If the anticipated amount of federal funding from the federal equal employment opportunity commission and the

federal department of housing and urban development exceeds \$736,000 during the fiscal year beginning July 1, 2001, the Iowa state civil rights commission may exceed the staffing level authorized in this section to hire additional staff to process or to support the processing of employment and housing complaints during that fiscal year.

Sec. 3. DEPARTMENT OF ELDER AFFAIRS. There is appropriated from the general fund of the state to the department of elder affairs for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

1. For aging programs for the department of elder affairs and area agencies on aging to provide citizens of Iowa who are over 60 years of age with case management for the frail elderly, Alzheimer's support, retired senior volunteer program, resident advocate committee coordination, employment, and other services which may include, but are not limited to, mental health outreach, adult day care, respite care, chore services, telephone reassurance, information and assistance, and home repair services, including the winterizing of homes, and for the construction of entrance ramps which make residences accessible to the physically handicapped, and for salaries, support, administration, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions with the department of elder affairs:

..... \$ 4,473,611
..... FTEs 30.00

a. Funds appropriated in this subsection may be used to supplement federal funds under federal regulations. To receive funds appropriated in this subsection, a local area agency on aging shall match the funds with moneys from other sources according to rules adopted by the department. Funds appropriated in this subsection may be used for elderly services not specifically enumerated in this subsection only if approved by an area agency on aging for provision of the service within the area.

b. It is the intent of the general assembly that the Iowa chapters of the Alzheimer's association and the case management program for the frail elderly shall collaborate and cooperate fully to assist families in maintaining family members with Alzheimer's disease in the community for the longest period of time possible.

c. The department shall maintain policies and procedures regarding Alzheimer's support and the retired senior volunteer program.

2. The department may grant an exception for a limited period of time, determined by the department to be reasonable, to allow for compliance by persons regulated by the department or applicants for assisted living certification with any part of chapter 104A relative to buildings in existence on July 1, 1998. The determination of the period of time allowed for compliance shall be commensurate with the anticipated magnitude of expenditure, disruption of services, and the degree of hazard presented. The department shall also be authorized to modify the accessibility requirements otherwise applicable to such applicants for buildings in existence on July 1, 1998, if the department determines that compliance with the requirements would be unreasonable, but only if it is determined that noncompliance with the requirements would not present an unreasonable degree of danger.

Sec. 4. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. There is appropriated from the general fund of the state to the governor's office of drug control policy for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For salaries, support, maintenance, miscellaneous purposes including statewide coordination of the drug abuse resistance education (D.A.R.E.) program, and for not more than the following full-time equivalent positions:
..... \$ 487,759
..... FTEs 13.00

Sec. 5. DEPARTMENT OF PUBLIC HEALTH. There is appropriated from the general fund of the state to the Iowa department of public health for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADDICTIVE DISORDERS

For reducing the prevalence of use of tobacco, alcohol, and other drugs, and treating individuals affected by addictive behaviors, including gambling, and for not more than the following full-time equivalent positions:

..... \$ 1,492,239
..... FTEs 13.65

a. The department shall continue to coordinate with substance abuse treatment and prevention providers regardless of funding source to assure the delivery of substance abuse treatment and prevention programs.

b. The commission on substance abuse, in conjunction with the department, shall continue to coordinate the delivery of substance abuse services involving prevention, social and medical detoxification, and other treatment by medical and nonmedical providers to uninsured and court-ordered substance abuse patients in all counties of the state.

2. ADULT WELLNESS

For maintaining or improving the health status of adults, with target populations between the ages of 18 through 60, and for not more than the following full-time equivalent positions:

..... \$ 567,197
..... FTEs 21.99

3. CHILD AND ADOLESCENT WELLNESS

For promoting the optimum health status for children and adolescents from birth through 21 years of age, and for not more than the following full-time equivalent positions:

..... \$ 1,256,538
..... FTEs 48.53

4. CHRONIC CONDITIONS

For serving individuals identified as having chronic conditions or special health care needs, and for not more than the following full-time equivalent positions:

..... \$ 1,327,510
 FTEs 8.58

5. COMMUNITY CAPACITY

For strengthening the health care delivery system at the local level, and for not more than the following full-time equivalent positions:

