APR 4 2003
APPROPRIATIONS CALENDAR

HOUSE FILE 667
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 309)

Passed House, Date Passed 4/10/03 Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

Motion to reconsider filed 4/22/03 - Lamberti

A BILL FOR

1 An Act relating to and making appropriations for health and human
2 services to the department of elder affairs, the Iowa
3 department of public health, the department of inspections and
4 appeals, the department of human services, and the commission
5 of veterans affairs, and providing effective dates.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 DIVISION I
2 ELDER AFFAIRS
3 Section 1. DEPARTMENT OF ELDER AFFAIRS. There is
4 appropriated from the general fund of the state to the
5 department of elder affairs for the fiscal year beginning July
6 1, 2003, and ending June 30, 2004, the following amount, or so
7 much thereof as is necessary, to be used for the purposes
8 designated:
9 For aging programs for the department of elder affairs and
10 area agencies on aging to provide citizens of Iowa who are 60
11 years of age and older with case management for the frail
12 elderly, the retired and senior volunteer program, resident
13 advocate committee coordination, employment, and other
14 services which may include, but are not limited to, adult day
15 services, respite care, chore services, telephone reassurance,
16 information and assistance, and home repair services,
17 including the winterizing of homes, and for the construction
18 of entrance ramps which make residences accessible to the
19 physically handicapped, and for salaries, support,
20 administration, maintenance, miscellaneous purposes, and for
21 not more than the following full-time equivalent positions
22 with the department of elder affairs:
23 ..... $ 2,653,222
24 ..... FTEs 25.50
25 1. Funds appropriated in this section may be used to
26 supplement federal funds under federal regulations. To
27 receive funds appropriated in this section, a local area
28 agency on aging shall match the funds with moneys from other
29 sources according to rules adopted by the department. Funds
30 appropriated in this section may be used for elderly services
31 not specifically enumerated in this section only if approved
32 by an area agency on aging for provision of the service within
33 the area.
34 2. Of the funds allocated under this section and any other
35 state funds allocated for aging programs of the area agencies

1 on aging not more than 7.5 percent of the total amount
2 allocated shall be used for area agencies on aging
3 administrative purposes.
4 3. It is the intent of the general assembly that the Iowa
5 chapters of the Alzheimer's association and the case
6 management program for the frail elderly shall collaborate and
7 cooperate fully to assist families in maintaining family
8 members with Alzheimer's disease in the community for the
9 longest period of time possible.
10 4. The department shall maintain policies and procedures
11 regarding Alzheimer's support and the retired and senior
12 volunteer program.
13 DIVISION II
14 PUBLIC HEALTH
15 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. There is
16 appropriated from the general fund of the state to the Iowa
17 department of public health for the fiscal year beginning July
18 1, 2003, and ending June 30, 2004, the following amounts, or
19 so much thereof as is necessary, to be used for the purposes
20 designated:
21 1. ADDICTIVE DISORDERS
22 For reducing the prevalence of use of tobacco, alcohol, and
23 other drugs, and treating individuals affected by addictive
24 behaviors, including gambling, and for not more than the
25 following full-time equivalent positions:
26 ..... $ 1,277,947
27 ..... FTEs 13.75
28 a. The department shall continue to coordinate with
29 substance abuse treatment and prevention providers regardless
30 of funding source to assure the delivery of substance abuse
31 treatment and prevention programs.
32 b. The commission on substance abuse, in conjunction with
33 the department, shall continue to coordinate the delivery of
34 substance abuse services involving prevention, social and
35 medical detoxification, and other treatment by medical and

1 nonmedical providers to uninsured and court-ordered substance
2 abuse patients in all counties of the state.
3 c. The department and any grantee or subgrantee of the
4 department shall not discriminate against a nongovernmental
5 organization that provides substance abuse treatment and
6 prevention services or applies for funding to provide those
7 services on the basis that the organization has a religious
8 character. The department shall report to the governor and
9 the general assembly on or before February 1, 2004, regarding
10 the number of religious or other nongovernmental organizations
11 that applied for funds in the preceding fiscal year, the
12 amounts awarded to those organizations, and the basis for any
13 refusal by the department or grantee or subgrantee of the
14 department to award funds to any of those organizations that
15 applied.
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 ..... $ 260,582
22 ..... FTEs 23.85
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 ..... $ 835,959
28 ..... FTEs 44.15
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 ..... $ 1,036,805
34 ..... FTEs 11.15
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 ..... $ 1,287,158
5 ..... FTEs 25.10
6 Of the funds appropriated in this subsection, $100,000 is
7 allocated for a child vision screening program implemented
8 through the university of Iowa hospitals and clinics in
9 collaboration with community empowerment areas.
10 6. ELDERLY WELLNESS
11 For optimizing the health of persons 60 years of age and
12 older, and for not more than the following full-time
13 equivalent positions:
14 ..... $ 9,470,754
15 ..... FTEs 4.35
16 7. ENVIRONMENTAL HAZARDS
17 For reducing the public's exposure to hazards in the
18 environment, primarily chemical hazards, and for not more than
19 the following full-time equivalent positions:
20 ..... $ 349,547
21 ..... FTEs 8.50
22 8. INFECTIOUS DISEASES
23 For reducing the incidence and prevalence of communicable
24 diseases, and for not more than the following full-time
25 equivalent positions:
26 ..... $ 977,340
27 ..... FTEs 36.90
28 9. INJURIES
29 For providing support and protection to victims of abuse or
30 injury, or programs that are designed to prevent abuse or
31 injury, and for not more than the following full-time
32 equivalent positions:
33 ..... $ 1,412,918
34 ..... FTEs 7.05
35 Of the funds appropriated in this subsection, $660,000

1 shall be credited to the emergency medical services fund
2 created in section 135.25.
3 10. PUBLIC PROTECTION
4 For protecting the health and safety of the public through
5 establishing standards and enforcing regulations, and for not
6 more than the following full-time equivalent positions:
7 ..... $ 6,510,871
8 ..... FTEs 147.10
9 a. The department may expend funds received from licensing
10 fees in addition to amounts appropriated in this subsection,
11 if those additional expenditures are directly the result of a
12 scope of practice review committee's unanticipated litigation
13 costs arising from the discharge of an examining board's
14 regulatory duties. Before the department expends or encumbers
15 funds for a scope of practice review committee or for an
16 amount in excess of the funds budgeted for an examining board,
17 the director of the department of management shall approve the
18 expenditure or encumbrance. The amounts necessary to fund any
19 unanticipated litigation or scope of practice review committee
20 expense in the fiscal year beginning July 1, 2003, shall not
21 exceed 5 percent of the average annual fees generated by the
22 boards for the previous two fiscal years. The funds
23 authorized for expenditure pursuant to this lettered paragraph
24 are appropriated to the department for the purposes described
25 in this paragraph.
26 b. For the fiscal year beginning July 1, 2003, the
27 department shall retain fees collected from the certification
28 of lead inspectors and lead abaters pursuant to section
29 135.105A to support the certification program; and shall
30 retain fees collected from the licensing, registration,
31 authorization, accreditation, and inspection of x-ray machines
32 used for mammographically guided breast biopsy, screening, and
33 diagnostic mammography, pursuant to section 136C.10 to support
34 the administration of the chapter. The department may also
35 retain fees collected pursuant to section 136C.10 on all

1 shippers of radioactive material waste containers transported
2 across Iowa if the department does not obtain funding to
3 support the oversight and regulation of this activity, and for
4 x-ray radiology examination fees collected by the department
5 and reimbursed to a private organization conducting the
6 examination. Fees retained by the department pursuant to this
7 lettered paragraph are appropriated to the department for the
8 purposes described in this lettered paragraph.
9 c. The department may retain and expend not more than
10 $297,961 for lease and maintenance expenses from fees
11 collected pursuant to section 147.80 by the board of dental
12 examiners, the board of pharmacy examiners, the board of
13 medical examiners, and the board of nursing in the fiscal year
14 beginning July 1, 2003, and ending June 30, 2004. Fees
15 retained by the department pursuant to this lettered paragraph
16 are appropriated to the department for the purposes described
17 in this lettered paragraph.
18 d. The department may retain and expend not more than
19 $100,000 for reduction of the number of days necessary to
20 process medical license requests and for reduction of the
21 number of days needed for consideration of malpractice cases
22 from fees collected pursuant to section 147.80 by the board of
23 medical examiners in the fiscal year beginning July 1, 2003,
24 and ending June 30, 2004. Fees retained by the department
25 pursuant to this lettered paragraph are appropriated to the
26 department for the purposes described in this lettered
27 paragraph.
28 e. If a person in the course of responding to an emergency
29 renders aid to an injured person and becomes exposed to bodily
30 fluids of the injured person, that emergency responder shall
31 be entitled to hepatitis testing and immunization in
32 accordance with the latest available medical technology to
33 determine if infection with hepatitis has occurred. The
34 person shall be entitled to reimbursement from the funds
35 appropriated in this subsection only if the reimbursement is

1 not available through any employer or third-party payor.
2 f. The board of dental examiners may retain and expend not
3 more than $148,060 from revenues generated pursuant to section
4 147.80. Fees retained by the board pursuant to this lettered
5 paragraph are appropriated to the department to be used for
6 the purposes of regulating dental assistants.
7 g. The board of medical examiners, the board of pharmacy
8 examiners, the board of dental examiners, and the board of
9 nursing shall prepare estimates of projected receipts to be
10 generated by the licensing, certification, and examination
11 fees of each board as well as a projection of the fairly
12 apportioned administrative costs and rental expenses
13 attributable to each board. Each board shall annually review
14 and adjust its schedule of fees so that, as nearly as
15 possible, projected receipts equal projected costs.
16 h. The board of medical examiners, the board of pharmacy
17 examiners, the board of dental examiners, and the board of
18 nursing shall retain their individual executive officers, but
19 are strongly encouraged to share administrative, clerical, and
20 investigative staffs to the greatest extent possible.
21 i. For the fiscal year beginning July 1, 2003, the board
22 of nursing may retain and expend 90 percent of the revenues
23 generated from any increase in licensing fees pursuant to
24 section 147.80 for purposes related to the state board's
25 duties, including but not limited to addition of full-time
26 equivalent positions. Fees retained by the board pursuant to
27 this lettered paragraph are appropriated to the board of
28 nursing for the purposes described in this paragraph.
29 11. RESOURCE MANAGEMENT
30 For establishing and sustaining the overall ability of the
31 department to deliver services to the public, and for not more
32 than the following full-time equivalent positions:
33 ..... $ 666,717
34 ..... FTEs 51.15
35 12. The university of Iowa hospitals and clinics under the

1 control of the state board of regents shall not receive
2 indirect costs from the funds appropriated in this section.
3 13. A local health care provider or nonprofit health care
4 organization seeking grant moneys administered by the Iowa
5 department of public health shall provide documentation that
6 the provider or organization has coordinated its services with
7 other local entities providing similar services.
8 14. a. The department shall apply for available federal
9 funds for sexual abstinence education programs.
10 b. It is the intent of the general assembly to comply with
11 the United States Congress' intent to provide education that
12 promotes abstinence from sexual activity outside of marriage
13 and reduces pregnancies, by focusing efforts on those persons
14 most likely to father and bear children out of wedlock.
15 c. Any sexual abstinence education program awarded moneys
16 under the grant program shall meet the definition of
17 abstinence education in the federal law. Grantees shall be
18 evaluated based upon the extent to which the abstinence
19 program successfully communicates the goals set forth in the
20 federal law.
21 Sec. 3. GAMBLING TREATMENT FUND -- APPROPRIATION.
22 1. There is appropriated from funds available in the
23 gambling treatment fund established in the office of the
24 treasurer of state pursuant to section 99E.10 to the Iowa
25 department of public health for the fiscal year beginning July
26 1, 2003, and ending June 30, 2004, the following amount, or so
27 much thereof as is necessary, to be used for the purpose
28 designated:
29 a. Addictive disorders
30 To be utilized for the benefit of persons with addictions:
31 ..... $ 1,690,000
32 b. It is the intent of the general assembly that from the
33 moneys appropriated in this section, persons with a dual
34 diagnosis of substance abuse and gambling addictions shall be
35 given priority in treatment services.

1 c. Gambling treatment program
2 The funds remaining in the gambling treatment fund after
3 the appropriation in paragraph "a" is made shall be used for
4 funding of administrative costs and to provide programs which
5 may include, but are not limited to, outpatient and follow-up
6 treatment for persons affected by problem gambling,
7 rehabilitation and residential treatment programs, information
8 and referral services, education and preventive services, and
9 financial management services.
10 2. For the fiscal year beginning July 1, 2003, and ending
11 June 30, 2004, from the tax revenue received by the state
12 racing and gaming commission pursuant to section 99D.15,
13 subsections 1, 3, and 4, an amount equal to three-tenths of
14 one percent of the gross sum wagered by the pari-mutuel method
15 is to be deposited into the gambling treatment fund.
16 Sec. 4. VITAL RECORDS. The vital records modernization
17 project as enacted in 1993 Iowa Acts, chapter 55, section 1,
18 as amended by 1994 Iowa Acts, chapter 1068, section 8, as
19 amended by 1997 Iowa Acts, chapter 203, section 9, 1998 Iowa
20 Acts, chapter 1221, section 9, and 1999 Iowa Acts, chapter
21 201, section 17, and as continued by 2000 Iowa Acts, chapter
22 1222, section 10, 2001 Iowa Acts, chapter 182, section 13, and
23 2002 Iowa Acts, Second Extraordinary Session, chapter 1003,
24 section 104, shall be extended until June 30, 2004, and the
25 increased fees to be collected pursuant to that project shall
26 continue to be collected and are appropriated to the Iowa
27 department of public health until June 30, 2004.
28 Sec. 5. SCOPE OF PRACTICE REVIEW PROJECT. The scope of
29 practice review committee pilot project as enacted in 1997
30 Iowa Acts, chapter 203, section 6, and as continued by 2002
31 Iowa Acts, Second Extraordinary Session, chapter 1003, section
32 107, shall be extended until June 30, 2004. The Iowa
33 department of public health shall submit an annual progress
34 report to the governor and the general assembly by January 15
35 and shall include any recommendations for legislative action

1 as a result of review committee activities. The department
2 may contract with a school or college of public health in Iowa
3 to assist in implementing the project.
4 Sec. 6. HEALTH CARE ACCESS PARTNERSHIP PILOT PROJECT.
5 1. The director of public health shall establish a health
6 care access partnership pilot project in a county with a
7 population of more than 250,000 for a two-year period. The
8 director shall adopt rules as necessary to establish and
9 administer the pilot project. In adopting rules, the director
10 shall consult with persons and agencies who may be involved
11 with a health care access partnership and with the department
12 of human services.
13 2. The purpose of the health care access partnership pilot
14 project is to implement systems of health care services for
15 low-income persons or persons without health insurance
16 coverage, and others, by enhancing collaboration between
17 persons and agencies providing charity care or services under
18 the medical assistance program.
19 3. The elements of the partnership pilot project shall
20 include but are not limited to all of the following:
21 a. A person participating in the partnership may be a
22 public, private, for-profit, or nonprofit entity.
23 b. Participation provisions shall be outlined in a written
24 agreement between those participating. If authorized under
25 chapter 28E, a chapter 28E agreement may be utilized for all
26 or a portion of the participant provisions.
27 c. If a participant in the partnership is a medical
28 assistance program provider, the participant must be a medical
29 assistance program provider in good standing and must accept
30 medical assistance reimbursement as full payment for any
31 service provided. Unless expressly prohibited by the federal
32 government, a medical assistance program provider offering
33 services in the area served by the partnership shall be
34 required to participate in the partnership as a condition of
35 participation in the medical assistance program.

1 d. Participants shall be authorized to share confidential
2 information if the sharing is in the best interests of a
3 client and the client has provided written authorization for
4 the information sharing. If it is determined that the optimal
5 approach for the information sharing is for the participants
6 to establish a multidisciplinary community services team under
7 section 331.909, notwithstanding section 331.909, subsection
8 4, the participants may disclose information other than oral
9 information with one another.
10 e. A referral process among the participants shall be
11 established.
12 f. The geographic area to be served by those participating
13 in the agreement shall be identified in the agreement and may
14 encompass the entire county.
15 g. Provision shall be made for receipt and expenditure of
16 funding for the joint purposes of those participating or for
17 clients of those participating and for receiving and expending
18 funding received from foundations, grants, or other revenue
19 sources.
20 h. Provision to allow the partnership to form any
21 governance structure that is appropriate to the purposes of
22 the partnership and that meets all federal or state statutory
23 requirements for the specific elements of the partnership's
24 charter.
25 4. If administrative rules are necessary to implement the
26 provisions of this section, the initial rules shall be adopted
27 on or before September 1, 2003. The director of public health
28 may adopt the initial rules as emergency rules under section
29 17A.4, subsection 2, and section 17A.5, subsection 2,
30 paragraph "b", and the rules shall be effective immediately
31 upon filing unless the effective date is delayed by the
32 administrative rules review committee, notwithstanding section
33 17A.4, subsection 5, and section 17A.8, subsection 9, or a
34 later date is specified in the rules. Any rules adopted in
35 accordance with this subsection shall not take effect before

1 the administrative rules review committee reviews the rules.
2 Any rules adopted in accordance with this subsection shall
3 also be published as a notice of intended action as provided
4 in section 17A.4.
5 DIVISION III
6 HUMAN SERVICES
7 Sec. 7. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
8 GRANT. There is appropriated from the fund created in section
9 8.41 to the department of human services for the fiscal year
10 beginning July 1, 2003, and ending June 30, 2004, from moneys
11 received under the federal temporary assistance for needy
12 families block grant pursuant to the federal Personal
13 Responsibility and Work Opportunity Reconciliation Act of
14 1996, Pub. L. No. 104-193 and successor legislation, which are
15 federally appropriated for the federal fiscal years beginning
16 October 1, 2002, and ending September 30, 2003, and beginning
17 October 1, 2003, and ending September 30, 2004, the following
18 amounts, or so much thereof as is necessary, to be used for
19 the purposes designated:
20 If the federal government appropriation received for Iowa's
21 portion of the federal temporary assistance for needy families
22 block grant amounts for the federal fiscal years beginning
23 October 1, 2002, and ending September 30, 2003, and beginning
24 October 1, 2003, and ending September 30, 2004, are less than
25 $131,524,959, it is the intent of the general assembly to act
26 expeditiously during the 2004 legislative session to adjust
27 appropriations or take other actions to address the reduced
28 amount. Moneys appropriated in this section shall be used in
29 accordance with the federal law making the funds available,
30 applicable Iowa law, appropriations made from the general fund
31 of the state in this Act for the purpose designated, and
32 administrative rules adopted to implement the federal and Iowa
33 law:
34 1. To be credited to the family investment program account
35 and used for assistance under the family investment program

1 under chapter 239B:
2 ..... $ 51,492,790
3 2. To be credited to the family investment program account
4 and used for the job opportunities and basic skills (JOBS)
5 program, and implementing family investment agreements, in
6 accordance with chapter 239B:
7 ..... $ 13,412,794
8 3. For field operations:
9 ..... $ 14,152,174
10 4. For general administration:
11 ..... $ 3,238,614
12 5. For local administrative costs:
13 ..... $ 2,122,982
14 6. For state child care assistance:
15 ..... $ 21,145,765
16 a. Of the funds appropriated in this subsection, $200,000
17 shall be used for provision of educational opportunities to
18 registered child care home providers in order to improve
19 services and programs offered by this category of providers
20 and to increase the number of providers. The department may
21 contract with institutions of higher education or child care
22 resource and referral centers to provide the educational
23 opportunities. Allowable administrative costs under the
24 contracts shall not exceed 5 percent. The application for a
25 grant shall not exceed two pages in length.
26 b. Of the funds appropriated in this subsection, the
27 maximum amount allowed under Pub. L. No. 104-193 and successor
28 legislation shall be transferred to the child care and
29 development block grant appropriation. Funds appropriated in
30 this subsection that remain following the transfer shall be
31 used to provide direct spending for the child care needs of
32 working parents in families eligible for the family investment
33 program.
34 7. For the parental involvement program established in
35 section 217A.1, if enacted by this Act:

1 ..... $ 35,000
2 8. For mental health and developmental disabilities
3 community services:
4 ..... $ 4,349,266
5 9. For child and family services:
6 ..... $ 25,256,571
7 10. For child abuse prevention grants:
8 ..... $ 250,000
9 11. For pregnancy prevention grants on the condition that
10 family planning services are funded:
11 ..... $ 2,514,413
12 a. Pregnancy prevention grants shall be awarded to
13 programs in existence on or before July 1, 2003, if the
14 programs are comprehensive in scope and have demonstrated
15 positive outcomes. Grants shall be awarded to pregnancy
16 prevention programs which are developed after July 1, 2003, if
17 the programs are comprehensive in scope and are based on
18 existing models that have demonstrated positive outcomes.
19 Grants shall comply with the requirements provided in 1997
20 Iowa Acts, chapter 208, section 14, subsections 1 and 2,
21 including the requirement that grant programs must emphasize
22 sexual abstinence. Priority in the awarding of grants shall
23 be given to programs that serve areas of the state which
24 demonstrate the highest percentage of unplanned pregnancies of
25 females age 13 or older but younger than age 18 within the
26 geographic area to be served by the grant.
27 b. In addition to the full-time equivalent positions
28 funded in this Act, the department may use a portion of the
29 funds appropriated in this subsection to employ an employee in
30 up to 1.00 FTE for the administration of programs specified in
31 this subsection.
32 12. For technology needs and other resources necessary to
33 meet federal welfare reform reporting, tracking, and case
34 management requirements:
35 ..... $ 1,037,186

1 13. For volunteers:
2 ..... $ 42,663
3 14. For the healthy opportunities for parents to
4 experience success (HOPES) program administered by the Iowa
5 department of public health to target child abuse prevention:
6 ..... $ 200,000
7 15. To be credited to the state child care assistance
8 appropriation made in this section to be used for funding of
9 community-based early childhood programs targeted to children
10 from birth through five years of age, developed by community
11 empowerment areas as provided in this subsection:
12 ..... $ 7,350,000
13 a. The department may transfer federal temporary
14 assistance for needy families block grant funding appropriated
15 and allocated in this subsection to the child care and
16 development block grant appropriation in accordance with
17 federal law as necessary to comply with the provisions of this
18 subsection. The funding shall then be provided to community
19 empowerment areas for the fiscal year beginning July 1, 2002,
20 in accordance with all of the following:
21 (1) The area must be approved as a designated community
22 empowerment area by the Iowa empowerment board.
23 (2) The maximum funding amount a community empowerment
24 area is eligible to receive shall be determined by applying
25 the area's percentage of the state's average monthly family
26 investment program population in the preceding fiscal year to
27 the total amount appropriated for fiscal year 2003-2004 from
28 the TANF block grant to fund community-based programs targeted
29 to children from birth through five years of age developed by
30 community empowerment areas.
31 (3) A community empowerment area receiving funding shall
32 comply with any federal reporting requirements associated with
33 the use of that funding and other results and reporting
34 requirements established by the Iowa empowerment board. The
35 department shall provide technical assistance in identifying

1 and meeting the federal requirements.
2 (4) The availability of funding provided under this
3 subsection is subject to changes in federal requirements and
4 amendments to Iowa law.
5 b. The moneys distributed in accordance with this
6 subsection shall be used by communities for the purposes of
7 enhancing quality child care capacity in support of parent
8 capability to obtain or retain employment. The moneys shall
9 be used with a primary emphasis on low-income families and
10 children from birth to five years of age. Moneys shall be
11 provided in a flexible manner to communities, and shall be
12 used to implement strategies identified by the communities to
13 achieve such purposes. In addition to the full-time
14 equivalent positions funded in this division of this Act, 1.00
15 FTE position is authorized and the department may use funding
16 appropriated in this subsection for provision of technical
17 assistance and other support to communities developing and
18 implementing strategies with moneys distributed in accordance
19 with this subsection.
20 c. Moneys that are subject to this subsection which are
21 not distributed to a community empowerment area or otherwise
22 remain unobligated or unexpended at the end of the fiscal year
23 shall revert to the fund created in section 8.41 to be
24 available for appropriation by the general assembly in a
25 subsequent fiscal year.
26 Of the amounts appropriated in this section, $11,612,112
27 for the fiscal year beginning July 1, 2003, shall be
28 transferred to the appropriation of the federal social
29 services block grant for that fiscal year. If the federal
30 government revises requirements to reduce the amount that may
31 be transferred to the federal social services block grant, it
32 is the intent of the general assembly to act expeditiously
33 during the 2004 legislative session to adjust appropriations
34 or the transfer amount or take other actions to address the
35 reduced amount.

1 Eligible funding available under the federal temporary
2 assistance for needy families block grant that is not
3 appropriated or not otherwise expended shall be considered
4 reserved for economic downturns and welfare reform purposes
5 and is subject to further state appropriation to support
6 families in their movement toward self-sufficiency.
7 Federal funding received that is designated for activities
8 supporting marriage or two-parent families is appropriated to
9 the Iowa marriage initiative grant fund created in section
10 234.45.
11 Sec. 8. FAMILY INVESTMENT PROGRAM ACCOUNT.
12 1. Moneys credited to the family investment program (FIP)
13 account for the fiscal year beginning July 1, 2003, and ending
14 June 30, 2004, shall be used in accordance with the following
15 requirements:
16 a. The department of human services shall provide
17 assistance in accordance with chapter 239B.
18 b. The department shall continue the special needs program
19 under the family investment program.
20 c. The department shall continue to comply with federal
21 welfare reform data requirements pursuant to the
22 appropriations made for that purpose.
23 d. The department shall continue expansion of the
24 electronic benefit transfer program as necessary to comply
25 with federal food stamp benefit requirements. The target date
26 for statewide implementation of the program is October 1,
27 2003.
28 2. The department may use a portion of the moneys credited
29 to the family investment program account under this section,
30 as necessary for salaries, support, maintenance, and
31 miscellaneous purposes for not more than the following full-
32 time equivalent positions which are in addition to any other
33 full-time equivalent positions authorized by this Act:
34 ..... FTEs 8.00
35 3. The department may transfer funds in accordance with

1 section 8.39, either federal or state, to or from the child
2 care appropriations made for the fiscal year beginning July 1,
3 2003, if the department deems this would be a more effective
4 method of paying for JOBS program child care, to maximize
5 federal funding, or to meet federal maintenance of effort
6 requirements.
7 4. Moneys appropriated in this Act and credited to the
8 family investment program account for the fiscal year
9 beginning July 1, 2003, and ending June 30, 2004, are
10 allocated as follows:
11 a. For the family development and self-sufficiency grant
12 program as provided under section 217.12:
13 ..... $ 5,133,042
14 (1) Of the funds allocated for the family development and
15 self-sufficiency grant program in this lettered paragraph, not
16 more than 5 percent of the funds shall be used for the
17 administration of the grant program.
18 (2) Based upon the annual evaluation report concerning
19 each grantee funded by previously appropriated funds and
20 through the solicitation of additional grant proposals, the
21 family development and self-sufficiency council may use the
22 allocated funds to renew or expand existing grants or award
23 new grants. In utilizing the funding allocated in this
24 lettered paragraph, the council shall give consideration, in
25 addition to other criteria established by the council, to a
26 grantee's intended use of local funds with a grant and to
27 whether approval of a grant proposal would expand the
28 availability of the program's services.
29 (3) The department may continue to implement the family
30 development and self-sufficiency grant program statewide
31 during FY 2003-2004.
32 b. For the diversion subaccount of the family investment
33 program account:
34 ..... $ 2,814,000
35 (1) Moneys allocated to the diversion subaccount shall be

1 used to implement FIP diversion statewide while continuing the
2 local flexibility in program design. A family that meets
3 income eligibility requirements for the family investment
4 program may receive a one-time payment to remedy an immediate
5 need in order to permit the family to maintain self-
6 sufficiency without providing ongoing cash assistance. A FIP
7 participant family may receive diversion assistance to
8 overcome barriers to obtaining employment and to assist in
9 stabilizing employment reducing the likelihood of the family
10 leaving FIP more quickly. The department shall assess and
11 screen individuals who would most likely benefit from the
12 assistance. In addition to the full-time equivalent positions
13 authorized in this Act, 1.00 FTE is authorized for purposes of
14 diversion. The department may adopt additional eligibility
15 criteria as necessary for compliance with federal law and for
16 screening those families who would be most likely to become
17 eligible for FIP if diversion incentives would not be
18 provided.
19 (2) A portion of the moneys allocated for the subaccount
20 may be used for field operations salaries, data management
21 system development, and implementation costs and support
22 deemed necessary by the director of human services in order to
23 administer the FIP diversion program.
24 (3) Of the funds allocated in this lettered paragraph, not
25 more than $250,000 shall be used to develop or continue
26 community-level parental obligation pilot projects. The
27 requirements established under 2001 Iowa Acts, chapter 191,
28 section 3, subsection 5, paragraph "c", subparagraph (3),
29 shall remain applicable to the parental obligation pilot
30 projects for fiscal year 2003-2004.
31 c. For the food stamp employment and training program:
32 ..... $ 63,000
33 5. Of the child support collections assigned under the
34 family investment program, an amount equal to the federal
35 share of support collections shall be credited to the child

1 support recovery appropriation. Of the remainder of the
2 assigned child support collections received by the child
3 support recovery unit, a portion shall be credited to the
4 family investment program account and a portion may be used to
5 increase recoveries.
6 6. For the fiscal year beginning July 1, 2003, the
7 department shall continue the process for the state to receive
8 refunds of utility and rent deposits, including any accrued
9 interest, for emergency assistance program recipients which
10 were paid by persons other than the state. The department
11 shall also receive refunds, including any accrued interest, of
12 assistance paid with funding available under this program.
13 The refunds received by the department shall be credited to
14 the family investment program (FIP) account to offset FIP cash
15 grants expended in the same year. Notwithstanding section
16 8.33, moneys received by the department under this subsection
17 which remain after the emergency assistance program is
18 terminated and state or federal moneys in the emergency
19 assistance account which remain unobligated or unexpended at
20 the close of the fiscal year beginning July 1, 2003, shall not
21 revert to any other fund but shall be credited to the family
22 investment program account.
23 7. The department may adopt emergency administrative rules
24 for the family investment, food stamp, and medical assistance
25 programs, if necessary, to comply with federal requirements.
26 Prior to adoption of the rules, the department shall consult
27 with the welfare reform council and the chairpersons and
28 ranking members of the joint appropriations subcommittee on
29 health and human services.
30 8. The department may continue the initiative to
31 streamline and simplify the employer verification process for
32 applicants, participants, and employers in the administration
33 of the department's programs. The department may contract
34 with companies collecting data from employers when the
35 information is needed in the administration of these programs.

1 The department may limit the availability of the initiative on
2 the basis of geographic area or number of individuals.
3 Sec. 9. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is
4 appropriated from the general fund of the state to the
5 department of human services for the fiscal year beginning
6 July 1, 2003, and ending June 30, 2004, the following amount,
7 or so much thereof as is necessary, to be used for the purpose
8 designated:
9 To be credited to the family investment program account and
10 used for family investment program assistance under chapter
11 239B:
12 ..... $ 36,187,879
13 1. The department of workforce development, in
14 consultation with the department of human services, shall
15 continue to utilize recruitment and employment practices to
16 include former and current family investment program
17 recipients.
18 2. The department of human services shall continue to work
19 with the department of workforce development and local
20 community collaborative efforts to provide support services
21 for family investment program participants. The support
22 services shall be directed to those participant families who
23 would benefit from the support services and are likely to have
24 success in achieving economic independence.
25 3. Of the funds appropriated in this section, $9,274,143
26 is allocated for the JOBS program.
27 4. The department shall continue to work with religious
28 organizations and other charitable institutions to increase
29 the availability of host homes, referred to as second chance
30 homes or other living arrangements under the federal Personal
31 Responsibility and Work Opportunity Reconciliation Act of
32 1996, Pub. L. No. 104-193, § 103. The purpose of the homes or
33 arrangements is to provide a supportive and supervised living
34 arrangement for minor parents receiving assistance under the
35 family investment program who, under chapter 239B, may receive

1 assistance while living in an alternative setting other than
2 with their parent or legal guardian.
3 Sec. 10. CHILD SUPPORT RECOVERY. There is appropriated
4 from the general fund of the state to the department of human
5 services for the fiscal year beginning July 1, 2003, and
6 ending June 30, 2004, the following amount, or so much thereof
7 as is necessary, to be used for the purposes designated:
8 For child support recovery, including salaries, support,
9 maintenance, and miscellaneous purposes and for not more than
10 the following full-time equivalent positions:
11 ..... $ 5,482,793
12 ..... FTEs 405.00
13 1. The director of human services, within the limitations
14 of the moneys appropriated in this section, or moneys
15 transferred from the family investment program account for
16 this purpose, shall establish new positions and add employees
17 to the child support recovery unit if the director determines
18 that both the current and additional employees together can
19 reasonably be expected to maintain or increase net state
20 revenue at or beyond the budgeted level.
21 2. Nonpublic assistance application fees and other user
22 fees received by the child support recovery unit are
23 appropriated and shall be used for the purposes of the child
24 support recovery program. The director of human services may
25 add positions within the limitations of the amount
26 appropriated for salaries and support for the positions.
27 3. The director of human services, in consultation with
28 the department of management and the legislative fiscal
29 committee, is authorized to receive and deposit state child
30 support incentive earnings in the manner specified under
31 applicable federal requirements.
32 4. a. The director of human services may establish new
33 positions and add state employees to the child support
34 recovery unit or contract for delivery of services if the
35 director determines the employees are necessary to replace

1 county-funded positions eliminated due to termination,
2 reduction, or nonrenewal of a chapter 28E contract. However,
3 the director must also determine that the resulting increase
4 in the state share of child support recovery incentives
5 exceeds the cost of the positions or contract, the positions
6 or contract are necessary to ensure continued federal funding
7 of the program, or the new positions or contract can
8 reasonably be expected to recover at least twice the amount of
9 money necessary to pay the salaries and support for the new
10 positions or the contract will generate at least 200 percent
11 of the cost of the contract.
12 b. Employees in full-time positions that transition from
13 county government to state government employment under this
14 subsection are exempt from testing, selection, and appointment
15 provisions of chapter 19A and from the provisions of
16 collective bargaining agreements relating to the filling of
17 vacant positions.
18 5. Surcharges paid by obligors and received by the unit as
19 a result of the referral of support delinquency by the child
20 support recovery unit to any private collection agency are
21 appropriated to the department and shall be used to pay the
22 costs of any contracts with the collection agencies.
23 6. The department shall expend up to $31,000, including
24 federal financial participation, for the fiscal year beginning
25 July 1, 2003, for a child support public awareness campaign.
26 The department and the office of the attorney general shall
27 cooperate in continuation of the campaign. The public
28 awareness campaign shall emphasize, through a variety of media
29 activities, the importance of maximum involvement of both
30 parents in the lives of their children as well as the
31 importance of payment of child support obligations.
32 7. Federal access and visitation grant moneys shall be
33 issued directly to private not-for-profit agencies that
34 provide services designed to increase compliance with the
35 child access provisions of court orders, including but not

1 limited to neutral visitation site and mediation services.
2 Sec. 11. MEDICAL ASSISTANCE. There is appropriated from
3 the general fund of the state to the department of human
4 services for the fiscal year beginning July 1, 2003, and
5 ending June 30, 2004, the following amount, or so much thereof
6 as is necessary, to be used for the purpose designated:
7 For medical assistance reimbursement and associated costs
8 as specifically provided in the reimbursement methodologies in
9 effect on June 30, 2003, except as otherwise expressly
10 authorized by law, including reimbursement for abortion
11 services, which shall be available under the medical
12 assistance program only for those abortions which are
13 medically necessary:
14 ..... $357,486,073
15 1. Medically necessary abortions are those performed under
16 any of the following conditions:
17 a. The attending physician certifies that continuing the
18 pregnancy would endanger the life of the pregnant woman.
19 b. The attending physician certifies that the fetus is
20 physically deformed, mentally deficient, or afflicted with a
21 congenital illness.
22 c. The pregnancy is the result of a rape which is reported
23 within 45 days of the incident to a law enforcement agency or
24 public or private health agency which may include a family
25 physician.
26 d. The pregnancy is the result of incest which is reported
27 within 150 days of the incident to a law enforcement agency or
28 public or private health agency which may include a family
29 physician.
30 e. Any spontaneous abortion, commonly known as a
31 miscarriage, if not all of the products of conception are
32 expelled.
33 2. Notwithstanding section 8.39, the department may
34 transfer funds appropriated in this section to a separate
35 account established in the department's case management unit

1 for expenditures required to provide case management services
2 for mental health, mental retardation, and developmental
3 disabilities services under medical assistance which are
4 jointly funded by the state and county, pending final
5 settlement of the expenditures. Funds received by the case
6 management unit in settlement of the expenditures shall be
7 used to replace the transferred funds and are available for
8 the purposes for which the funds were appropriated in this
9 section.
10 3. a. The county of legal settlement shall be billed for
11 50 percent of the nonfederal share of the cost of case
12 management provided for adults, day treatment, and partial
13 hospitalization in accordance with sections 249A.26 and
14 249A.27, and 100 percent of the nonfederal share of the cost
15 of care for adults which is reimbursed under a federally
16 approved home and community-based waiver that would otherwise
17 be approved for provision in an intermediate care facility for
18 persons with mental retardation, provided under the medical
19 assistance program. The state shall have responsibility for
20 the remaining 50 percent of the nonfederal share of the cost
21 of case management provided for adults, day treatment, and
22 partial hospitalization. For persons without a county of
23 legal settlement, the state shall have responsibility for 100
24 percent of the nonfederal share of the costs of case
25 management provided for adults, day treatment, partial
26 hospitalization, and the home and community-based waiver
27 services. The case management services specified in this
28 subsection shall be billed to a county only if the services
29 are provided outside of a managed care contract.
30 b. The state shall pay the entire nonfederal share of the
31 costs for case management services provided to persons 17
32 years of age and younger who are served in a medical
33 assistance home and community-based waiver program for persons
34 with mental retardation.
35 c. Medical assistance funding for case management services

1 for eligible persons 17 years of age and younger shall also be
2 provided to persons residing in counties with child welfare
3 decategorization projects implemented in accordance with
4 section 232.188, provided these projects have included these
5 persons in their service plan and the decategorization project
6 county is willing to provide the nonfederal share of costs.
7 d. When paying the necessary and legal expenses of
8 intermediate care facilities for persons with mental
9 retardation (ICFMR), the cost payment requirements of section
10 222.60 shall be considered fulfilled when payment is made in
11 accordance with the medical assistance payment rates
12 established for ICFMRs by the department and the state or a
13 county of legal settlement is not obligated for any amount in
14 excess of the rates.
15 e. Unless a county has paid or is paying for the
16 nonfederal share of the cost of a person's home and community-
17 based waiver services or ICFMR placement under the county's
18 mental health, mental retardation, and developmental
19 disabilities services fund, or unless a county of legal
20 settlement would become liable for the costs of services at
21 the ICFMR level of care for a person due to the person
22 reaching the age of majority, the state shall pay the
23 nonfederal share of the costs of an eligible person's services
24 under the home and community-based waiver for persons with
25 brain injury.
26 4. The department shall utilize not more than $60,000 of
27 the funds appropriated in this section to continue the
28 AIDS/HIV health insurance premium payment program as
29 established in 1992 Iowa Acts, Second Extraordinary Session,
30 chapter 1001, section 409, subsection 6. Of the funds
31 allocated in this subsection, not more than $5,000 may be
32 expended for administrative purposes.
33 5. Of the funds appropriated to the Iowa department of
34 public health for substance abuse grants, $950,000 for the
35 fiscal year beginning July 1, 2003, shall be transferred to