..... \$ 1,464,710
 FTEs 23.70

6. ELDERLY WELLNESS

For optimizing the health of persons 60 years of age and older, and for not more than the following full-time equivalent positions:

..... \$ 10,602,737
 FTEs 0.80

7. ENVIRONMENTAL HAZARDS

For reducing the public's exposure to hazards in the environment, primarily chemical hazards, and for not more than the following full-time equivalent positions:

..... \$ 166,234
 FTEs 8.00

8. INFECTIOUS DISEASES

For reducing the incidence and prevalence of communicable diseases, and for not more than the following full-time equivalent positions:

..... \$ 1,209,818
 FTEs 34.30

9. INJURIES

For providing support and protection to victims of abuse or injury, or programs that are designed to prevent abuse or injury, and for not more than the following full-time equivalent positions:

..... \$ 1,653,331
 FTEs 7.95

10. PUBLIC PROTECTION

For protecting the health and safety of the public through establishing standards and enforcing regulations, and for not more than the following full-time equivalent positions:

..... \$ 6,923,647
 FTEs 136.77

a. The department may expend funds received from licensing fees in addition to amounts appropriated in this subsection, if those additional expenditures are directly the result of a scope of practice review committee or unanticipated litigation costs arising from the discharge of an examining board's regulatory duties. Before the department expends or encumbers funds for a scope of practice review committee or an amount in excess of the funds budgeted for an examining board, the director of the department of management shall approve the expenditure or encumbrance. The amounts necessary to fund any unanticipated litigation or scope of practice review committee expense in the fiscal year beginning July 1, 2001, shall not exceed 5 percent of the average annual fees generated by the boards for the previous two fiscal years.

b. For the fiscal year beginning July 1, 2001, the department shall retain fees collected from the certification of lead inspectors and lead abaters pursuant to section 135.105A to support the certification program; and shall retain fees collected from the licensing, registration, authorization, accreditation, and inspection of x-ray machines used for mammographically guided breast biopsy, screening, and diagnostic mammography, pursuant to section 136C.10 to support the administration of the chapter. The department may also retain fees collected pursuant to section 136C.10 on all shippers of radioactive material waste containers transported across Iowa if the department does not obtain funding to support the oversight and regulation of this activity, and for x-ray radiology examination fees collected by the department and reimbursed to a private organization conducting the examination. For the fiscal year beginning July 1, 2001, the department shall also retain any new or increased fees implemented by the department pursuant to legislation enacted

by the general assembly in 2001 for activities not otherwise funded by amounts appropriated in this section. Fees retained by the department pursuant to this lettered paragraph are appropriated to the department for the purposes specified in this lettered paragraph.

c. The department may retain and expend not more than \$263,458 for lease and maintenance expenses for the relocation of licensure boards from the executive hills state office building from fees collected pursuant to section 147.80 by the board of dental examiners, the board of pharmacy examiners, the board of medical examiners, and the board of nursing examiners in the fiscal year beginning July 1, 2001, and ending June 30, 2002. Fees retained by the department pursuant to this lettered paragraph are appropriated to the department for the purposes described in this lettered paragraph.

d. The department may retain and expend not more than \$100,000 for reduction of the number of days necessary to process medical license requests and for reduction of the number of days needed for consideration of malpractice cases from fees collected pursuant to section 147.80 by the board of medical examiners in the fiscal year beginning July 1, 2001, and ending June 30, 2002. Fees retained by the department pursuant to this lettered paragraph are appropriated to the department for the purposes described in this lettered paragraph.

e. If a person in the course of responding to an emergency renders aid to an injured person and becomes exposed to bodily fluids of the injured person, that emergency responder shall be entitled to hepatitis testing and immunization in accordance with the latest available medical technology to determine if infection with hepatitis has occurred. The person shall be entitled to reimbursement from the EMS funds available under this subsection only if the reimbursement is not available through any employer or third-party payor.

f. The board of dental examiners may retain and expend not more than \$98,740 from revenues generated pursuant to section

147.80. Fees retained by the board pursuant to this lettered paragraph are appropriated to the department to be used for the purposes of regulating dental assistants.