1 the department of human services for an integrated substance
2 abuse managed care system.
3 6. In administering the medical assistance home and
4 community-based waivers, the total number of openings for
5 persons with physical disabilities served at any one time
6 shall be limited to the number approved for a waiver by the
7 secretary of the United States department of health and human
8 services. The openings shall be available on a first-come,
9 first-served basis.
10 7. The department of human services, in consultation with
11 the Iowa department of public health and the department of
12 education, shall continue the program to utilize the early and
13 periodic screening, diagnosis, and treatment (EPSDT) funding
14 under medical assistance, to the extent possible, to implement
15 the screening component of the EPSDT program through the
16 school system. The department may enter into contracts to
17 utilize maternal and child health centers, the public health
18 nursing program, or school nurses in implementing this
19 provision.
20 8. The department shall continue working with county
21 representatives in aggressively implementing the
22 rehabilitation option for services to persons with chronic
23 mental illness under the medical assistance program, and
24 county funding shall be used to provide the match for the
25 federal funding, except for individuals with state case
26 status, for whom state funding shall provide the match.
27 9. If the federal centers for Medicare and Medicaid
28 services approves a waiver request from the department, the
29 department shall provide a period of 24 months of guaranteed
30 eligibility for medical assistance family planning services,
31 regardless of the change in circumstances of a woman who was a
32 medical assistance recipient when a pregnancy ended.
33 10. The department shall aggressively pursue options for
34 providing medical assistance or other assistance to
35 individuals with special needs who become ineligible to

1 continue receiving services under the early and periodic,
2 screening, diagnosis, and treatment program under the medical
3 assistance program due to becoming 21 years of age, who have
4 been approved for additional assistance through the
5 department's exception to policy provisions, but who have
6 health care needs in excess of the funding available through
7 the exception to policy process.
8 11. The drug utilization review commission shall submit
9 copies of the board's annual review, including facts and
10 findings, of the drugs on the department's prior authorization
11 list to the department and to the members of the joint
12 appropriations subcommittee on health and human services.
13 12. The department shall expend the anticipated savings
14 for operation of the state maximum allowable cost program for
15 pharmaceuticals as additional funding for the medical
16 assistance program.
17 Sec. 12. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There
18 is appropriated from the general fund of the state to the
19 department of human services for the fiscal year beginning
20 July 1, 2003, and ending June 30, 2004, the following amount,
21 or so much thereof as is necessary, to be used for the purpose
22 designated:
23 For administration of the health insurance premium payment
24 program, including salaries, support, maintenance, and
25 miscellaneous purposes, and for not more than the following
26 full-time equivalent positions:
27 ..... $ 573,968
28 ..... FTEs 21.00
29 Sec. 13. MEDICAL CONTRACTS. There is appropriated from
30 the general fund of the state to the department of human
31 services for the fiscal year beginning July 1, 2003, and
32 ending June 30, 2004, the following amount, or so much thereof
33 as is necessary, to be used for the purpose designated:
34 For medical contracts:
35 ..... $ 8,990,035

1 1. The department shall receive input and recommendations
2 from the chairpersons and ranking members of the joint
3 appropriations subcommittee on health and human services prior
4 to entering into or extending any managed care contract for
5 mental health or substance abuse services.
6 2. In any managed care contract for mental health or
7 substance abuse services entered into or extended by the
8 department on or after July 1, 2003, the request for proposals
9 shall provide for coverage of dual diagnosis mental health and
10 substance abuse treatment provided at the state mental health
11 institute at Mount Pleasant. To the extent possible, the
12 department shall also amend any such contract existing on July
13 1, 2003, to provide for such coverage.
14 Sec. 14. STATE SUPPLEMENTARY ASSISTANCE. There is
15 appropriated from the general fund of the state to the
16 department of human services for the fiscal year beginning
17 July 1, 2003, and ending June 30, 2004, the following amount,
18 or so much thereof as is necessary, to be used for the
19 purposes designated:
20 For state supplementary assistance and the medical
21 assistance home and community-based services waiver rent
22 subsidy program:
23 ..... $ 19,198,735
24 1. The department shall increase the personal needs
25 allowance for residents of residential care facilities by the
26 same percentage and at the same time as federal supplemental
27 security income and federal social security benefits are
28 increased due to a recognized increase in the cost of living.
29 The department may adopt emergency rules to implement this
30 subsection.
31 2. If during the fiscal year beginning July 1, 2003, the
32 department projects that state supplementary assistance
33 expenditures for a calendar year will not meet the federal
34 pass-along requirement specified in Title XVI of the federal
35 Social Security Act, section 1618, as codified in 42 U.S.C. §

1382g, the department may take actions including but not limited to increasing the personal needs allowance for residential care facility residents and making programmatic adjustments or upward adjustments of the residential care facility or in-home health-related care reimbursement rates prescribed in this Act to ensure that federal requirements are met. In addition, the department may make other programmatic and rate adjustments necessary to remain within the amount appropriated in this section while ensuring compliance with federal requirements. The department may adopt emergency rules to implement the provisions of this subsection.

Sec. 15. CHILDREN'S HEALTH INSURANCE PROGRAM. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For maintenance of the healthy and well kids in Iowa (hawk-i) program pursuant to chapter 514I for receipt of federal financial participation under Title XXI of the federal Social Security Act, which creates the state children's health insurance program:

..... $ 11,118,275

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

2. Moneys in the hawk-i trust fund are appropriated to the department of human services and shall be used to offset any program costs for the fiscal year beginning July 1, 2003, and ending June 30, 2004.

Sec. 16. CHILD CARE ASSISTANCE. There is appropriated from the general fund of the state to the department of human

1 services for the fiscal year beginning July 1, 2003, and
2 ending June 30, 2004, the following amount, or so much thereof
3 as is necessary, to be used for the purpose designated:
4 For child care programs:
5 ..... $ 5,050,752
6 1. a. Of the funds appropriated in this section,
7 $4,525,228 shall be used for state child care assistance in
8 accordance with section 237A.13.
9 b. During the 2003-2004 fiscal year, the moneys deposited
10 in the child care credit fund created in section 237A.28 are
11 appropriated to the department to be used for state child care
12 assistance in accordance with section 237A.13, in addition to
13 the moneys allocated for that purpose in paragraph "a".
14 2. Nothing in this section shall be construed or is
15 intended as, or shall imply, a grant of entitlement for
16 services to persons who are eligible for assistance due to an
17 income level consistent with the waiting list requirements of
18 section 237A.13. Any state obligation to provide services
19 pursuant to this section is limited to the extent of the funds
20 appropriated in this section.
21 3. Of the funds appropriated in this section, $525,524 is
22 allocated for the statewide program for child care resource
23 and referral services under section 237A.26.
24 4. The department may use any of the funds appropriated in
25 this section as a match to obtain federal funds for use in
26 expanding child care assistance and related programs. For the
27 purpose of expenditures of state and federal child care
28 funding, funds shall be considered obligated at the time
29 expenditures are projected or are allocated to the
30 department's service areas. Projections shall be based on
31 current and projected caseload growth, current and projected
32 provider rates, staffing requirements for eligibility
33 determination and management of program requirements including
34 data systems management, staffing requirements for
35 administration of the program, contractual and grant

1 obligations and any transfers to other state agencies, and
2 obligations for decategorization or innovation projects.
3 5. If the federal government appropriates additional
4 funding under the federal child care and development block
5 grant than was anticipated would be received for the state
6 fiscal year beginning July 1, 2003, in addition to the
7 notification requirements for expenditure requirements for
8 additional federal funds under 2002 Iowa Acts, chapter 1170,
9 the department shall consult with the chairpersons and ranking
10 members of the joint appropriations subcommittee on health and
11 human services at least thirty days in advance of committing
12 to expenditure of the additional funding.
13 6. A portion of the state match for the federal child care
14 and development block grant shall be provided through the
15 state general fund appropriation for child development grants
16 and other programs for at-risk children in section 279.51.
17 Sec. 17. JUVENILE INSTITUTIONS. There is appropriated
18 from the general fund of the state to the department of human
19 services for the fiscal year beginning July 1, 2003, and
20 ending June 30, 2004, the following amounts, or so much
21 thereof as is necessary, to be used for the purposes
22 designated:
23 1. For operation of the Iowa juvenile home at Toledo and
24 for salaries, support, maintenance, and for not more than the
25 following full-time equivalent positions:
26 ..... $ 5,750,338
27 ..... FTEs 130.54
28 It is the intent of the general assembly that beginning in
29 the fiscal year commencing on July 1, 2004, the Iowa juvenile
30 home at Toledo will serve only females.
31 2. For operation of the state training school at Eldora
32 and for salaries, support, maintenance, and for not more than
33 the following full-time equivalent positions:
34 ..... $ 9,046,469
35 ..... FTEs 218.53

1 3. During the fiscal year beginning July 1, 2003, the
2 population levels at the state juvenile institutions shall not
3 exceed the population guidelines established under 1990 Iowa
4 Acts, chapter 1239, section 21, as adjusted for subsequent
5 changes in capacity at the institutions.
6 4. A portion of the moneys appropriated in this section
7 shall be used by the state training school and by the Iowa
8 juvenile home for grants for adolescent pregnancy prevention
9 activities at the institutions in the fiscal year beginning
10 July 1, 2003.
11 5. Within the amounts appropriated in this section, the
12 department may transfer funds as necessary to best fulfill the
13 needs of the institutions provided for in the appropriation.
14 6. The state juvenile institutions are exempt from the
15 depreciation payment requirement in section 18.120, subsection
16 1, and the institutions and the department shall not be
17 charged for vehicle depreciation otherwise attributable to the
18 institutions.
19 Sec. 18. CHILD AND FAMILY SERVICES.
20 1. There is appropriated from the general fund of the
21 state to the department of human services for the fiscal year
22 beginning July 1, 2003, and ending June 30, 2004, the
23 following amount, or so much thereof as is necessary, to be
24 used for the purpose designated:
25 For child and family services:
26 ..... $109,285,212
27 2. The department may transfer funds appropriated in this
28 section as necessary to pay the nonfederal costs of services
29 reimbursed under medical assistance or the family investment
30 program which are provided to children who would otherwise
31 receive services paid under the appropriation in this section.
32 The department may transfer funds appropriated in this section
33 to the appropriations in this Act for general administration
34 and for field operations for resources necessary to implement
35 and operate the services funded in this section.

1 3. a. Of the funds appropriated in this section, up to
2 $31,909,683 is allocated as the statewide expenditure target
3 under section 232.143 for group foster care maintenance and
4 services.
5 b. If at any time after September 30, 2003, annualization
6 of a service area's current expenditures indicates a service
7 area is at risk of exceeding its group foster care expenditure
8 target under section 232.143 by more than 5 percent, the
9 department and juvenile court services shall examine all group
10 foster care placements in that service area in order to
11 identify those which might be appropriate for termination. In
12 addition, any aftercare services believed to be needed for the
13 children whose placements may be terminated shall be
14 identified. The department and juvenile court services shall
15 initiate action to set dispositional review hearings for the
16 placements identified. In such a dispositional review
17 hearing, the juvenile court shall determine whether needed
18 aftercare services are available and whether termination of
19 the placement is in the best interest of the child and the
20 community.
21 c. (1) Of the funds appropriated in this section, not
22 more than $6,355,170 is allocated as the state match funding
23 for psychiatric medical institutions for children.
24 (2) The department may transfer all or a portion of the
25 amount allocated in this lettered paragraph for psychiatric
26 medical institutions for children (PMICs) to the appropriation
27 in this Act for medical assistance.
28 d. Of the funds allocated in this subsection, $1,419,988
29 is allocated as the state match funding for 50 highly
30 structured juvenile program beds. If the number of beds
31 provided for in this lettered paragraph is not utilized, the
32 remaining funds allocated may be used for group foster care.
33 e. For the fiscal year beginning July 1, 2003, the
34 requirements of section 232.143 applicable to the juvenile
35 court and to representatives of the juvenile court shall be

1 applicable instead to juvenile court services and to
2 representatives of juvenile court services. The
3 representatives appointed by the department of human services
4 and by juvenile court services to establish the plan to
5 contain expenditures for children placed in group foster care
6 ordered by the court within the budget target allocated to the
7 service area shall establish the plan in a manner so as to
8 ensure the moneys allocated to the service area under section
9 232.143 shall last the entire fiscal year. Funds for a child
10 placed in group foster care shall be considered encumbered for
11 the duration of the child's projected or actual length of
12 stay, whichever is applicable.
13 4. If House File 568, relating to education funding for
14 children placed in institutions under the department's
15 jurisdiction, is not enacted by the Eightieth General
16 Assembly, 2003 Session, the allocation made in this section
17 for the statewide expenditure target under section 232.143
18 shall be reduced by $1,755,167, the allocation for the family
19 preservation program shall be reduced by $219,396, and the
20 allocation for school-based supervision of children shall be
21 reduced by $219,396, and the following transfers shall be made
22 to the indicated appropriations made in this Act from the
23 appropriation made in this section:
24 a. To the appropriation for the state training school at
25 Eldora:
26 ..... $ 1,239,227
27 b. To the appropriation for the Iowa juvenile home at
28 Toledo:
29 ..... $ 410,540
30 c. To the appropriation for the state mental health
31 institute at Independence:
32 ..... $ 544,192
33 5. Of the funds appropriated in this section, $3,000,000
34 is allocated specifically for expenditure through the
35 decategorization of child welfare funding pools and governance

1 boards established pursuant to section 232.188.
2 Notwithstanding section 8.33, moneys allocated in this
3 subsection that remain unencumbered or unobligated at the
4 close of the fiscal year shall not revert but shall remain
5 available for expenditure for the purposes designated until
6 the close of the succeeding fiscal year.
7 6. Of the funds appropriated in this section, at least
8 $1,135,288 is allocated for additional funding of the family
9 preservation program.
10 7. The department shall continue the goal that not more
11 than 15 percent of the children placed in foster care funded
12 under the federal Social Security Act, Title IV-E, may be
13 placed in foster care for a period of more than 24 months.
14 8. In accordance with the provisions of section 232.188,
15 the department shall continue the program to decategorize
16 child welfare services funding in additional counties or
17 clusters of counties.
18 9. A portion of the funding appropriated in this section
19 may be used for emergency family assistance to provide other
20 resources required for a family participating in a family
21 preservation or reunification project to stay together or to
22 be reunified.
23 10. Notwithstanding section 234.35, subsection 1, for the
24 fiscal year beginning July 1, 2003, state funding for shelter
25 care paid pursuant to section 234.35, subsection 1, paragraph
26 "h", shall be limited to $6,922,509.
27 11. The department shall continue to make adoption
28 presubsidy and adoption subsidy payments to adoptive parents
29 at the beginning of the month for the current month.
30 12. Federal funds received by the state during the fiscal
31 year beginning July 1, 2003, as the result of the expenditure
32 of state funds appropriated during a previous state fiscal
33 year for a service or activity funded under this section, are
34 appropriated to the department to be used as additional
35 funding for services and purposes provided for under this

1 section. Notwithstanding section 8.33, moneys received in
2 accordance with this subsection that remain unencumbered or
3 unobligated at the close of the fiscal year shall not revert
4 to any fund but shall remain available for the purposes
5 designated until the close of the succeeding fiscal year.
6 13. The department and juvenile court services shall
7 continue to develop criteria for the department service area
8 administrator and chief juvenile court officer to grant
9 exceptions to extend eligibility, within the funds allocated,
10 for intensive tracking and supervision and for supervised
11 community treatment to delinquent youth beyond age 18 who are
12 subject to release from the state training school, a highly
13 structured juvenile program, or group foster care.
14 14. Of the moneys appropriated in this section, not more
15 than $442,100 is allocated to provide clinical assessment
16 services as necessary to continue funding of children's
17 rehabilitation services under medical assistance in accordance
18 with federal law and requirements. The funding allocated is
19 the amount projected to be necessary for providing the
20 clinical assessment services.
21 15. Of the funding appropriated in this section,
22 $3,696,285 shall be used for protective child care assistance.
23 16. Of the moneys appropriated in this section, up to
24 $2,859,851 is allocated for the payment of the expenses of
25 court-ordered services provided to juveniles which are a
26 charge upon the state pursuant to section 232.141, subsection
27 4.
28 a. Notwithstanding section 232.141 or any other provision
29 of law to the contrary, the amount allocated in this
30 subsection shall be distributed to the judicial districts as
31 determined by the state court administrator. The state court
32 administrator shall make the determination of the distribution
33 amounts on or before June 15, 2003.
34 b. Notwithstanding chapter 232 or any other provision of
35 law to the contrary, a district or juvenile court shall not

1 order any service which is a charge upon the state pursuant to
2 section 232.141 if there are insufficient court-ordered
3 services funds available in the district court distribution
4 amount to pay for the service. The chief juvenile court
5 officer shall encourage use of the funds allocated in this
6 subsection such that there are sufficient funds to pay for all
7 court-related services during the entire year. The chief
8 juvenile court officers shall attempt to anticipate potential
9 surpluses and shortfalls in the distribution amounts and shall
10 cooperatively request the state court administrator to
11 transfer funds between the districts' distribution amounts as
12 prudent.
13 c. Notwithstanding any provision of law to the contrary, a
14 district or juvenile court shall not order a county to pay for
15 any service provided to a juvenile pursuant to an order
16 entered under chapter 232 which is a charge upon the state
17 under section 232.141, subsection 4.
18 d. Of the funding allocated in this subsection, not more
19 than $100,000 may be used by the judicial branch for
20 administration of the requirements under this subsection and
21 for travel associated with court-ordered placements which are
22 a charge upon the state pursuant to section 232.141,
23 subsection 4.
24 17. a. Of the funding appropriated in this section,
25 $3,281,589 is allocated to provide school-based supervision of
26 children adjudicated under chapter 232, including not more
27 than $1,431,597 from the allocation in this section for court-
28 ordered services. Not more than $15,000 of the funding
29 allocated in this subsection may be used for the purpose of
30 training.
31 b. A portion of the cost of each school-based liaison
32 officer shall be paid by the school district or other funding
33 source as approved by the chief juvenile court officer.
34 18. The department shall maximize the capacity to draw
35 federal funding under Title IV-E of the federal Social

1 Security Act.
2 19. Any unanticipated federal funding that is received
3 during the fiscal year due to improvements in the hours
4 counted by the judicial branch under the claiming process for
5 federal Title IV-E funding are appropriated to the department
6 to be used for additional or expanded services and support for
7 court-ordered services pursuant to section 232.141.
8 Notwithstanding section 8.33, moneys appropriated in this
9 subsection that remain unencumbered or unobligated at the
10 close of the fiscal year shall not revert but shall remain
11 available for expenditure for the purposes designated until
12 the close of the succeeding fiscal year.
13 20. Notwithstanding section 234.39, subsection 5, and 2000
14 Iowa Acts, chapter 1228, section 43, the department may
15 operate a subsidized guardianship program if the United States
16 department of health and human services approves a waiver
17 under Title IV-E of the federal Social Security Act and the
18 subsidized guardianship program can be operated without loss
19 of Title IV-E funds.
20 21. It is the intent of the general assembly that the
21 department continue its practice of providing strong support
22 for Iowa's nationally recognized initiative of
23 decategorization of child welfare funding.
24 22. It is the intent of the general assembly that
25 administration of the foster care and adoption programs be
26 privatized.
27 23. Notwithstanding section 237.5A, a foster parent who is
28 unable to complete six hours of foster parent training prior
29 to annual licensure renewal because the foster parent is
30 engaged in active duty in the military service shall be
31 considered to be in compliance with the training requirement
32 for annual licensure renewal.
33 Sec. 19. JUVENILE DETENTION HOME FUND. Moneys deposited
34 in the juvenile detention home fund created in section 232.142
35 during the fiscal year beginning July 1, 2003, and ending June

1 30, 2004, are appropriated to the department of human services
2 for the fiscal year beginning July 1, 2003, and ending June
3 30, 2004, for distribution as follows:
4 1. An amount equal to ten percent of the costs of the
5 establishment, improvement, operation, and maintenance of
6 county or multicounty juvenile detention homes in the fiscal
7 year beginning July 1, 2002. Moneys appropriated for
8 distribution in accordance with this subsection shall be
9 allocated among eligible detention homes, prorated on the
10 basis of an eligible detention home's proportion of the costs
11 of all eligible detention homes in the fiscal year beginning
12 July 1, 2002. Notwithstanding section 232.142, subsection 3,
13 the financial aid payable by the state under that provision
14 for the fiscal year beginning July 1, 2003, shall be limited
15 to the amount appropriated for the purposes of this
16 subsection.
17 2. For renewal of a grant to a county with a population
18 between 189,000 and 196,000 for implementation of the county's
19 runaway treatment plan under section 232.195:
20 ..... $ 80,000
21 3. For continuation and expansion of the community
22 partnership for child protection sites:
23 ..... $ 159,000
24 4. For grants to counties implementing a runaway treatment
25 plan under section 232.195.
26 5. The remainder for additional allocations to county or
27 multicounty juvenile detention homes, in accordance with the
28 distribution requirements of subsection 1.
29 Sec. 20. FAMILY SUPPORT SUBSIDY PROGRAM. There is
30 appropriated from the general fund of the state to the
31 department of human services for the fiscal year beginning
32 July 1, 2003, and ending June 30, 2004, the following amount,
33 or so much thereof as is necessary, to be used for the purpose
34 designated:
35 For the family support subsidy program:

1 ..... $ 1,936,434
2 1. The department may use up to $333,312 of the moneys
3 appropriated in this section to continue the children-at-home
4 program in current counties, of which not more than $20,000
5 shall be used for administrative costs.
6 2. Notwithstanding section 225C.38, subsection 1, the
7 monthly family support payment amount for the fiscal year
8 beginning July 1, 2003, shall remain the same as the payment
9 amount in effect on June 30, 2003.
10 Sec. 21. CONNER DECREE. There is appropriated from the
11 general fund of the state to the department of human services
12 for the fiscal year beginning July 1, 2003, and ending June
13 30, 2004, the following amount, or so much thereof as is
14 necessary, to be used for the purpose designated:
15 For building community capacity through the coordination
16 and provision of training opportunities in accordance with the
17 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
18 Iowa, July 14, 1994):
19 ..... $ 42,623
20 Sec. 22. MENTAL HEALTH INSTITUTES. There is appropriated
21 from the general fund of the state to the department of human
22 services for the fiscal year beginning July 1, 2003, and
23 ending June 30, 2004, the following amounts, or so much
24 thereof as is necessary, to be used for the purposes
25 designated:
26 1. For the state mental health institute at Cherokee for
27 salaries, support, maintenance, and miscellaneous purposes and
28 for not more than the following full-time equivalent
29 positions:
30 ..... $ 12,401,246
31 ..... FTEs 227.65
32 2. For the state mental health institute at Clarinda for
33 salaries, support, maintenance, and miscellaneous purposes and
34 for not more than the following full-time equivalent
35 positions:

1 ..... $ 7,065,672
2 ..... FTEs 118.15
3 3. For the state mental health institute at Independence
4 for salaries, support, maintenance, and miscellaneous purposes
5 and for not more than the following full-time equivalent
6 positions:
7 ..... $ 16,368,110
8 ..... FTEs 317.80
9 The state mental health institute at Independence shall
10 continue the 30 psychiatric medical institution for children
11 (PMIC) beds authorized in section 135H.6, in a manner which
12 results in no net state expenditure amount in excess of the
13 amount appropriated in this subsection. Counties are not
14 responsible for the costs of PMIC services described in this
15 subsection. Subject to the approval of the department, with
16 the exception of revenues required under section 249A.11 to be
17 credited to the appropriation in this Act for medical
18 assistance, revenues attributable to the PMIC beds described
19 in this subsection for the fiscal year beginning July 1, 2003,
20 and ending June 30, 2004, shall be deposited in the
21 institute's account, including but not limited to any of the
22 following revenues:
23 a. The federal share of medical assistance revenue
24 received under chapter 249A.
25 b. Moneys received through client participation.
26 c. Any other revenues directly attributable to the PMIC
27 beds.
28 4. For the state mental health institute at Mount Pleasant
29 for salaries, support, maintenance, and miscellaneous purposes
30 and for not more than the following full-time equivalent
31 positions:
32 ..... $ 5,830,810
33 ..... FTEs 100.44
34 a. Funding is provided in this subsection for the state
35 mental health institute at Mount Pleasant to continue the dual

1 diagnosis mental health and substance abuse program on a net
2 budgeting basis in which 50 percent of the actual per diem and
3 ancillary services costs are chargeable to the patient's
4 county of legal settlement or as a state case, as appropriate.
5 Subject to the approval of the department, revenues
6 attributable to the dual diagnosis program for the fiscal year
7 beginning July 1, 2003, and ending June 30, 2004, shall be
8 deposited in the institute's account, including but not
9 limited to all of the following revenues:
10 (1) Moneys received by the state from billings to counties
11 under section 230.20.
12 (2) Moneys received from billings to the Medicare program.
13 (3) Moneys received from a managed care contractor
14 providing services under contract with the department or any
15 private third-party payor.
16 (4) Moneys received through client participation.
17 (5) Any other revenues directly attributable to the dual
18 diagnosis program.
19 b. The following additional provisions are applicable in
20 regard to the dual diagnosis program:
21 (1) A county may split the charges between the county's
22 mental health, mental retardation, and developmental
23 disabilities services fund and the county's budget for
24 substance abuse expenditures.
25 (2) If an individual is committed to the custody of the
26 department of corrections at the time the individual is
27 referred for dual diagnosis treatment, the department of
28 corrections shall be charged for the costs of treatment.
29 (3) Prior to an individual's admission for dual diagnosis
30 treatment, the individual shall have been screened through a
31 county's single entry point process to determine the
32 appropriateness of the treatment.
33 (4) A county shall not be chargeable for the costs of
34 treatment for an individual enrolled in and authorized by or
35 decertified by a managed behavioral care plan under the

1 medical assistance program.
2 (5) Notwithstanding section 8.33, state mental health
3 institute revenues related to the dual diagnosis program that
4 remain unencumbered or unobligated at the close of the fiscal
5 year shall not revert but shall remain available up to the
6 amount which would allow the state mental health institute to
7 meet credit obligations owed to counties as a result of year-
8 end per diem adjustments for the dual diagnosis program.
9 5. Within the funds appropriated in this section, the
10 department may transfer funds as necessary to best fulfill the
11 needs of the institutes provided for in the appropriation.
12 6. As part of the discharge planning process at the state
13 mental health institutes, the department shall provide
14 assistance in obtaining eligibility for federal supplemental
15 security income (SSI) to those individuals whose care at a
16 state mental health institute is the financial responsibility
17 of the state or a county.
18 Sec. 23. STATE RESOURCE CENTERS. There is appropriated
19 from the general fund of the state to the department of human
20 services for the fiscal year beginning July 1, 2003, and
21 ending June 30, 2004, the following amounts, or so much
22 thereof as is necessary, to be used for the purposes
23 designated:
24 1. For the state resource center at Glenwood for salaries,
25 support, maintenance, and miscellaneous purposes:
26 ..... $ 4,399,479
27 2. For the state resource center at Woodward for salaries,
28 support, maintenance, and miscellaneous purposes:
29 ..... $ 2,660,237
30 3. a. The department shall continue operating the state
31 resource centers at Glenwood and Woodward with a net general
32 fund appropriation. The amounts allocated in this section are
33 the net amounts of state moneys projected to be needed for the
34 state resource centers. The purposes of operating with a net
35 general fund appropriation are to encourage the state resource

1 centers to operate with increased self-sufficiency, to improve
2 quality and efficiency, and to support collaborative efforts
3 between the state resource centers and counties and other
4 funders of services available from the state resource centers.
5 The state resource centers shall not be operated under the net
6 appropriation in a manner which results in a cost increase to
7 the state or cost shifting between the state, the medical
8 assistance program, counties, or other sources of funding for
9 the state resource centers. Moneys appropriated in this
10 section may be used throughout the fiscal year in the manner
11 necessary for purposes of cash flow management, and for
12 purposes of cash flow management the state resource centers
13 may temporarily draw more than the amounts appropriated,
14 provided the amounts appropriated are not exceeded at the
15 close of the fiscal year.
16 b. Subject to the approval of the department, except for
17 revenues under section 249A.11, revenues attributable to the
18 state resource centers for the fiscal year beginning July 1,
19 2003, shall be deposited into each state resource center's
20 account, including but not limited to all of the following:
21 (1) Moneys received by the state from billings to counties
22 under section 222.73.
23 (2) The federal share of medical assistance revenue
24 received under chapter 249A.
25 (3) Federal Medicare program payments.
26 (4) Moneys received from client financial participation.
27 (5) Other revenues generated from current, new, or
28 expanded services which the state resource center is
29 authorized to provide.
30 c. For the purposes of allocating the salary adjustment
31 fund moneys appropriated in another Act, the state resource
32 centers shall be considered to be funded entirely with state
33 moneys.
34 d. Notwithstanding section 8.33, up to $500,000 of a state
35 resource center's revenues that remain unencumbered or

1 unobligated at the close of the fiscal year shall not revert
2 but shall remain available to be used in the succeeding fiscal
3 year.
4 4. Within the funds appropriated in this section, the
5 department may transfer funds as necessary to best fulfill the
6 needs of the institutions provided for in the appropriation.
7 5. The department may continue to bill for state resource
8 center services utilizing a scope of services approach used
9 for private providers of ICFMR services, in a manner which
10 does not shift costs between the medical assistance program,
11 counties, or other sources of funding for the state resource
12 centers.
13 6. The state resource centers may expand the time limited
14 assessment and respite services during the fiscal year.
15 7. If the department's administration and the department
16 of management concur with a finding by a state resource
17 center's superintendent that projected revenues can reasonably
18 be expected to pay the salary and support costs for a new
19 employee position, or that such costs for adding a particular
20 number of new positions for the fiscal year would be less than
21 the overtime costs if new positions would not be added, the
22 superintendent may add the new position or positions. If the
23 vacant positions available to a resource center do not include
24 the position classification desired to be filled, the state
25 resource center's superintendent may reclassify any vacant
26 position as necessary to fill the desired position. The
27 superintendents of the state resource centers may, by mutual
28 agreement, pool vacant positions and position classifications
29 during the course of the fiscal year in order to assist one
30 another in filling necessary positions.
31 8. If existing capacity limitations are reached in
32 operating units, a waiting list is in effect for a service or
33 a special need for which a payment source or other funding is
34 available for the service or to address the special need, and
35 facilities for the service or to address the special need can

1 be provided within the available payment source or other
2 funding, the superintendent of a state resource center may
3 authorize opening not more than two units or other facilities
4 and to begin implementing the service or addressing the
5 special need during fiscal year 2003-2004.
6 Sec. 24. MI/MR/DD STATE CASES. There is appropriated from
7 the general fund of the state to the department of human
8 services for the fiscal year beginning July 1, 2003, and
9 ending June 30, 2004, the following amount, or so much thereof
10 as is necessary, to be used for the purpose designated:
11 For purchase of local services for persons with mental
12 illness, mental retardation, and developmental disabilities
13 where the client has no established county of legal
14 settlement:
15 ..... $ 11,014,619
16 The general assembly encourages the department to continue
17 discussions with the Iowa state association of counties and
18 administrators of county central point of coordination offices
19 regarding proposals for moving state cases to county budgets.
20 Sec. 25. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES --
21 COMMUNITY SERVICES FUND. There is appropriated from the
22 general fund of the state to the mental health and
23 developmental disabilities community services fund created in
24 section 225C.7 for the fiscal year beginning July 1, 2003, and
25 ending June 30, 2004, the following amount, or so much thereof
26 as is necessary, to be used for the purpose designated:
27 For mental health and developmental disabilities community
28 services in accordance with this Act:
29 ..... $ 17,757,890
30 1. Of the funds appropriated in this section, $17,727,890
31 shall be allocated to counties for funding of community-based
32 mental health and developmental disabilities services. The
33 moneys shall be allocated to a county as follows:
34 a. Fifty percent based upon the county's proportion of the
35 state's population of persons with an annual income which is

1 equal to or less than the poverty guideline established by the
2 federal office of management and budget.
3 b. Fifty percent based upon the county's proportion of the
4 state's general population.
5 2. a. A county shall utilize the funding the county
6 receives pursuant to subsection 1 for services provided to
7 persons with a disability, as defined in section 225C.2.
8 However, no more than 50 percent of the funding shall be used
9 for services provided to any one of the service populations.
10 b. A county shall use at least 50 percent of the funding
11 the county receives under subsection 1 for contemporary
12 services provided to persons with a disability, as described
13 in rules adopted by the department.
14 3. Of the funds appropriated in this section, $30,000
15 shall be used to support the Iowa compass program providing
16 computerized information and referral services for Iowans with
17 disabilities and their families.
18 4. a. Funding appropriated for purposes of the federal
19 social services block grant is allocated for distribution to
20 counties for local purchase of services for persons with
21 mental illness or mental retardation or other developmental
22 disability.
23 b. The funds allocated in this subsection shall be
24 expended by counties in accordance with the county's approved
25 county management plan. A county without an approved county
26 management plan shall not receive allocated funds until the
27 county's management plan is approved.
28 c. The funds provided by this subsection shall be
29 allocated to each county as follows:
30 (1) Fifty percent based upon the county's proportion of
31 the state's population of persons with an annual income which
32 is equal to or less than the poverty guideline established by
33 the federal office of management and budget.
34 (2) Fifty percent based upon the amount provided to the
35 county for local purchase of services in the preceding fiscal

1 year.
2 5. A county is eligible for funds under this section if
3 the county qualifies for a state payment as described in
4 section 331.439.
5 Sec. 26. PERSONAL ASSISTANCE. There is appropriated from
6 the general fund of the state to the department of human
7 services for the fiscal year beginning July 1, 2003, and
8 ending June 30, 2004, the following amount, or so much thereof
9 as is necessary, to be used for the purpose designated:
10 For continuation of a pilot project for the personal
11 assistance services program in accordance with this section:
12 ..... $ 205,748
13 1. The funds appropriated in this section shall be used to
14 continue the pilot project for the personal assistance
15 services program under section 225C.46 in an urban and a rural
16 area. Not more than 10 percent of the amount appropriated
17 shall be used for administrative costs. The pilot project
18 shall not be implemented in a manner which would require
19 additional county or state costs for assistance provided to an
20 individual served under the pilot project.
21 2. In accordance with 2001 Iowa Acts, chapter 191, section
22 25, subsection 2, new applicants shall not be accepted into
23 the pilot project. An individual receiving services under the
24 pilot project as of June 30, 2003, shall continue receiving
25 services until the individual voluntarily leaves the project
26 or until another program with similar services exists.
27 Sec. 27. SEXUALLY VIOLENT PREDATORS.
28 1. There is appropriated from the general fund of the
29 state to the department of human services for the fiscal year
30 beginning July 1, 2003, and ending June 30, 2004, the
31 following amount, or so much thereof as is necessary, to be
32 used for the purpose designated:
33 For costs associated with the commitment and treatment of
34 sexually violent predators in the unit located at the state
35 mental health institute at Cherokee, including costs of legal

1 services and other associated costs, including salaries,
2 support, maintenance, and miscellaneous purposes and for not
3 more than the following full-time equivalent positions:
4 ..... $ 2,675,179
5 ..... FTEs 46.00
6 2. Unless specifically prohibited by law, if the amount
7 charged provides for recoupment of the entire amount of direct
8 and indirect costs, the department of human services may
9 contract with other states to provide care and treatment of
10 persons placed by the other states at the unit for sexually
11 violent predators at Cherokee. The moneys received under such
12 a contract that are attributable to the direct and indirect
13 costs shall be considered to be repayment receipts and used
14 for the purposes of the appropriation made in this section.
15 Sec. 28. FIELD OPERATIONS. There is appropriated from the
16 general fund of the state to the department of human services
17 for the fiscal year beginning July 1, 2003, and ending June
18 30, 2004, the following amount, or so much thereof as is
19 necessary, to be used for the purposes designated:
20 1. For field operations, including salaries, support,
21 maintenance, and miscellaneous purposes and for not more than
22 the following full-time equivalent positions:
23 ..... $ 50,657,828
24 ..... FTEs 1,771.50
25 Priority in filling full-time equivalent positions shall be
26 given to those positions related to child protection services.
27 2. In operating the service area system established
28 pursuant to 2001 Iowa Acts, Second Extraordinary Session,
29 chapter 4, for the fiscal year beginning July 1, 2003, and
30 ending June 30, 2004, the department shall utilize the service
31 areas and service area administrators in lieu of regions and
32 regional administrators, notwithstanding the references to
33 department regions or regional administrators in sections
34 232.2, 232.52, 232.68, 232.72, 232.102, 232.117, 232.127,
35 232.143, 232.188, and 234.35, or other provision in law. The

1 department shall submit proposed legislation under section
2 2.16 for consideration by the Eightieth General Assembly, 2004
3 Session, to correct the references in the necessary Code
4 sections.
5 Sec. 29. GENERAL ADMINISTRATION. There is appropriated
6 from the general fund of the state to the department of human
7 services for the fiscal year beginning July 1, 2003, and
8 ending June 30, 2004, the following amount, or so much thereof
9 as is necessary, to be used for the purpose designated:
10 For general administration, including salaries, support,
11 maintenance, and miscellaneous purposes and for not more than
12 the following full-time equivalent positions:
13 ..... $ 10,803,626
14 ..... FTEs 286.00
15 1. Of the funds appropriated in this section, $57,000 is
16 allocated for the prevention of disabilities policy council
17 established in section 225B.3.
18 2. Up to $500,000 of the moneys received in any settlement
19 of overpayments made to a child development center or to any
20 other provider that results in a settlement in excess of
21 $150,000 shall be considered as repayment receipts and shall
22 only be used for the costs of filling full-time equivalent
23 positions authorized but not funded by the appropriations made
24 for the purposes of this section.
25 Sec. 30. VOLUNTEERS. There is appropriated from the
26 general fund of the state to the department of human services
27 for the fiscal year beginning July 1, 2003, and ending June
28 30, 2004, the following amount, or so much thereof as is
29 necessary, to be used for the purpose designated:
30 For development and coordination of volunteer services:
31 ..... $ 109,568
32 Sec. 31. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
33 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
34 DEPARTMENT OF HUMAN SERVICES.
35 1. a. For the fiscal year beginning July 1, 2003, nursing

1 facilities shall be reimbursed at 100 percent of the modified
2 price-based case-mix reimbursement rate. Nursing facilities
3 reimbursed under the medical assistance program shall submit
4 annual cost reports and additional documentation as required
5 by rules adopted by the department.
6 b. For the fiscal year beginning July 1, 2003, the
7 department shall reimburse pharmacy dispensing fees using a
8 single rate of $5.17 per prescription or the pharmacy's usual
9 and customary fee, whichever is lower.
10 c. For the fiscal year beginning July 1, 2003,
11 reimbursement rates for inpatient and outpatient hospital
12 services shall remain at the rates in effect on June 30, 2003.
13 The department shall continue the outpatient hospital
14 reimbursement system based upon ambulatory patient groups
15 implemented pursuant to 1994 Iowa Acts, chapter 1186, section
16 25, subsection 1, paragraph "f". In addition, the department
17 shall continue the revised medical assistance payment policy
18 implemented pursuant to that paragraph to provide
19 reimbursement for costs of screening and treatment provided in
20 the hospital emergency room if made pursuant to the
21 prospective payment methodology developed by the department
22 for the payment of outpatient services provided under the
23 medical assistance program. Any rebasing of hospital
24 impatient or outpatient rates shall not increase total
25 payments for inpatient and outpatient services.
26 d. For the fiscal year beginning July 1, 2003,
27 reimbursement rates for rural health clinics, hospices,
28 independent laboratories, and acute mental hospitals shall be
29 increased in accordance with increases under the federal
30 Medicare program or as supported by their Medicare audited
31 costs.
32 e. For the fiscal year beginning July 1, 2003,
33 reimbursement rates for home health agencies shall remain at
34 the rates in effect on June 30, 2003.
35 f. For the fiscal year beginning July 1, 2003, federally

1 qualified health centers shall receive cost-based
2 reimbursement for 100 percent of the reasonable costs for the
3 provision of services to recipients of medical assistance.
4 g. Beginning July 1, 2003, the reimbursement rates for
5 dental services shall remain at the rates in effect on June
6 30, 2003.
7 h. Beginning July 1, 2003, the reimbursement rates for
8 community mental health centers shall remain at the rates in
9 effect on June 30, 2003.
10 i. For the fiscal year beginning July 1, 2003, the maximum
11 reimbursement rate for psychiatric medical institutions for
12 children shall remain at the rate in effect on June 30, 2003,
13 based on per day rates for actual costs.
14 j. For the fiscal year beginning July 1, 2003, unless
15 otherwise specified in this Act, all noninstitutional medical
16 assistance provider reimbursement rates shall remain at the
17 rates in effect on June 30, 2003, except for area education
18 agencies, local education agencies, infant and toddler
19 services providers, and those providers whose rates are
20 required to be determined pursuant to section 249A.20.
21 k. Notwithstanding section 249A.20, the average
22 reimbursement rates for health care providers eligible for use
23 of the reimbursement methodology under that section shall
24 remain at the rate in effect on June 30, 2003; however, this
25 rate shall not exceed the maximum level authorized by the
26 federal government.
27 2. For the fiscal year beginning July 1, 2003, the
28 reimbursement rate for residential care facilities shall not
29 be less than the minimum payment level as established by the
30 federal government to meet the federally mandated maintenance
31 of effort requirement. The flat reimbursement rate for
32 facilities electing not to file semiannual cost reports shall
33 not be less than the minimum payment level as established by
34 the federal government to meet the federally mandated
35 maintenance of effort requirement.