g. The state board of medical examiners, the state board of pharmacy examiners, the state board of dental examiners, and the state board of nursing examiners shall prepare estimates of projected receipts to be generated by the licensing, certification, and examination fees of each board as well as a projection of the fairly apportioned administrative costs and rental expenses attributable to each board. Each board shall annually review and adjust its schedule of fees so that, as nearly as possible, projected receipts equal projected costs.

h. The state board of medical examiners, the state board of pharmacy examiners, the state board of dental examiners, and the state board of nursing examiners shall retain their individual executive officers, but are strongly encouraged to share administrative, clerical, and investigative staffs to the greatest extent possible.

i. For the period ending June 30, 2002, the state board of medical examiners, the state board of pharmacy examiners, the state board of dental examiners, and the state board of podiatry examiners shall not sanction or otherwise take any action against licensees who use an automatic dispensing system for prescription drugs in the absence of a pharmacist or practitioner that would otherwise be in violation of section 147.107, subsection 2, and section 155A.33, provided both of the following conditions are met:

(1) The licensee utilizes an internal quality control assurance plan that ensures accuracy in dispensing.

(2) The licensee remains responsible for the verification and accuracy of the automated dispensing system in accordance with the standards adopted by the licensee's examining board.

It is the intent of the general assembly that the board of medical examiners, the board of pharmacy examiners, the board of dental examiners, and the board of podiatry examiners shall meet to identify a statutory resolution of the issues raised

by the use of automated dispensing systems for prescription drugs and submit their findings and legislative recommendations to the governor and general assembly by December 1, 2001.

11. RESOURCE MANAGEMENT

For establishing and sustaining the overall ability of the department to deliver services to the public, and for not more than the following full-time equivalent positions:

..... \$ 1,260,179
..... FTEs 59.33

12. The state university of Iowa hospitals and clinics under the control of the state board of regents shall not receive indirect costs from the funds appropriated in this section.

13. A local health care provider or nonprofit health care organization seeking grant moneys administered by the Iowa department of public health shall provide documentation that the provider or organization has coordinated its services with other local entities providing similar services.

14. a. The department shall apply for available federal funds for sexual abstinence education programs in accordance with the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, § 912.

b. It is the intent of the general assembly to comply with the United States Congress' intent to provide education that promotes abstinence from sexual activity outside of marriage and reduces pregnancies, by focusing efforts on those persons most likely to father and bear children out of wedlock.

c. Any sexual abstinence education program awarded moneys under the grant program shall meet the definition of abstinence education in the federal law. Grantees shall be evaluated based upon the extent to which the abstinence program successfully communicates the goals set forth in the federal law.

Sec. 6. DEPARTMENT OF HUMAN RIGHTS. There is appropriated from the general fund of the state to the department of human rights for the fiscal year beginning July 1, 2001, and ending

June 30, 2002, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. CENTRAL ADMINISTRATION DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 277,345
..... FTEs 7.00

2. DEAF SERVICES DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 350,211
..... FTEs 7.00

The fees collected by the division for provision of interpretation services by the division to obligated agencies shall be disbursed pursuant to the provisions of section 8.32, and shall be dedicated and used by the division for continued and expanded interpretation services.

3. PERSONS WITH DISABILITIES DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 192,587
..... FTEs 3.50

4. LATINO AFFAIRS DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 172,528
..... FTEs 3.00

5. STATUS OF WOMEN DIVISION

For salaries, support, maintenance, miscellaneous purposes, including the Iowans in transition program, and the domestic violence and sexual assault-related grants, and for not more than the following full-time equivalent positions:

..... \$ 400,996

..... FTEs 3.00

6. STATUS OF AFRICAN-AMERICANS DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 137,714
..... FTEs 2.00

7. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 412,481
..... FTEs 9.20

The criminal and juvenile justice planning advisory council and the juvenile justice advisory council shall coordinate their efforts in carrying out their respective duties relative to juvenile justice.

It is the intent of the general assembly that the department of human rights employ sufficient staff to meet the federal funding match requirements established by the federal office for juvenile justice and delinquency prevention. The governor's advisory council on juvenile justice shall determine the staffing level necessary to carry out federal and state mandates for juvenile justice.