1 3. For the fiscal year beginning July 1, 2003, the
2 reimbursement rate for providers reimbursed under the in-home-
3 related care program shall not be less than the minimum
4 payment level as established by the federal government to meet
5 the federally mandated maintenance of effort requirement.
6 4. Unless otherwise directed in this section, when the
7 department's reimbursement methodology for any provider
8 reimbursed in accordance with this section includes an
9 inflation factor, this factor shall not exceed the amount by
10 which the consumer price index for all urban consumers
11 increased during the calendar year ending December 31, 2002.
12 5. Notwithstanding section 234.38, in the fiscal year
13 beginning July 1, 2003, the foster family basic daily
14 maintenance rate and the maximum adoption subsidy rate for
15 children ages 0 through 5 years shall be $14.28, the rate for
16 children ages 6 through 11 years shall be $15.07, the rate for
17 children ages 12 through 15 years shall be $16.83, and the
18 rate for children ages 16 and older shall be $16.83.
19 6. For the fiscal year beginning July 1, 2003, the maximum
20 reimbursement rates for social service providers shall remain
21 at the rates in effect on June 30, 2003. However, the rates
22 may be adjusted under any of the following circumstances:
23 a. If a new service was added after June 30, 2003, the
24 initial reimbursement rate for the service shall be based upon
25 actual and allowable costs.
26 b. If a social service provider loses a source of income
27 used to determine the reimbursement rate for the provider, the
28 provider's reimbursement rate may be adjusted to reflect the
29 loss of income, provided that the lost income was used to
30 support actual and allowable costs of a service purchased
31 under a purchase of service contract.
32 7. The group foster care reimbursement rates paid for
33 placement of children out of state shall be calculated
34 according to the same rate-setting principles as those used
35 for in-state providers unless the director of human services

1 or the director's designee determines that appropriate care
2 cannot be provided within the state. The payment of the daily
3 rate shall be based on the number of days in the calendar
4 month in which service is provided.
5 8. For the fiscal year beginning July 1, 2003, the
6 reimbursement rates for rehabilitative treatment and support
7 services providers shall remain at the rates in effect on June
8 30, 2003.
9 9. For the fiscal year beginning July 1, 2003, the
10 combined service and maintenance components of the
11 reimbursement rate paid to a shelter care provider shall be
12 based on the cost report submitted to the department. The
13 maximum reimbursement rate shall be $83.69 per day. The
14 department shall reimburse a shelter care provider at the
15 provider's actual and allowable unit cost, plus inflation, not
16 to exceed the maximum reimbursement rate.
17 10. For the fiscal year beginning July 1, 2003, the
18 department shall calculate reimbursement rates for
19 intermediate care facilities for persons with mental
20 retardation at the 80th percentile.
21 11. For the fiscal year beginning July 1, 2003, for child
22 care providers, the department shall set provider
23 reimbursement rates based on the rate reimbursement survey
24 completed in December 1998. The department shall set rates in
25 a manner so as to provide incentives for a nonregistered
26 provider to become registered.
27 12. For the fiscal year beginning July 1, 2003,
28 reimbursements for providers reimbursed by the department of
29 human services may be modified if appropriated funding is
30 allocated for that purpose from the senior living trust fund
31 created in section 249H.4, or as specified in appropriations
32 from the healthy Iowans tobacco trust created in section
33 12.65.
34 13. The department may adopt emergency rules to implement
35 the hospital crossover claims process.

1 14. The department may adopt emergency rules to implement
2 this section.
3 Sec. 32. TRANSFER AUTHORITY. Subject to the provisions of
4 section 8.39, for the fiscal year beginning July 1, 2003, if
5 necessary to meet federal maintenance of effort requirements
6 or to transfer federal temporary assistance for needy families
7 block grant funding to be used for purposes of the federal
8 social services block grant or to meet cash flow needs
9 resulting from delays in receiving federal funding or to
10 implement, in accordance with this Act, targeted case
11 management for child protection and for activities currently
12 funded with juvenile court services, county, or community
13 moneys and state moneys used in combination with such moneys,
14 the department of human services may transfer within or
15 between any of the appropriations made in this Act and
16 appropriations in law for the federal social services block
17 grant to the department for the following purposes, provided
18 that the combined amount of state and federal temporary
19 assistance for needy families block grant funding for each
20 appropriation remains the same before and after the transfer:
21 1. For the family investment program.
22 2. For child care assistance.
23 3. For child and family services.
24 4. For field operations.
25 5. For general administration.
26 6. MH/MR/DD/BI community services (local purchase).
27 This section shall not be construed to prohibit existing
28 state transfer authority for other purposes.
29 Sec. 33. FRAUD AND RECOUPMENT ACTIVITIES. During the
30 fiscal year beginning July 1, 2003, notwithstanding the
31 restrictions in section 239B.14, recovered moneys generated
32 through fraud and recoupment activities are appropriated to
33 the department of human services to be used for additional
34 fraud and recoupment activities performed by the department of
35 human services or the department of inspections and appeals,

1 and the department of human services may add not more than
2 five full-time equivalent positions, in addition to those
3 funded in this Act, subject to both of the following
4 conditions:
5 1. The director of human services determines that the
6 investment can reasonably be expected to increase recovery of
7 assistance paid in error, due to fraudulent or nonfraudulent
8 actions, in excess of the amount recovered in the fiscal year
9 beginning July 1, 1997.
10 2. The amount expended for the additional fraud and
11 recoupment activities shall not exceed the amount of the
12 projected increase in assistance recovered.
13 Sec. 34. ELECTRONIC BENEFIT TRANSFER IMPLEMENTATION
14 NONREVERSION. Unspent funds appropriated in 2002 Iowa Acts,
15 Second Extraordinary Session, chapter 1003, section 112, and
16 allocated by the department of human services for the purpose
17 of meeting federal food stamp electronic benefit transfer
18 requirements shall not revert but shall remain available for
19 the same purpose until the close of the succeeding fiscal
20 year.
21 Sec. 35. NEW SECTION. 217A.1 PARENTAL INVOLVEMENT
22 PROGRAM.
23 1. The department of human services shall convene an
24 advisory group that includes representatives of the Iowa
25 department of public health, the department of education, the
26 department of workforce development, the department of
27 corrections, the Iowa empowerment board, other state agencies
28 that provide services to families, and representatives of
29 business and industry, parents, faith-based organizations, and
30 state and local community leaders, to present a plan to the
31 general assembly that provides a comprehensive approach to
32 policy and service delivery at the state, county, and local
33 level and provides a network of services to assist both
34 mothers and fathers in parenting their children. While the
35 comprehensive approach shall address the needs of both

1 parents, the focus shall be on creating a policy and service
2 delivery system that provides a network of resources to assist
3 fathers in becoming and remaining engaged in their children's
4 lives. The plan shall be submitted on or before December 31,
5 2003.
6 2. The comprehensive approach to parental involvement
7 shall provide for all of the following:
8 a. STRUCTURE AND POLICIES.
9 (1) Identification of state laws, regulations, policies,
10 and practices that interfere with or fail to help fathers
11 become or remain engaged in their children's lives.
12 (2) Development of flexible service delivery options
13 within the state system, including the public assistance and
14 child support systems, to address the varying needs of
15 families which may include modifying traditional enforcement
16 of program requirements, referral to services, or other
17 options.
18 (3) Integration of the state system and community level
19 services to provide a social service network that is
20 accessible to fathers as well as mothers.
21 (4) Creation of a systemwide approach for delivery of
22 services to families that creates a family support network
23 that does all of the following:
24 (a) Trains service workers to include both fathers and
25 mothers as a family unit, rather than separately, in the
26 delivery of services.
27 (b) Promotes a common awareness across disciplines, for
28 workers providing services to parents and families, of the
29 importance of both parents in children's lives.
30 (c) Systematically engages both parents and does not
31 segment families in the provision of services.
32 (d) Improves communication across delivery systems.
33 (e) Provides for the partnering of various disciplines and
34 levels of government in providing services to parents and
35 families.

1 (5) Implementation of enhanced child support policies.
2 b. CONNECTING FATHERS WITH NECESSARY SERVICES.
3 (1) Utilization of the existing service system to connect
4 fathers with local community-based services that help fathers
5 develop the skills to become better parents and partners and
6 more productive members of the workforce.
7 (2) Utilization of employment opportunities and training
8 as catalysts to involve fathers with programs that help
9 fathers develop skills to retain jobs and build healthy
10 relationships.
11 c. PUBLIC AWARENESS.
12 (1) Promotion of public awareness of the importance of the
13 emotional and financial involvement of both parents in their
14 children's lives.
15 (2) Use of the media to encourage parents to discuss
16 pregnancy prevention and parental responsibility with their
17 children.
18 Sec. 36. Section 234.35, subsection 1, paragraph c, Code
19 2003, is amended to read as follows:
20 c. When the department has agreed to provide foster care
21 services for the child for a period of not more than ~~thirty~~
22 ninety days on the basis of a signed placement agreement
23 between the department and the child's parent or guardian
24 ~~initiated-on-or-after-July-1,-1992~~.
25 Sec. 37. 2002 Iowa Acts, chapter 1125, section 1,
26 subsection 2, paragraphs b and d, are amended to read as
27 follows:
28 b. Amending rules ~~to-maintain-the-group-care-standard-for~~
29 ~~a-weekly-average-number-of-hours-of-therapy-and-counseling,~~
30 ~~but-determine-compliance-by-averaging-the-hours-per-week-over~~
31 ~~the-course-of-a-month~~ for group care documentation and
32 recoupment to streamline requirements relating to skills
33 development by removing the requirements for billed services
34 documentation and clarifying the requirements for meeting
35 weekly average hours of therapy and counseling and the

1 methodology for determining compliance and overpayments. ~~The~~
2 ~~recoupment for failure to comply shall be applied for a week~~
3 ~~at a time for noncompliance, not to exceed the number of days~~
4 ~~paid. This standard shall not be applied to a highly~~
5 ~~structured juvenile group care program.~~
6 ~~d. Utilizing a weekly results summary for documentation of~~
7 ~~the group care requirement for daily provision of skills~~
8 ~~development.~~
9 Sec. 38. 2002 Iowa Acts, chapter 1175, section 104, is
10 amended to read as follows:
11 SEC. 104. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND
12 DEVELOPMENTAL DISABILITIES ALLOWED GROWTH FACTOR ADJUSTMENT
13 AND ALLOCATIONS -- FISCAL YEAR 2003-2004. There is
14 appropriated from the general fund of the state to the
15 department of human services for the fiscal year beginning
16 July 1, 2003, and ending June 30, 2004, the following amount,
17 or so much thereof as is necessary, to be used for the purpose
18 designated:
19 For distribution to counties of the county mental health,
20 mental retardation, and developmental disabilities allowed
21 growth factor adjustment, as provided in this section in lieu
22 of the provisions of section 331.438, subsection 2, and
23 section 331.439, subsection 3, and chapter 426B:
24 ..... $ 19,073,638
25 1. The funding appropriated in this section is the allowed
26 growth factor adjustment for fiscal year 2003-2004, and is
27 allocated as follows:
28 a. For distribution as provided in this section:
29 ..... $ 17,073,638
30 b. For deposit in the risk pool created in the property
31 tax relief fund and for distribution in accordance with
32 section 426B.5, subsection 2:
33 ..... $ 2,000,000
34 2. The following formula amounts shall be utilized only to
35 calculate preliminary distribution amounts for fiscal year

2003-2004 under this section by applying the indicated formula provisions to the formula amounts and producing a preliminary distribution total for each county:

a. For calculation of an allowed growth factor adjustment amount for each county in accordance with the formula in section 331.438, subsection 2, paragraph "b":

..... $ 12,000,000

b. For calculation of a distribution amount for eligible counties from the per capita expenditure target pool created in the property tax relief fund in accordance with the requirements in section 426B.5, subsection 1:

..... $ 12,492,712

c. For calculation of a distribution amount for counties from the mental health and developmental disabilities (MH/DD) community services fund in accordance with the formula provided in ~~2002-Iowa-Acts,-Senate-File-2326,-section-119, subsection-1~~ the appropriation made for the MH/DD community services fund for the fiscal year beginning July 1, 2003:

..... $ ~~18,127,352~~
17,727,890

3. Notwithstanding any contrary provisions of sections 225C.7, 331.438, subsection 2, 331.439, subsection 3, and 426B.5, the moneys allocated for distribution in subsection 1, paragraph "b", and in any other Act of the Eightieth General Assembly, 2003 Session, for distribution to counties in the fiscal year beginning July 1, 2003, for purposes of the mental health and developmental disabilities (MH/DD) community services fund under section 225C.7, and for the allowed growth factor adjustment for services paid under a county's section 331.424A mental health, mental retardation, and developmental disabilities services fund and as calculated under subsection 2 to produce preliminary distribution amounts for counties shall be subject to withholding as provided in this section.

4. After applying the applicable statutory distribution formulas to the amounts indicated in subsection 2 for purposes

1 to produce preliminary distribution totals, the department of
2 human services shall apply a withholding factor to adjust an
3 eligible individual county's preliminary distribution total.
4 An ending balance percentage for each county shall be
5 determined by expressing the county's ending balance on a
6 modified accrual basis under generally accepted accounting
7 principles for the fiscal year beginning July 1, 2002, in the
8 county's mental health, mental retardation, and developmental
9 disabilities services fund created under section 331.424A, as
10 a percentage of the county's gross expenditures from that fund
11 for that fiscal year. The withholding factor for a county
12 shall be the following applicable percent:
13 a. For an ending balance percentage of less than 10
14 percent, a withholding factor of 0 percent.
15 b. For an ending balance percentage of 10 through 24
16 percent, a withholding factor of 25 percent.
17 c. For an ending balance percentage of 25 through 34
18 percent, a withholding factor of 60 percent.
19 d. For an ending balance percentage of 35 through 44
20 percent, a withholding factor of 85 percent.
21 e. For an ending balance percentage of 45 percent or more,
22 a withholding factor of 100 percent.
23 5. The total withholding amounts applied pursuant to
24 subsection 4 shall be equal to a withholding target amount of
25 $7,419,074 and the appropriation enacted by the Eightieth
26 General Assembly, 2003 Session, for the MH/DD community
27 services fund shall be reduced by the amount necessary to
28 attain the withholding target amount. If the department of
29 human services determines that the amount to be withheld in
30 accordance with subsection 4 is not equal to the target
31 withholding amount, the department shall adjust the
32 withholding factors listed in subsection 4 as necessary to
33 achieve the withholding target amount. However, in making
34 such adjustments to the withholding factors, the department
35 shall strive to minimize changes to the withholding factors

1 for those ending balance percentage ranges that are lower than
2 others and shall not adjust the zero withholding factor
3 specified in subsection 4, paragraph "a".
4 6. A county must comply with both the requirements listed
5 in this subsection to be eligible to receive a funding
6 distribution under this section. The amount that would
7 otherwise be available for distribution to a county that fails
8 to so comply shall be proportionately distributed among the
9 eligible counties. Both of the following requirements are
10 applicable:
11 a. A county must comply with the December 1, 2003, filing
12 deadline for the county annual financial report in accordance
13 with section 331.403.
14 b. A county must levy the not less than 70 percent of the
15 maximum amount allowed for the county's mental health, mental
16 retardation, and developmental disabilities services fund
17 under section 331.424A for taxes due and payable in the fiscal
18 year beginning July 1, 2003.
19 7. The department of human services shall authorize the
20 issuance of warrants payable to the county treasurer for the
21 distribution amounts due the counties eligible under this
22 section and notwithstanding prior practice for the MH/DD
23 community services fund, the warrants shall be issued in
24 January 2004.
25 Sec. 39. 2002 Iowa Acts, Second Extraordinary Session,
26 chapter 1003, section 126, subsection 3, paragraph d, is
27 amended to read as follows:
28 d. Notwithstanding section 8.33, ~~up to $500,000 of~~ a state
29 resource center's revenues that remain unencumbered or
30 unobligated at the close of the fiscal year shall not revert
31 but shall remain available to be used in the succeeding fiscal
32 year.
33 Sec. 40. 2002 Iowa Acts, Second Extraordinary Session,
34 chapter 1003, section 131, is amended by adding the following
35 new unnumbered paragraph:

1 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
2 moneys appropriated in this section that remain unencumbered
3 or unobligated at the close of the fiscal year shall not
4 revert but shall remain available until the close of the
5 succeeding fiscal year for the purposes designated under this
6 section.
7 Sec. 41. EMERGENCY RULES. If specifically authorized by a
8 provision of this Act, the department of human services or the
9 mental health and developmental disabilities commission may
10 adopt administrative rules under section 17A.4, subsection 2,
11 and section 17A.5, subsection 2, paragraph "b", to implement
12 the provisions and the rules shall become effective
13 immediately upon filing or on a later effective date specified
14 in the rules, unless the effective date is delayed by the
15 administrative rules review committee. Any rules adopted in
16 accordance with this section shall not take effect before the
17 rules are reviewed by the administrative rules review
18 committee. The delay authority provided to the administrative
19 rules review committee under section 17A.4, subsection 5, and
20 section 17A.8, subsection 9, shall be applicable to a delay
21 imposed under this section, notwithstanding a provision in
22 those sections making them inapplicable to section 17A.5,
23 subsection 2, paragraph "b". Any rules adopted in accordance
24 with the provisions of this section shall also be published as
25 notice of intended action as provided in section 17A.4.
26 Sec. 42. REPORTS.
27 1. Any reports or information required to be compiled and
28 submitted under this Act shall be submitted to the
29 chairpersons and ranking members of the joint appropriations
30 subcommittee on health and human services, the legislative
31 fiscal bureau, the legislative service bureau, and to the
32 legislative caucus staffs on or before the dates specified for
33 submission of the reports or information.
34 2. In order to reduce mailing and paper processing costs,
35 the department shall provide, to the extent feasible, reports,

1 notices, minutes, and other documents by electronic means to
2 those persons who have the capacity to access the documents in
3 that manner.
4 Sec. 43. LAW INAPPLICABLE FOR FISCAL YEAR 2003-2004.
5 1. The following provisions in Code or rule shall be
6 suspended for the period beginning July 1, 2003, and ending
7 June 30, 2004:
8 a. The requirements of section 239B.2A, relating to school
9 attendance by children participating in the family investment
10 program.
11 b. For a case permanency plan, as defined in section
12 232.2, the requirement for a six-month case permanency plan
13 review for an intact family.
14 c. The requirements of section 225C.42, relating to an
15 annual evaluation of the family support subsidy program.
16 2. The department may adopt emergency rules to implement
17 the provisions of this section.
18 Sec. 44. EFFECTIVE DATES. The following provisions of
19 this division of this Act, being deemed of immediate
20 importance, take effect upon enactment:
21 1. The provision under the appropriation for child and
22 family services, relating to requirements of section 232.143
23 for representatives of the department of human services and
24 juvenile court services to establish a plan for continuing
25 group foster care expenditures for the 2002-2003 fiscal year.
26 2. The provision under the appropriation for child and
27 family services, relating to the state court administrator
28 determining allocation of court-ordered services funding by
29 June 15, 2003.
30 3. The provision relating to unspent funds for food stamp
31 electronic benefit transfer remaining available from the
32 appropriation made in 2002 Iowa Acts, Second Extraordinary
33 Session, chapter 1003, section 112, for the 2003-2004 fiscal
34 year.
35 4. The provisions amending 2002 Iowa Acts, Second

1 Extraordinary Session, chapter 1003, sections 126 and 131,
2 relating to nonreversion of moneys appropriated in fiscal year
3 2002-2003 for the state resource centers and for the sexually
4 violent predator program.
5 DIVISION IV
6 SENIOR LIVING TRUST FUND
7 Sec. 45. DEPARTMENT OF ELDER AFFAIRS. There is
8 appropriated from the senior living trust fund created in
9 section 249H.4 to the department of elder affairs for the
10 fiscal year beginning July 1, 2003, and ending June 30, 2004,
11 the following amount, or so much thereof as is necessary, to
12 be used for the purpose designated:
13 For the development and implementation of a comprehensive
14 senior living program, including program administration and
15 costs associated with implementation, salaries, support,
16 maintenance, and miscellaneous purposes:
17 ..... $ 7,180,814
18 It is the intent of the general assembly that the
19 department not transfer moneys appropriated to the department
20 for purposes of the assisted living program and adult day care
21 for the fiscal year beginning July 1, 2003.
22 Sec. 46. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
23 appropriated from the senior living trust fund created in
24 section 249H.4 to the department of inspections and appeals
25 for the fiscal year beginning July 1, 2003, and ending June
26 30, 2004, the following amount, or so much thereof as is
27 necessary, to be used for the purpose designated:
28 For the inspection and certification of assisted living
29 facilities and adult day care services, including program
30 administration and costs associated with implementation,
31 salaries, support, maintenance, and miscellaneous purposes and
32 for not more than the following full-time equivalent
33 positions:
34 ..... $ 800,000
35 ..... FTEs 6.00

1 Sec. 47. DEPARTMENT OF HUMAN SERVICES. There is
2 appropriated from the senior living trust fund created in
3 section 249H.4 to the department of human services for the
4 fiscal year beginning July 1, 2003, and ending June 30, 2004,
5 the following amounts, or so much thereof as is necessary, to
6 be used for the purposes designated:
7 1. To provide grants to nursing facilities for conversion
8 to assisted living programs or to provide long-term care
9 alternatives and to provide grants to ICF/MR for conversion to
10 assisted living programs or home and community-based services
11 and to provide grants to long-term care providers for
12 development of long-term care alternatives:
13 ..... $ 20,000,000
14 Up to 25 percent of this amount may be used for development
15 of less restrictive community-based services with a
16 significant focus on reducing the numbers of persons served in
17 state resource centers and other intermediate care facilities
18 for persons with mental retardation as well as for activities
19 designed to facilitate the planning for or placement of such
20 services and persons.
21 2. To supplement the medical assistance appropriation,
22 including program administration and costs associated with
23 implementation, salaries, support, maintenance, and
24 miscellaneous purposes, and for not more than the following
25 full-time equivalent positions:
26 ..... $101,600,000
27 ..... FTEs 5.00
28 3. To provide reimbursement for health care services and
29 rent expenses to eligible persons through the home and
30 community-based services waiver and the state supplementary
31 assistance program, including program administration and data
32 system costs associated with implementation, salaries,
33 support, maintenance, and miscellaneous purposes:
34 ..... $ 1,733,406
35 Participation in the rent subsidy program shall be limited

1 to only those persons who are at risk for nursing facility
2 care. The department shall adopt emergency rules to implement
3 this provision.
4 4. To implement nursing facility provider reimbursements
5 as provided in 2001 Iowa Acts, chapter 192, section 4,
6 subsection 2, paragraph "c":
7 ..... $ 29,950,000
8 In order to carry out the purposes of this section, the
9 department shall transfer funds appropriated in this section
10 to supplement other appropriations made to the department of
11 human services.
12 5. Notwithstanding sections 249H.4 and 249H.5, the
13 department of human services may use moneys from the senior
14 living trust fund for cash flow purposes to make payments
15 under the nursing facility or hospital upper payment limit
16 methodology. The amount of any moneys so used shall be
17 refunded to the senior living trust fund within the same
18 fiscal year and in a prompt manner.
19 6. Notwithstanding section 8.33, moneys committed to
20 grantees under contract to provide for conversion to assisted
21 living programs or for development of long-term care
22 alternatives that remain unexpended at the close of the fiscal
23 year shall not revert to any fund but shall remain available
24 for expenditure for purposes of the contract.
25 Sec. 48. CONVERSION GRANT PROJECTS -- RULES.
26 1. For the fiscal year beginning July 1, 2003, and ending
27 June 30, 2004, the department of human services shall continue
28 to give greater weight in the scoring methodology to nursing
29 facility conversion projects that are primarily for the
30 renovation and remodeling of the existing nursing facility
31 structure and give less weight to conversion projects that are
32 primarily for new construction. The department of human
33 services shall encourage cooperative efforts between the
34 department of inspections and appeals, the state fire marshal,
35 and the grant applicant to promote the acceptance of nursing

1 facility conversion projects that are primarily renovation and
2 remodeling of the existing nursing facility structure.
3 2. For the fiscal year beginning July 1, 2003, and ending
4 June 30, 2004, the department of inspections and appeals shall
5 certify all assisted living programs established through
6 nursing facility conversion grants. The department of
7 inspections and appeals shall consult with conversion grant
8 applicants and recipients to establish and monitor occupancy
9 agreements and assisted living program residents shall be
10 allowed access to third-party payors.
11 DIVISION V
12 HOSPITAL TRUST FUND
13 Sec. 49. DEPARTMENT OF HUMAN SERVICES APPROPRIATION.
14 There is appropriated from the hospital trust fund created in
15 section 249I.4 to the department of human services for the
16 fiscal year beginning July 1, 2003, and ending June 30, 2004,
17 the following amount, or so much thereof as is necessary, to
18 be used for the purpose designated:
19 To supplement the medical assistance appropriation:
20 ..... $ 15,000,000
21 DIVISION VI
22 COMMISSION OF VETERANS AFFAIRS
23 Sec. 50. COMMISSION OF VETERANS AFFAIRS. There is
24 appropriated from the general fund of the state to the
25 commission of veterans affairs for the fiscal year beginning
26 July 1, 2003, and ending June 30, 2004, the following amounts,
27 or so much thereof as is necessary, to be used for the
28 purposes designated:
29 1. COMMISSION OF VETERANS AFFAIRS ADMINISTRATION
30 For salaries, support, maintenance, miscellaneous purpose
31 including the war orphans educational aid fund established
32 pursuant to chapter 35, and for not more than the following
33 full-time equivalent positions:
34 ..... $ 288,193
35 ..... FTEs 4.00

1 The commission of veterans affairs may use the gifts
2 accepted by the chairperson of the commission of veterans
3 affairs, or designee, and other resources available to the
4 commission for use at its Camp Dodge office. The commission
5 shall report annually to the governor and the general assembly
6 on monetary gifts received by the commission for the Camp
7 Dodge office.
8 2. IOWA VETERANS HOME
9 For salaries, support, maintenance, miscellaneous purposes,
10 and for not more than the following full-time equivalent
11 positions:
12 ..... $ 14,205,741
13 ..... FTEs 843.50
14 a. The Iowa veterans home may use the gifts accepted by
15 the chairperson of the commission of veterans affairs and
16 other resources available to the commission for use at the
17 Iowa veterans home.
18 b. Any Iowa veterans home successor contractor shall not
19 consider employees of a state institution or facility to be
20 new employees for purposes of employee wages, health
21 insurance, or retirement benefits.
22 c. The chairpersons and ranking members of the joint
23 appropriations subcommittee on health and human services or
24 successor subcommittee shall be notified by January 15 of any
25 calendar year during which a request for proposals is
26 anticipated to be issued regarding any Iowa veterans home
27 contract involving employment, for purposes of providing
28 legislative review and oversight.
29 d. The Iowa veterans home shall operate with a net state
30 general fund appropriation. The amount appropriated in this
31 subsection is the net amount of state moneys projected to be
32 needed for the Iowa veterans home. The purposes of operating
33 with a net state general fund appropriation are to encourage
34 the Iowa veterans home to operate with increased self-
35 sufficiency, to improve quality and efficiency, and to support

1 collaborative efforts among all funders of services available
2 from the Iowa veterans home. Moneys appropriated in this
3 subsection may be used throughout the fiscal year in the
4 manner necessary for purposes of cash flow management, and for
5 purposes of cash flow management the Iowa veterans home may
6 temporarily draw more than the amount appropriated, provided
7 the amount appropriated is not exceeded at the close of the
8 fiscal year.
9 e. Revenues attributable to the Iowa veterans home for the
10 fiscal year beginning July 1, 2003, shall be deposited into
11 the Iowa veterans home account and shall be treated as
12 repayment receipts, including but not limited to all of the
13 following:
14 (1) Federal veterans administration payments.
15 (2) Medical assistance revenue received under chapter
16 249A.
17 (3) Federal Medicare program payments.
18 (4) Moneys received from client financial participation.
19 (5) Other revenues generated from current, new, or
20 expanded services which the Iowa veterans home is authorized
21 to provide.
22 f. For the purposes of allocating the salary adjustment
23 fund moneys appropriated in another Act, the Iowa veterans
24 home shall be considered to be funded entirely with state
25 moneys.
26 g. Notwithstanding section 8.33, up to $500,000 of the
27 Iowa veterans home revenues that remain unencumbered or
28 unobligated at the close of the fiscal year shall not revert
29 but shall remain available to be used in the succeeding fiscal
30 year.
31 Sec. 51. 2002 Iowa Acts, Second Extraordinary Session,
32 chapter 1003, section 102, subsection 2, paragraph g, is
33 amended to read as follows:
34 g. Notwithstanding section 8.33, up to ~~$500,000~~ $1,000,000
35 of the Iowa veterans home revenues that remain unencumbered or

1 unobligated at the close of the fiscal year shall not revert
2 but shall remain available to be used in the succeeding fiscal
3 year.
4 Sec. 52. EFFECTIVE DATE. The section of this division of
5 this Act amending 2002 Iowa Acts, Second Extraordinary
6 Session, chapter 1003, section 102, being deemed of immediate
7 importance, takes effect upon enactment.
8 EXPLANATION
9 This bill relates to and makes appropriations for health
10 and human services for fiscal year 2003-2004 to the state
11 commission of veterans affairs, the Iowa veterans home, the
12 department of elder affairs, the Iowa department of public
13 health, the department of inspections and appeals, and the
14 department of human services.
15 Division I appropriates funding from the general fund of
16 the state for the department of elder affairs.
17 Division I includes a restriction of 7.5 percent on the
18 amount of allocated funds for aging programs that may be used
19 for administrative purposes by the area agencies on aging.
20 Division II appropriates funding from the general fund of
21 the state to the Iowa department of public health.
22 Division II includes authority for the Iowa department of
23 public health to retain and expend certain professional
24 licensing fees and licensing fee increases, and to retain and
25 expend fees from certification of lead inspectors and lead
26 abaters.
27 Division II directs the director of public health to
28 establish a health care access partnership pilot project in
29 one county for a two-year period. The purpose of the project
30 is to implement systems of health care services for persons
31 with low income or without health insurance coverage by
32 enhancing collaboration between providers of charity care or
33 medical assistance (Medicaid) services.
34 Division II appropriates funds from the gambling treatment
35 fund for addictive disorders and provides for use of the funds

1 remaining in the fund.
2 Division II extends the vital records modernization project
3 to June 30, 2004, and the scope of practice review project to
4 June 30, 2004.
5 Division III appropriates funding from the general fund of
6 the state and the federal temporary assistance for needy
7 families block grant to the department of human services.
8 Division III includes contingency language in the
9 appropriation for child and family services providing for a
10 reduction in certain allocations and for appropriation
11 transfers in the event that House File 568, relating to
12 provision of school aid for children placed in the department
13 of human services' institutions, is not enacted.
14 Division III provides that if a foster parent is unable to
15 complete the six hours of annual training requirement because
16 the foster parent is engaged in active duty in the military,
17 the foster parent is considered to have completed the
18 requirement.
19 Division III includes authority for the department to
20 contract with other states to provide care and treatment of
21 persons from the other states in Iowa's unit for sexually
22 violent predators, provided the charges recover all direct and
23 indirect costs. The department may retain a portion of the
24 charges.
25 Division III allows the department to utilize a portion of
26 moneys received in settlement of an overpayment to a child
27 development center or other large overpayment settlement as
28 additional funding for general administration positions.
29 Division III includes new Code section 217A.1, requiring
30 the department of human services to convene a group of state
31 agencies and other stakeholders to develop a comprehensive
32 approach for services to assist both mothers and fathers in
33 parenting their children.
34 Division III amends Code section 234.35, relating to state
35 payment for various child welfare services, to allow payment

1 for voluntary foster care services for a 90-day period rather
2 than a 30-day period.
3 Division III revises language in a 2002 enactment relating
4 to requirements for children's rehabilitative treatment
5 services reimbursed under Medicaid in order to change
6 documentation provisions.
7 Division III revises a funding amount used in the formula
8 for distribution of mental health, mental retardation, and
9 developmental disabilities allowed growth funding for fiscal
10 year 2003-2004.
11 Division III allows for carryover of unexpended fiscal year
12 2002-2003 appropriations for electronic benefit transfer
13 implementation, the sexually violent offender unit, and the
14 Glenwood and Woodward state resource centers. These
15 provisions take effect upon enactment.
16 Division III repeats for fiscal year 2003-2004 provisions
17 suspending the applicability of the following laws: school
18 attendance requirements for children participating in the
19 family investment program, six-month case permanency plan
20 reviews required for children in an intact family, and annual
21 evaluation required for the family support subsidy program.
22 Provisions in division III related to issuance of funding
23 plans by representatives of the department of human services
24 and the judicial branch take effect upon enactment.
25 Division IV makes appropriations for the 2003-2004 fiscal
26 year from the senior living trust fund to the department of
27 elder affairs, the department of human services, and the
28 department of inspections and appeals.
29 Division V makes an appropriation from the hospital trust
30 fund to the department of human services to supplement the
31 medical assistance appropriation.
32 Division VI appropriates funding from the general fund of
33 the state to the commission of veterans affairs. Division VI
34 further provides that the Iowa veterans home shall operate
35 with a net state general fund appropriation, and that general

1 fund moneys may be used for cash flow management purposes.
2 Division VI includes authority for the veterans home to
3 carry forward additional unspent moneys from fiscal year 2002-
4 2003. This provision takes effect upon enactment.
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HOUSE FILE 667

H-1301

1 Amend House File 667 as follows:
2 1. Page 72, by inserting after line 7 the
3 following:
4 "DIVISION VII
5 Sec. ___. STATE WORKERS -- ACTIVE DUTY --
6 EMPLOYMENT RETENTION. If a state employee employed by
7 the department of elder affairs, the Iowa department
8 of public health, the department of inspections and
9 appeals, the department of human services, or the
10 commission of veterans affairs is called to engage in
11 active duty in the military service, in addition to
12 complying with the requirements of section 29A.28, the
13 position of the state employee shall be retained for
14 the employee until the employee's return from active
15 duty. Following completion of the active duty the
16 employee shall be allowed to return to the same
17 position as that which the employee left to engage in
18 active duty, and the employee's engagement in active
19 duty shall not affect the employee's classification
20 pay, or benefits.
21 Sec. ___. EFFECTIVE DATE. This division of this
22 Act, being deemed of immediate importance, takes
23 effect upon enactment."
24 2. By renumbering as necessary.

By WHITAKER of Van Buren

H-1301 FILED APRIL 9, 2003
Withdrawn

HOUSE FILE 667

H-1305

1 Amend House File 667 as follows:
2 1. Page 28, by inserting after line 16 the
3 following:
4 "___. The department shall implement the
5 elimination of hospital crossover claims for dually
6 eligible federal Medicare and medical assistance
7 program beneficiaries for hospitals licensed under
8 chapter 135B, only if approval of a medical assistance
9 state plan amendment is received from the centers for
10 Medicare and Medicaid services of the United States
11 department of health and human services that protects
12 hospitals from financial losses specifically due to
13 the hospital crossover claims process under the
14 medical assistance program or the Medicare cost
15 reports."
16 2. By renumbering as necessary.

By HEATON of Henry

H-1305 FILED APRIL 9, 2003
Adopted 4/10/03

H-1302

1 Amend House File 667 as follows:
2 1. Page 19, line 9, by striking the word
3 "reducing" and inserting the following: "in order to
4 increase".
5 2. Page 20, by striking lines 26 through 29.
6 3. Page 27, by striking lines 4 and 5, and
7 inserting the following: "community-based waivers,
8 the total number of openings at any one time".
9 4. Page 29, by striking lines 1 through 5.
10 5. Page 32, by striking lines 3 through 12.
11 6. Page 32, by inserting after line 16 the
12 following:
13 "___. If the department receives additional
14 funding from the federal government designated for
15 purposes of improving child care quality, the funding
16 shall be used for additional child care consultant
17 positions within the department's field operations."
18 7. Page 32, line 26, by striking the figure
19 "5,750,338" and inserting the following: "6,160,878".
20 8. Page 32, by striking lines 28 through 30.
21 9. Page 32, line 34, by striking the figure
22 "9,046,469" and inserting the following:
23 "10,285,696".
24 10. Page 33, by striking lines 14 through 18.
25 11. Page 33, line 26, by striking the figure
26 "109,285,212" and inserting the following:
27 "107,091,253".
28 12. Page 34, line 2, by striking the figure
29 "31,909,683" and inserting the following:
30 "30,154,516".
31 13. Page 35, by striking lines 13 through 32.
32 14. Page 36, lines 7 and 8, by striking the words
33 and figure "at least $1,135,288" and inserting the
34 following: "up to $915,892".
35 15. Page 38, line 25, by striking the figure
36 "3,281,589" and inserting the following: "3,062,193".
37 16. Page 39, line 17, by inserting after the word
38 "Act" the following: "or the federal Social Security
39 Act is amended to allow Title IV-E funding to be used
40 for subsidized guardianship,".
41 17. Page 39, by striking lines 24 through 26 and
42 inserting the following:
43 "___. The department shall develop a plan for
44 privatizing the administration of the foster care and
45 adoption programs. The plan shall be submitted to the
46 governor and the general assembly on or before
47 December 15, 2003."
48 18. Page 42, line 7, by striking the figure
49 "16,368,110" and inserting the following:
50 "16,912,302".