8. COMMUNITY GRANT FUND

For the community grant fund established in section 232.190, to be used for the purposes of the community grant fund and for not more than the following full-time equivalent positions:

..... \$ 725,000
..... FTEs 1.44

9. SHARED STAFF. The divisions of the department of human rights shall retain their individual administrators, but shall share staff to the greatest extent possible.

Sec. 7. COMMISSION OF VETERANS AFFAIRS. There is appropriated from the general fund of the state to the commission of veterans affairs for the fiscal year beginning

July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. COMMISSION OF VETERANS AFFAIRS ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, including the war orphan educational fund established pursuant to chapter 35, and for not more than the following full-time equivalent positions:

..... \$ 283,190
..... FTEs 5.00

The commission of veterans affairs may use the gifts accepted by the chairperson of the commission of veterans affairs, or designee, and other resources available to the commission for use at its Camp Dodge office. The commission shall report annually to the governor and the general assembly on monetary gifts received by the commission for the Camp Dodge office.

2. IOWA VETERANS HOME

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 47,268,500
..... FTEs 845.00

a. The Iowa veterans home may use the gifts accepted by the chairperson of the commission of veterans affairs and other resources available to the commission for use at the Iowa veterans home.

b. If medical assistance revenues are expanded at the Iowa veterans home, and this expansion results in medical assistance reimbursements which exceed the amount budgeted for that purpose in the fiscal year beginning July 1, 2001, and ending June 30, 2002, the Iowa veterans home may expend the excess amounts to exceed the number of full-time equivalent positions authorized for the purpose of meeting related certification requirements or to provide additional beds. The expenditure of additional funds received, as outlined in this paragraph, is subject to approval by the department of

management. The amount approved by the department of management for expenditure shall be considered repayment receipts.

c. Any Iowa veterans home successor contractor shall not consider employees of a state institution or facility to be new employees for purposes of employee wages, health insurance, or retirement benefits.

d. The chairpersons and ranking members of the joint appropriations subcommittee on health and human rights shall be notified by January 15 of any calendar year during which a request for proposals is anticipated to be issued regarding any Iowa veterans home contract involving employment, for purposes of providing legislative review and oversight.

e. The Iowa veterans home may retain reimbursements for medication costs obtained from the federal department of veterans affairs for the fiscal year beginning July 1, 2001, and ending June 30, 2002, in an amount sufficient for the payment of new and increased pharmaceutical costs and lease payments on a unit dose machine. Moneys retained pursuant to this paragraph are appropriated to the Iowa veterans home to be used for the purposes of this paragraph.

f. In an effort to improve public understanding of the budget of the Iowa veterans home, and to adequately meet the needs of the residents of the Iowa veterans home, it is the intent of the general assembly that the Iowa veterans home shall submit a report by December 1, 2001, to the fiscal committee of the legislative council regarding the funds appropriated to the Iowa veterans home in the previous fiscal year, and any further information the fiscal committee may request.

Sec. 8. GAMBLING TREATMENT FUND -- APPROPRIATION.

1. There is appropriated from funds available in the gambling treatment fund established in the office of the treasurer of state pursuant to section 99E.10 to the Iowa department of public health for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. Addictive disorders

To be utilized for the benefit of persons with addictions:

..... \$ 1,690,000

b. For transfer to the commission of veterans affairs to be utilized for the benefit of the Iowa veterans home:

..... \$ 371,488

c. Gambling treatment program

The funds remaining in the gambling treatment fund after the appropriations in paragraphs "a" and "b" are made shall be used for funding of administrative costs and to provide programs which may include, but are not limited to, outpatient and follow-up treatment for persons affected by problem gambling, rehabilitation and residential treatment programs, information and referral services, education and preventive services, and financial management services.

2. For the fiscal year beginning July 1, 2001, and ending June 30, 2002, from the tax revenue received by the state racing and gaming commission pursuant to section 99D.15, subsections 1, 3, and 4, an amount equal to three-tenths of one percent of the gross sum wagered by the pari-mutuel method is to be deposited into the gambling treatment fund.

Sec. 9. Section 135.102, Code 2001, is amended by adding the following new subsection:

NEW SUBSECTION. 6. Model regulations for lead hazard remediation to be used in instances in which a child is confirmed as lead poisoned. The department shall make the model regulations available to local boards of health and shall promote the adoption of the regulations at the local level, in cities and counties implementing lead hazard remediation programs. Nothing in this subsection shall be construed as requiring the adoption of the model regulations.