1 19. Page 47, by inserting after line 5 the
2 following:
3 "___. The state resource centers shall develop a
4 proposal providing options for addressing the service
5 needs of persons with developmental disabilities who
6 behave in a manner that presents a danger to
7 themselves or to others. The proposal shall be
8 submitted to the governor and general assembly on or
9 before December 15, 2003."
10 20. Page 50, line 7, by striking the words
11 "recoupment of" and inserting the following:
12 "recoupment of at least".
13 21. Page 50, by striking lines 12 and 13 and
14 inserting the following: "a contract shall be
15 considered to be repayment receipts and used".
16 22. Page 50, line 24, by striking the figure
17 "1,771.50" and inserting the following: "1,800.00".
18 23. Page 57, by inserting after line 20 the
19 following:
20 "Sec. ___. VEHICLE DEPRECIATION. The following
21 facilities and institutions administered by the
22 department of human services are exempt from the
23 depreciation requirement in section 18.120, subsection
24 1, and the appropriations for the facilities,
25 institutions, and the department shall not be charged
26 for vehicle depreciation otherwise attributable to the
27 facilities and institutions during the fiscal year
28 beginning July 1, 2003:
29 1. The state juvenile institutions.
30 2. The state resource centers.
31 3. The state mental health institutes.
32 4. The unit for commitment of sexually violent
33 predators located at the state mental health institute
34 at Cherokee."
35 24. Page 58, lines 9 and 10, by striking the
36 words "state laws, regulations, policies, and".
37 25. Page 58, lines 13 and 14, by striking the
38 words "and child support systems" and inserting the
39 following: "system".
40 26. Page 58, by inserting after line 17 the
41 following:
42 "(2A) Continuation of child support program
43 efforts to assist fathers in providing for their
44 children and remaining engaged in their children's
45 lives while complying with federal requirements. The
46 efforts may include continuing the fatherhood internet
47 site, seeking additional federal access and visitation
48 grants, and applying for other federal funds that
49 become available, for the purpose of actively engaging
50 fathers in the lives of their children."

H-1302

Page 3

1 27. Page 59, by striking line 1.
2 28. Page 65, by inserting after line 29 the
3 following:
4 "___. The provision under the appropriation for
5 child and family services, relating to the
6 requirements in section 237.5A involving a foster
7 parent unable to complete annual training due to being
8 engaged in active duty in the military service."
9 29. By renumbering as necessary.

By HEATON of Henry

H-1302 FILED APRIL 9, 2003

H-1302A (ll 3-50, p.1) Adopted 4/10/03 Also: 02, ll 1-17, p.3, ll 1-9

HOUSE FILE 667

H-1306

1 Amend House File 667 as follows:
2 1. Page 7, line 33, by striking the figure
3 "666,717" and inserting the following: "766,717".

By OSTERHAUS of Jackson

H-1306 FILED APRIL 9, 2003

Lost 4/10/03

HOUSE FILE 667

H-1307

1 Amend House File 667 as follows:
2 1. Page 22, line 11, by striking the figure
3 "5,482,793" and inserting the following: "5,912,793".

By OSTERHAUS of Jackson

H-1307 FILED APRIL 9, 2003

Lost 4/10/03

HOUSE FILE 667

H-1310

1 Amend House File 667 as follows:
2 1. Page 50, line 23, by striking the figure
3 "50,657,828" and inserting the following:
4 "50,875,728".
5 2. Page 51, line 13, by striking the figure
6 "10,803,626" and inserting the following:
7 "11,203,626".

By HEDDENS of Story

H-1310 FILED APRIL 9, 2003

Lost 4/10/03

1 Amend House File 667 as follows:
2 1. Page 32, by inserting after line 16, the
3 following:
4 "___. a. The department shall develop consumer
5 information material to assist parents in selecting a
6 child care provider. In developing the material, the
7 department shall consult with department of human
8 services staff, department of education staff, the
9 state child care advisory council, the Iowa
10 empowerment board, and child care resource and
11 referral services. In addition, the department may
12 consult with other entities at the local, state, and
13 national level.
14 b. The consumer information material developed by
15 the department for parents and other consumers of
16 child care services shall include but is not limited
17 to all of the following:
18 (1) A pamphlet or other printed material
19 containing consumer-oriented information on locating a
20 quality child care provider.
21 (2) Information explaining important
22 considerations a consumer should take into account in
23 selecting a licensed or registered child care
24 provider.
25 (3) Information explaining how a consumer can
26 identify quality services, including what questions to
27 ask of providers and what a consumer might expect or
28 demand to know before selecting a provider.
29 (4) An explanation of the applicable laws and
30 regulations written in layperson's terms.
31 (5) An explanation of what it means for a provider
32 to be licensed, registered, or unregistered.
33 (6) An explanation of the information considered
34 in registry and record background checks.
35 (7) Other information deemed relevant to
36 consumers.
37 c. The department shall implement and publicize an
38 internet page or site that provides all of the
39 following:
40 (1) The written information developed pursuant to
41 paragraphs "a" and "b".
42 (2) Regular informational updates, including when
43 a child care provider was last subject to a state
44 quality review or inspection and, based upon a final
45 score or review, the results indicating whether the
46 provider passed or failed the review or inspection.
47 (3) Capability for a consumer to be able to access
48 information concerning child care providers, such as
49 informational updates, identification of provider
50 location, name, and capacity, and identification of

H-1309

1 providers participating in the state child care
2 assistance program, by sorting the information or
3 employing other means that provide the information in
4 a manner that is useful to the consumer.
5 (4) Other information deemed appropriate by the
6 department."
7 2. By renumbering as necessary.

By PETERSEN of Polk
HEATON of Henry
GRANZOW of Hardin
OLDSON of Polk
GREIMANN of Story

H-1309 FILED APRIL 9, 2003

Adopted 4/10/03

HOUSE FILE 667

H-1308

1 Amend House File 667 as follows:
2 1. Page 4, line 34, by striking the figure "7.05"
3 and inserting the following: "7.75".
4 2. Page 5, line 8, by striking the figure
5 "147.10" and inserting the following: "149.10".
6 3. Page 7, line 34, by striking the figure
7 "51.15" and inserting the following: "53.15".
8 4. Page 29, by inserting after line 13, the
9 following:
10 "___. The department may either continue or
11 reprocure the contract existing on June 30, 2003, with
12 the department's fiscal agent."
13 5. Page 52, line 8, by striking the figure "5.17"
14 and inserting the following: "4.26".
15 6. Page 66, line 17, by striking the figure
16 "7,180,814" and inserting the following: "7,480,814".
17 7. Page 66, line 18, by striking the word "It"
18 and inserting the following: "1. It".
19 8. Page 66, by inserting after line 21, the
20 following:
21 "2. Notwithstanding section 249H.7, the department
22 of elder affairs shall distribute up to $300,000 of
23 the funds appropriated in this section in a manner
24 that will supplement and maximize federal funds under
25 the federal Older Americans Act and shall not use the
26 amount distributed for any administrative purposes of
27 either the department of elder affairs or the area
28 agencies on aging."
29 9. By renumbering as necessary.

By HEATON of Henry

H-1308 FILED APRIL 9, 2003

Adopted 4/10/03

HOUSE FILE 667

H-1311

1 Amend House File 667 as follows:
2 1. Page 69, by inserting after line 20, the
3 following:
4 "DIVISION VI
5 MEDICAL ASSISTANCE PROGRAM SUPPLEMENTATION
6 Sec. ___. MEDICAL ASSISTANCE APPROPRIATION
7 SUPPLEMENTATION -- FISCAL YEAR 2002-2003. There is
8 appropriated from the following sources, to the
9 department of human services, for the fiscal year
10 beginning July 1, 2002, and ending June 30, 2003, the
11 following amounts, or so much thereof as is necessary,
12 to supplement the appropriations made for the medical
13 assistance program for that fiscal year:
14 1. From the general fund of the state:
15 ..... $ 41,535,000
16 2. From the senior living trust fund created in
17 section 249H.4:
18 ..... $ 9,465,000
19 3. From the hospital trust fund created in section
20 249I.4:
21 ..... $ 7,000,000"
22 Sec. ___. MEDICAL ASSISTANCE PROGRAM -- REVERSION
23 TO SENIOR LIVING TRUST FUND FOR FY 2002-2003.
24 Notwithstanding section 8.33, if moneys appropriated
25 in this division for supplementation of the medical
26 assistance program appropriation for the fiscal year
27 beginning July 1, 2002, and ending June 30, 2003, from
28 the general fund of the state, the senior living trust
29 fund, and the hospital trust fund are in excess of
30 actual expenditures for the medical assistance program
31 and remain unencumbered or unobligated at the close of
32 the fiscal year, the excess moneys shall not revert
33 but shall be transferred to the senior living trust
34 fund created in section 249H.4.
35 Sec. ___. EFFECTIVE DATE. This division of this
36 Act, being deemed of immediate importance, takes
37 effect upon enactment."

By DIX of Butler

H-1311 FILED APRIL 9, 2003

Adopted 4/10/03

HOUSE FILE 667

H-1314

1 Amend the amendment, H-1302, to House File 667 as
2 follows:
3 1. Page 1, by striking line 10.
4 2. By renumbering as necessary.

By HEATON of Henry

H-1314 FILED APRIL 10, 2003

ADOPTED

1 Amend House File 667 as follows:
2 1. Page 15, by inserting after line 6, the
3 following:
4 "14A. To be credited to the Iowa marriage
5 initiative grant fund created in section 234.35:
6 ..... $ 85,000
7 a. Moneys credited to the Iowa marriage initiative
8 grant fund under this subsection are appropriated to
9 the department for the fiscal year beginning July 1,
10 2003, and ending June 30, 2004, to be used in
11 accordance with this section.
12 b. The department shall establish an Iowa
13 fatherhood and family initiative grant program
14 utilizing funds credited to the Iowa marriage
15 initiative grant fund created in section 234.35 to
16 fund services to support fatherhood and to encourage
17 the formation and maintenance of two-parent families
18 that are secure and nurturing. The department of
19 human services shall adopt rules pursuant to chapter
20 17A to administer the grant fund and to establish
21 procedures for awarding of grants.
22 c. The program shall require that a grantee be a
23 nonprofit organization incorporated in this state with
24 demonstrated successful experience in facilitating
25 fatherhood promotion activities, marriage and family
26 promotion activities, in using media resources to
27 promote fatherhood and marriage and family formation,
28 in making presentations to service or faith-based
29 organizations, and in raising private funding for
30 activities that support fatherhood, marriage, and
31 families.
32 d. Preference in awarding grants may be given to
33 those nonprofit organizations working with faith-based
34 groups and those groups targeting young fathers.
35 e. The program activities funded by a grant shall
36 include but are not limited to all of the following:
37 (1) Working with individuals who have a
38 demonstrated ability in working with at-risk fathers
39 or working with those who may solemnize marriages
40 pursuant to section 598.10 to utilize premarital
41 diagnostic tools, to implement marriage agreements
42 developed by the individuals who may solemnize
43 marriages pursuant to section 595.10 that provide for
44 an appropriate engagement period and premarital and
45 post marital counseling, and to use volunteer mentors
46 in program activities.
47 (2) Provision of a series of meetings sharing best
48 practices that encourage young fathers to fulfill
49 their responsibilities to the expectant mother of the
50 child during the pregnancy, and to the mother of the

child following the birth of the child, that promote happy and healthy marriages, and that offer counseling to determine the father's level of commitment to the child and the child's mother.

f. The program activities funded by a grant shall be privately funded at no less than fifty percent of the grant amount.

g. Grants shall be awarded in a manner that results in provision of services throughout the state in an equal number of urban and rural geographic areas.

h. The department shall implement the grant program so that the initial request for proposals is issued on or before October 1, 2003, and so that any grants are awarded on or before January 1, 2004.

i. A grantee shall submit a quarterly financial report to the department and to the legislative fiscal bureau and shall be subject to an annual independent evaluation to assess accomplishment of the purposes of the program.

j. The department shall provide a copy of the request for proposals and shall submit a report concerning the proposals received and grants awarded to those persons designated by this division of this Act to receive reports.

k. The department may adopt emergency rules to implement the provisions of this subsection."

2. By renumbering as necessary.

By KURTENBACH of Story

H-1313 FILED APRIL 9, 2003

Adopted 4/10/03

HOUSE FILE 667

H-1312

Amend House File 667 as follows:

1. Page 59, by inserting before line 25 the following:

"Sec. ___. Section 514I.4, Code 2003, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. The director, with the approval of the board, may contract with participating insurers to provide dental only services.

Sec. ___. Section 514I.5, Code 2003, is amended by adding the following new subsection:

NEW SUBSECTION. 9. The hawk-i board may provide approval to the director to contract with participating insurers to provide dental only services. In determining whether to provide such approval to the director, the board shall take into consideration the impact on the overall program of single source contracting for dental services."

2. By renumbering as necessary.

By HANSEN of Pottawattamie

H-1312 FILED APRIL 9, 2003

Adopted 4/10/03

HOUSE FILE 667

H-1315

1 Amend the amendment, H-1309, to House File 667 as
2 follows:
3 1. Page 2, line 2, by inserting after the word
4 "program" the following: "and those participating in
5 the child care food program".

By PETERSEN of Polk

H-1315 FILED APRIL 10, 2003
ADOPTED

HOUSE FILE 667

H-1316

1 Amend the amendment, H-1313, to House File 667 as
2 follows:
3 1. Page 1, line 5, by striking the figure
4 "234.35" and inserting the following: "234.45".
5 2. Page 1, line 15, by striking the figure
6 "234.35" and inserting the following: "234.45".

By CARROLL of Poweshiek

H-1316 FILED APRIL 10, 2003
ADOPTED 4/10/03

HOUSE FILE 667

H-1317

1 Amend the amendment, H-1313, to House File 667 as
2 follows:
3 1. By striking page 1, line 22 through page 2,
4 line 4.
5 2. By renumbering as necessary.

By JOCHUM of Dubuque

H-1317 FILED APRIL 10, 2003
LOST 4/10/03

HOUSE FILE 667

H-1318

1 Amend the amendment, H-1301, to House File 667 as
2 follows:
3 1. Page 1, line 17, by inserting after the word
4 "position" following: "in the same county".

By MURPHY of Dubuque

H-1318 FILED APRIL 10, 2003
ADOPTED

HOUSE FILE 667

H-1319

1 Amend the amendment, H-1309, to House File 667 as
2 follows:
3 1. Page 2, line 4, by inserting after the word
4 "consumer." the following: "Information regarding
5 provider location shall identify providers located in
6 the vicinity of an address selected by a consumer and
7 provide contact information without listing the
8 specific addresses of the providers."

By PETERSEN of Polk

H-1319 FILED APRIL 10, 2003
ADOPTED

HOUSE FILE 667
BY COMMITTEE ON APPROPRIATIONS
Referred to Senate Appropriations 4/14/03
(SUCCESSOR TO HSB 309)

(As Amended and Passed by the House April 10, 2003)

Passed House, Date Passed 4/10/03 Passed Senate, Date Passed 4/22/03
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved 5/23/03
Motion to reconsider filed 4/22/03 - Lamberti

A BILL FOR

1 An Act relating to and making appropriations for health and human
2 services to the department of elder affairs, the Iowa
3 department of public health, the department of inspections and
4 appeals, the department of human services, and the commission
5 of veterans affairs, and providing effective dates.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7
8 House Amendments _____
9 Deleted Language ✱
10 **HOUSE FILE 667**
11 **S-3266**
12 1 Amend House File 667, as amended, passed, and
13 2 reprinted by the House, as follows:
14 3 1. By striking page 9, line 28 through page 10,
15 4 line 3.
16 5 2. By renumbering as necessary.
17 **By** DOUG SHULL
18
19 **S-3266** FILED APRIL 22, 2003
20 WITHDRAWN 4/22/03
21

HOUSE FILE 667
S-3267
1 Amend House File 667, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 42, by striking lines 17 through 20.
4 2. By renumbering as necessary.
By DOUG SHULL

S-3267 FILED APRIL 22, 2003
WITHDRAWN 4/22/03

HF 667

S.F. _____ H.F. 6067

1 DIVISION I
2 ELDER AFFAIRS
3 Section 1. DEPARTMENT OF ELDER AFFAIRS. There is
4 appropriated from the general fund of the state to the
5 department of elder affairs for the fiscal year beginning July
6 1, 2003, and ending June 30, 2004, the following amount, or so
7 much thereof as is necessary, to be used for the purposes
8 designated:
9 For aging programs for the department of elder affairs and
10 area agencies on aging to provide citizens of Iowa who are 60
11 years of age and older with case management for the frail
12 elderly, the retired and senior volunteer program, resident
13 advocate committee coordination, employment, and other
14 services which may include, but are not limited to, adult day
15 services, respite care, chore services, telephone reassurance,
16 information and assistance, and home repair services,
17 including the winterizing of homes, and for the construction
18 of entrance ramps which make residences accessible to the
19 physically handicapped, and for salaries, support,
20 administration, maintenance, miscellaneous purposes, and for
21 not more than the following full-time equivalent positions
22 with the department of elder affairs:
23 ..... $ 2,653,222
24 ..... FTEs 25.50
25 1. Funds appropriated in this section may be used to
26 supplement federal funds under federal regulations. To
27 receive funds appropriated in this section, a local area
28 agency on aging shall match the funds with moneys from other
29 sources according to rules adopted by the department. Funds
30 appropriated in this section may be used for elderly services
31 not specifically enumerated in this section only if approved
32 by an area agency on aging for provision of the service within
33 the area.
34 2. Of the funds allocated under this section and any other
35 state funds allocated for aging programs of the area agencies

1 on aging not more than 7.5 percent of the total amount
2 allocated shall be used for area agencies on aging
3 administrative purposes.
4 3. It is the intent of the general assembly that the Iowa
5 chapters of the Alzheimer's association and the case
6 management program for the frail elderly shall collaborate and
7 cooperate fully to assist families in maintaining family
8 members with Alzheimer's disease in the community for the
9 longest period of time possible.
10 4. The department shall maintain policies and procedures
11 regarding Alzheimer's support and the retired and senior
12 volunteer program.
13 DIVISION II
14 PUBLIC HEALTH
15 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. There is
16 appropriated from the general fund of the state to the Iowa
17 department of public health for the fiscal year beginning July
18 1, 2003, and ending June 30, 2004, the following amounts, or
19 so much thereof as is necessary, to be used for the purposes
20 designated:
21 1. ADDICTIVE DISORDERS
22 For reducing the prevalence of use of tobacco, alcohol, and
23 other drugs, and treating individuals affected by addictive
24 behaviors, including gambling, and for not more than the
25 following full-time equivalent positions:
26 ..... $ 1,277,947
27 ..... FTEs 13.75
28 a. The department shall continue to coordinate with
29 substance abuse treatment and prevention providers regardless
30 of funding source to assure the delivery of substance abuse
31 treatment and prevention programs.
32 b. The commission on substance abuse, in conjunction with
33 the department, shall continue to coordinate the delivery of
34 substance abuse services involving prevention, social and
35 medical detoxification, and other treatment by medical and

1 nonmedical providers to uninsured and court-ordered substance
2 abuse patients in all counties of the state.
3 c. The department and any grantee or subgrantee of the
4 department shall not discriminate against a nongovernmental
5 organization that provides substance abuse treatment and
6 prevention services or applies for funding to provide those
7 services on the basis that the organization has a religious
8 character. The department shall report to the governor and
9 the general assembly on or before February 1, 2004, regarding
10 the number of religious or other nongovernmental organizations
11 that applied for funds in the preceding fiscal year, the
12 amounts awarded to those organizations, and the basis for any
13 refusal by the department or grantee or subgrantee of the
14 department to award funds to any of those organizations that
15 applied.
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 ..... $ 260,582
22 ..... FTEs 23.85
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 ..... $ 835,959
28 ..... FTEs 44.15
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 ..... $ 1,036,805
34 ..... FTEs 11.15
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 ..... $ 1,287,158
5 ..... FTEs 25.10
6 Of the funds appropriated in this subsection, $100,000 is
7 allocated for a child vision screening program implemented
8 through the university of Iowa hospitals and clinics in
9 collaboration with community empowerment areas.
10 6. ELDERLY WELLNESS
11 For optimizing the health of persons 60 years of age and
12 older, and for not more than the following full-time
13 equivalent positions:
14 ..... $ 9,470,754
15 ..... FTEs 4.35
16 7. ENVIRONMENTAL HAZARDS
17 For reducing the public's exposure to hazards in the
18 environment, primarily chemical hazards, and for not more than
19 the following full-time equivalent positions:
20 ..... $ 349,547
21 ..... FTEs 8.50
22 8. INFECTIOUS DISEASES
23 For reducing the incidence and prevalence of communicable
24 diseases, and for not more than the following full-time
25 equivalent positions:
26 ..... $ 977,340
27 ..... FTEs 36.90
28 9. INJURIES
29 For providing support and protection to victims of abuse or
30 injury, or programs that are designed to prevent abuse or
31 injury, and for not more than the following full-time
32 equivalent positions:
33 ..... $ 1,412,918
34 ..... FTEs 7.75
35 Of the funds appropriated in this subsection, $660,000