Sec. 10. Section 602.8108, subsection 3, paragraph c, Code 2001, is amended to read as follows:

c. Notwithstanding provisions of this subsection to the contrary, all moneys collected from the drug abuse resistance education surcharge provided in section 911.2 shall be remitted to the treasurer of state for deposit in the general

fund of the state and the amount deposited is appropriated to the governor's office of drug control policy for use by the drug abuse resistance education program and other programs directed for a similar purpose.

Sec. 11. Section 911.2, Code 2001, is amended to read as follows:

911.2 SURCHARGE.

When a court imposes a fine or forfeiture for a violation of a state law, or of a city or county ordinance except an ordinance regulating the parking of motor vehicles, the court shall assess an additional penalty in the form of a surcharge equal to thirty percent of the fine or forfeiture imposed. An additional drug abuse resistance education surcharge of five ten dollars shall be assessed by the clerk of the district court if the violation arose out of a violation of an offense provided for in chapter 321J or chapter 124, division IV. In the event of multiple offenses, the surcharge shall be based upon the total amount of fines or forfeitures imposed for all offenses. When a fine or forfeiture is suspended in whole or in part, the surcharge shall be reduced in proportion to the amount suspended.

The surcharge is subject to the provisions of chapter 909 governing the payment and collection of fines, as provided in section 909.8.

Sec. 12. CANCER STUDY AND REPORT. The director of public health, in consultation with an ad hoc committee comprised of public health officials, health care providers, consumer groups, educators, representatives from the state cancer registry, representatives from the cancer chapter team of healthy Iowans 2010, and other members deemed appropriate by the director, shall conduct a study regarding comprehensive cancer control in the state. The study shall include but not be limited to:

1. An assessment of the incidence and prevalence of cancer, including determinations of any geographic, social, or economic patterns, or other common characteristics which identify vulnerable populations at risk of cancer.

2. An evaluation of the effectiveness of current cancer control efforts in terms of prevention, early detection, treatment, rehabilitation, and quality of life. The study should consider strategies to maximize existing public health and private practice resources through improved coordination and program planning. The study shall also identify opportunities to increase and enhance efforts that focus on cancer with special attention to prostate, bladder, colorectal, skin, lung, oropharyngeal, breast, and cervical cancer.

3. A review to encourage screening guidelines and tests that lead to a reduction in site-specific cancer incidence rates.

4. An effort to identify additional federal funding sources and opportunities to enhance medical assistance dollars for the treatment of breast and cervical cancer through the federal Breast and Cervical Cancer Prevention and Treatment Act of 2000, Pub. L. No. 106-354.

5. An evaluation of the availability and effectiveness of current resources, programs, and efforts to address cancer with special attention to prostate, bladder, colorectal, skin, lung, oropharyngeal, breast, and cervical cancer.

The study shall consider the findings and recommendations of healthy Iowans 2010 relating to cancer. The director shall submit a report of the study's recommendations to the governor and the general assembly by January 2, 2002, and present the findings to a joint meeting of the human resources committees of the Iowa general assembly during the 2002 session.

Sec. 13. VITAL RECORDS. The vital records modernization project as enacted in 1993 Iowa Acts, chapter 55, section 1, as amended by 1994 Iowa Acts, chapter 1068, section 8, as amended by 1997 Iowa Acts, chapter 203, section 9, 1998 Iowa Acts, chapter 1221, section 9, and 1999 Iowa Acts, chapter 201, section 17, and as continued by 2000 Iowa Acts, chapter 1222, section 10, shall be extended until June 30, 2002, and the increased fees to be collected pursuant to that project shall continue to be collected and are appropriated to the Iowa department of public health until June 30, 2002.

Sec. 14. EFFECTIVE AND APPLICABILITY DATES. Section 5, subsection 10, paragraph "i", of this Act relating to the automatic dispensing system for prescription drugs, being deemed of immediate importance, takes effect upon enactment.

BRENT SIEGRIST
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 726, Seventy-ninth General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved 5/24/, 2001

THOMAS J. VILSACK
Governor