1 shall be credited to the emergency medical services fund
2 created in section 135.25.
3 10. PUBLIC PROTECTION
4 For protecting the health and safety of the public through
5 establishing standards and enforcing regulations, and for not
6 more than the following full-time equivalent positions:
7 ..... $ 6,510,871
8 ..... FTEs 149.10
9 a. The department may expend funds received from licensing
10 fees in addition to amounts appropriated in this subsection,
11 if those additional expenditures are directly the result of a
12 scope of practice review committee's unanticipated litigation
13 costs arising from the discharge of an examining board's
14 regulatory duties. Before the department expends or encumbers
15 funds for a scope of practice review committee or for an
16 amount in excess of the funds budgeted for an examining board,
17 the director of the department of management shall approve the
18 expenditure or encumbrance. The amounts necessary to fund any
19 unanticipated litigation or scope of practice review committee
20 expense in the fiscal year beginning July 1, 2003, shall not
21 exceed 5 percent of the average annual fees generated by the
22 boards for the previous two fiscal years. The funds
23 authorized for expenditure pursuant to this lettered paragraph
24 are appropriated to the department for the purposes described
25 in this paragraph.
26 b. For the fiscal year beginning July 1, 2003, the
27 department shall retain fees collected from the certification
28 of lead inspectors and lead abaters pursuant to section
29 135.105A to support the certification program; and shall
30 retain fees collected from the licensing, registration,
31 authorization, accreditation, and inspection of x-ray machines
32 used for mammographically guided breast biopsy, screening, and
33 diagnostic mammography, pursuant to section 136C.10 to support
34 the administration of the chapter. The department may also
35 retain fees collected pursuant to section 136C.10 on all

1 shippers of radioactive material waste containers transported
2 across Iowa if the department does not obtain funding to
3 support the oversight and regulation of this activity, and for
4 x-ray radiology examination fees collected by the department
5 and reimbursed to a private organization conducting the
6 examination. Fees retained by the department pursuant to this
7 lettered paragraph are appropriated to the department for the
8 purposes described in this lettered paragraph.
9 c. The department may retain and expend not more than
10 $297,961 for lease and maintenance expenses from fees
11 collected pursuant to section 147.80 by the board of dental
12 examiners, the board of pharmacy examiners, the board of
13 medical examiners, and the board of nursing in the fiscal year
14 beginning July 1, 2003, and ending June 30, 2004. Fees
15 retained by the department pursuant to this lettered paragraph
16 are appropriated to the department for the purposes described
17 in this lettered paragraph.
18 d. The department may retain and expend not more than
19 $100,000 for reduction of the number of days necessary to
20 process medical license requests and for reduction of the
21 number of days needed for consideration of malpractice cases
22 from fees collected pursuant to section 147.80 by the board of
23 medical examiners in the fiscal year beginning July 1, 2003,
24 and ending June 30, 2004. Fees retained by the department
25 pursuant to this lettered paragraph are appropriated to the
26 department for the purposes described in this lettered
27 paragraph.
28 e. If a person in the course of responding to an emergency
29 renders aid to an injured person and becomes exposed to bodily
30 fluids of the injured person, that emergency responder shall
31 be entitled to hepatitis testing and immunization in
32 accordance with the latest available medical technology to
33 determine if infection with hepatitis has occurred. The
34 person shall be entitled to reimbursement from the funds
35 appropriated in this subsection only if the reimbursement is

1 not available through any employer or third-party payor.
2 f. The board of dental examiners may retain and expend not
3 more than $148,060 from revenues generated pursuant to section
4 147.80. Fees retained by the board pursuant to this lettered
5 paragraph are appropriated to the department to be used for
6 the purposes of regulating dental assistants.
7 g. The board of medical examiners, the board of pharmacy
8 examiners, the board of dental examiners, and the board of
9 nursing shall prepare estimates of projected receipts to be
10 generated by the licensing, certification, and examination
11 fees of each board as well as a projection of the fairly
12 apportioned administrative costs and rental expenses
13 attributable to each board. Each board shall annually review
14 and adjust its schedule of fees so that, as nearly as
15 possible, projected receipts equal projected costs.
16 h. The board of medical examiners, the board of pharmacy
17 examiners, the board of dental examiners, and the board of
18 nursing shall retain their individual executive officers, but
19 are strongly encouraged to share administrative, clerical, and
20 investigative staffs to the greatest extent possible.
21 i. For the fiscal year beginning July 1, 2003, the board
22 of nursing may retain and expend 90 percent of the revenues
23 generated from any increase in licensing fees pursuant to
24 section 147.80 for purposes related to the state board's
25 duties, including but not limited to addition of full-time
26 equivalent positions. Fees retained by the board pursuant to
27 this lettered paragraph are appropriated to the board of
28 nursing for the purposes described in this paragraph.
29 11. RESOURCE MANAGEMENT
30 For establishing and sustaining the overall ability of the
31 department to deliver services to the public, and for not more
32 than the following full-time equivalent positions:
33 ..... $ 666,717
34 ..... FTEs 53.15
35 12. The university of Iowa hospitals and clinics under the

1 control of the state board of regents shall not receive
2 indirect costs from the funds appropriated in this section.
3 13. A local health care provider or nonprofit health care
4 organization seeking grant moneys administered by the Iowa
5 department of public health shall provide documentation that
6 the provider or organization has coordinated its services with
7 other local entities providing similar services.
8 14. a. The department shall apply for available federal
9 funds for sexual abstinence education programs.
10 b. It is the intent of the general assembly to comply with
11 the United States Congress' intent to provide education that
12 promotes abstinence from sexual activity outside of marriage
13 and reduces pregnancies, by focusing efforts on those persons
14 most likely to father and bear children out of wedlock.
15 c. Any sexual abstinence education program awarded moneys
16 under the grant program shall meet the definition of
17 abstinence education in the federal law. Grantees shall be
18 evaluated based upon the extent to which the abstinence
19 program successfully communicates the goals set forth in the
20 federal law.
21 Sec. 3. GAMBLING TREATMENT FUND -- APPROPRIATION.
22 1. There is appropriated from funds available in the
23 gambling treatment fund established in the office of the
24 treasurer of state pursuant to section 99E.10 to the Iowa
25 department of public health for the fiscal year beginning July
26 1, 2003, and ending June 30, 2004, the following amount, or so
27 much thereof as is necessary, to be used for the purpose
28 designated:
29 a. Addictive disorders
30 To be utilized for the benefit of persons with addictions:
31 ..... $ 1,690,000
32 b. It is the intent of the general assembly that from the
33 moneys appropriated in this section, persons with a dual
34 diagnosis of substance abuse and gambling addictions shall be
35 given priority in treatment services.

1 c. Gambling treatment program
2 The funds remaining in the gambling treatment fund after
3 the appropriation in paragraph "a" is made shall be used for
4 funding of administrative costs and to provide programs which
5 may include, but are not limited to, outpatient and follow-up
6 treatment for persons affected by problem gambling,
7 rehabilitation and residential treatment programs, information
8 and referral services, education and preventive services, and
9 financial management services.
10 2. For the fiscal year beginning July 1, 2003, and ending
11 June 30, 2004, from the tax revenue received by the state
12 racing and gaming commission pursuant to section 99D.15,
13 subsections 1, 3, and 4, an amount equal to three-tenths of
14 one percent of the gross sum wagered by the pari-mutuel method
15 is to be deposited into the gambling treatment fund.
16 Sec. 4. VITAL RECORDS. The vital records modernization
17 project as enacted in 1993 Iowa Acts, chapter 55, section 1,
18 as amended by 1994 Iowa Acts, chapter 1068, section 8, as
19 amended by 1997 Iowa Acts, chapter 203, section 9, 1998 Iowa
20 Acts, chapter 1221, section 9, and 1999 Iowa Acts, chapter
21 201, section 17, and as continued by 2000 Iowa Acts, chapter
22 1222, section 10, 2001 Iowa Acts, chapter 182, section 13, and
23 2002 Iowa Acts, Second Extraordinary Session, chapter 1003,
24 section 104, shall be extended until June 30, 2004, and the
25 increased fees to be collected pursuant to that project shall
26 continue to be collected and are appropriated to the Iowa
27 department of public health until June 30, 2004.
28 Sec. 5. SCOPE OF PRACTICE REVIEW PROJECT. The scope of
29 practice review committee pilot project as enacted in 1997
30 Iowa Acts, chapter 203, section 6, and as continued by 2002
31 Iowa Acts, Second Extraordinary Session, chapter 1003, section
32 107, shall be extended until June 30, 2004. The Iowa
33 department of public health shall submit an annual progress
34 report to the governor and the general assembly by January 15
35 and shall include any recommendations for legislative action

1 as a result of review committee activities. The department
2 may contract with a school or college of public health in Iowa
3 to assist in implementing the project.
4 Sec. 6. HEALTH CARE ACCESS PARTNERSHIP PILOT PROJECT.
5 1. The director of public health shall establish a health
6 care access partnership pilot project in a county with a
7 population of more than 250,000 for a two-year period. The
8 director shall adopt rules as necessary to establish and
9 administer the pilot project. In adopting rules, the director
10 shall consult with persons and agencies who may be involved
11 with a health care access partnership and with the department
12 of human services.
13 2. The purpose of the health care access partnership pilot
14 project is to implement systems of health care services for
15 low-income persons or persons without health insurance
16 coverage, and others, by enhancing collaboration between
17 persons and agencies providing charity care or services under
18 the medical assistance program.
19 3. The elements of the partnership pilot project shall
20 include but are not limited to all of the following:
21 a. A person participating in the partnership may be a
22 public, private, for-profit, or nonprofit entity.
23 b. Participation provisions shall be outlined in a written
24 agreement between those participating. If authorized under
25 chapter 28E, a chapter 28E agreement may be utilized for all
26 or a portion of the participant provisions.
27 c. If a participant in the partnership is a medical
28 assistance program provider, the participant must be a medical
29 assistance program provider in good standing and must accept
30 medical assistance reimbursement as full payment for any
31 service provided. Unless expressly prohibited by the federal
32 government, a medical assistance program provider offering
33 services in the area served by the partnership shall be
34 required to participate in the partnership as a condition of
35 participation in the medical assistance program.

1 d. Participants shall be authorized to share confidential
2 information if the sharing is in the best interests of a
3 client and the client has provided written authorization for
4 the information sharing. If it is determined that the optimal
5 approach for the information sharing is for the participants
6 to establish a multidisciplinary community services team under
7 section 331.909, notwithstanding section 331.909, subsection
8 4, the participants may disclose information other than oral
9 information with one another.
10 e. A referral process among the participants shall be
11 established.
12 f. The geographic area to be served by those participating
13 in the agreement shall be identified in the agreement and may
14 encompass the entire county.
15 g. Provision shall be made for receipt and expenditure of
16 funding for the joint purposes of those participating or for
17 clients of those participating and for receiving and expending
18 funding received from foundations, grants, or other revenue
19 sources.
20 h. Provision to allow the partnership to form any
21 governance structure that is appropriate to the purposes of
22 the partnership and that meets all federal or state statutory
23 requirements for the specific elements of the partnership's
24 charter.
25 4. If administrative rules are necessary to implement the
26 provisions of this section, the initial rules shall be adopted
27 on or before September 1, 2003. The director of public health
28 may adopt the initial rules as emergency rules under section
29 17A.4, subsection 2, and section 17A.5, subsection 2,
30 paragraph "b", and the rules shall be effective immediately
31 upon filing unless the effective date is delayed by the
32 administrative rules review committee, notwithstanding section
33 17A.4, subsection 5, and section 17A.8, subsection 9, or a
34 later date is specified in the rules. Any rules adopted in
35 accordance with this subsection shall not take effect before

1 the administrative rules review committee reviews the rules.
2 Any rules adopted in accordance with this subsection shall
3 also be published as a notice of intended action as provided
4 in section 17A.4.
5 DIVISION III
6 HUMAN SERVICES
7 Sec. 7. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
8 GRANT. There is appropriated from the fund created in section
9 8.41 to the department of human services for the fiscal year
10 beginning July 1, 2003, and ending June 30, 2004, from moneys
11 received under the federal temporary assistance for needy
12 families block grant pursuant to the federal Personal
13 Responsibility and Work Opportunity Reconciliation Act of
14 1996, Pub. L. No. 104-193 and successor legislation, which are
15 federally appropriated for the federal fiscal years beginning
16 October 1, 2002, and ending September 30, 2003, and beginning
17 October 1, 2003, and ending September 30, 2004, the following
18 amounts, or so much thereof as is necessary, to be used for
19 the purposes designated:
20 If the federal government appropriation received for Iowa's
21 portion of the federal temporary assistance for needy families
22 block grant amounts for the federal fiscal years beginning
23 October 1, 2002, and ending September 30, 2003, and beginning
24 October 1, 2003, and ending September 30, 2004, are less than
25 $131,524,959, it is the intent of the general assembly to act
26 expeditiously during the 2004 legislative session to adjust
27 appropriations or take other actions to address the reduced
28 amount. Moneys appropriated in this section shall be used in
29 accordance with the federal law making the funds available,
30 applicable Iowa law, appropriations made from the general fund
31 of the state in this Act for the purpose designated, and
32 administrative rules adopted to implement the federal and Iowa
33 law:
34 1. To be credited to the family investment program account
35 and used for assistance under the family investment program

1 under chapter 239B:
2 ..... $ 51,492,790
3 2. To be credited to the family investment program account
4 and used for the job opportunities and basic skills (JOBS)
5 program, and implementing family investment agreements, in
6 accordance with chapter 239B:
7 ..... $ 13,412,794
8 3. For field operations:
9 ..... $ 14,152,174
10 4. For general administration:
11 ..... $ 3,238,614
12 5. For local administrative costs:
13 ..... $ 2,122,982
14 6. For state child care assistance:
15 ..... $ 21,145,765
16 a. Of the funds appropriated in this subsection, $200,000
17 shall be used for provision of educational opportunities to
18 registered child care home providers in order to improve
19 services and programs offered by this category of providers
20 and to increase the number of providers. The department may
21 contract with institutions of higher education or child care
22 resource and referral centers to provide the educational
23 opportunities. Allowable administrative costs under the
24 contracts shall not exceed 5 percent. The application for a
25 grant shall not exceed two pages in length.
26 b. Of the funds appropriated in this subsection, the
27 maximum amount allowed under Pub. L. No. 104-193 and successor
28 legislation shall be transferred to the child care and
29 development block grant appropriation. Funds appropriated in
30 this subsection that remain following the transfer shall be
31 used to provide direct spending for the child care needs of
32 working parents in families eligible for the family investment
33 program.
34 7. For the parental involvement program established in
35 section 217A.1, if enacted by this Act:

1 ..... $ 35,000
2 8. For mental health and developmental disabilities
3 community services:
4 ..... $ 4,349,266
5 9. For child and family services:
6 ..... $ 25,256,571
7 10. For child abuse prevention grants:
8 ..... $ 250,000
9 11. For pregnancy prevention grants on the condition that
10 family planning services are funded:
11 ..... $ 2,514,413
12 a. Pregnancy prevention grants shall be awarded to
13 programs in existence on or before July 1, 2003, if the
14 programs are comprehensive in scope and have demonstrated
15 positive outcomes. Grants shall be awarded to pregnancy
16 prevention programs which are developed after July 1, 2003, if
17 the programs are comprehensive in scope and are based on
18 existing models that have demonstrated positive outcomes.
19 Grants shall comply with the requirements provided in 1997
20 Iowa Acts, chapter 208, section 14, subsections 1 and 2,
21 including the requirement that grant programs must emphasize
22 sexual abstinence. Priority in the awarding of grants shall
23 be given to programs that serve areas of the state which
24 demonstrate the highest percentage of unplanned pregnancies of
25 females age 13 or older but younger than age 18 within the
26 geographic area to be served by the grant.
27 b. In addition to the full-time equivalent positions
28 funded in this Act, the department may use a portion of the
29 funds appropriated in this subsection to employ an employee in
30 up to 1.00 FTE for the administration of programs specified in
31 this subsection.
32 12. For technology needs and other resources necessary to
33 meet federal welfare reform reporting, tracking, and case
34 management requirements:
35 ..... $ 1,037,186

1 13. For volunteers:
2 ..... $ 42,663
3 14. For the healthy opportunities for parents to
4 experience success (HOPES) program administered by the Iowa
5 department of public health to target child abuse prevention:
6 ..... $ 200,000
7 15. To be credited to the Iowa marriage initiative grant
8 fund created in section 234.45:
9 ..... $ 85,000
10 a. Moneys credited to the Iowa marriage initiative grant
11 fund under this subsection are appropriated to the department
12 for the fiscal year beginning July 1, 2003, and ending June
13 30, 2004, to be used in accordance with this section.
14 b. The department shall establish an Iowa fatherhood and
15 family initiative grant program utilizing funds credited to
16 the Iowa marriage initiative grant fund created in section
17 234.45 to fund services to support fatherhood and to encourage
18 the formation and maintenance of two-parent families that are
19 secure and nurturing. The department of human services shall
20 adopt rules pursuant to chapter 17A to administer the grant
21 fund and to establish procedures for awarding of grants.
22 c. The program shall require that a grantee be a nonprofit
23 organization incorporated in this state with demonstrated
24 successful experience in facilitating fatherhood promotion
25 activities, marriage and family promotion activities, in using
26 media resources to promote fatherhood and marriage and family
27 formation, in making presentations to service or faith-based
28 organizations, and in raising private funding for activities
29 that support fatherhood, marriage, and families.
30 d. Preference in awarding grants may be given to those
31 nonprofit organizations working with faith-based groups and
32 those groups targeting young fathers.
33 e. The program activities funded by a grant shall include
34 but are not limited to all of the following:
35 (1) Working with individuals who have a demonstrated

1 ability in working with at-risk fathers or working with those
2 who may solemnize marriages pursuant to section 598.10 to
3 utilize premarital diagnostic tools, to implement marriage
4 agreements developed by the individuals who may solemnize
5 marriages pursuant to section 595.10 that provide for an
6 appropriate engagement period and premarital and post marital
7 counseling, and to use volunteer mentors in program
8 activities.
9 (2) Provision of a series of meetings sharing best
10 practices that encourage young fathers to fulfill their
11 responsibilities to the expectant mother of the child during
12 the pregnancy, and to the mother of the child following the
13 birth of the child, that promote happy and healthy marriages,
14 and that offer counseling to determine the father's level of
15 commitment to the child and the child's mother.
16 f. The program activities funded by a grant shall be
17 privately funded at no less than fifty percent of the grant
18 amount.
19 g. Grants shall be awarded in a manner that results in
20 provision of services throughout the state in an equal number
21 of urban and rural geographic areas.
22 h. The department shall implement the grant program so
23 that the initial request for proposals is issued on or before
24 October 1, 2003, and so that any grants are awarded on or
25 before January 1, 2004.
26 i. A grantee shall submit a quarterly financial report to
27 the department and to the legislative fiscal bureau and shall
28 be subject to an annual independent evaluation to assess
29 accomplishment of the purposes of the program.
30 j. The department shall provide a copy of the request for
31 proposals and shall submit a report concerning the proposals
32 received and grants awarded to those persons designated by
33 this division of this Act to receive reports.
34 k. The department may adopt emergency rules to implement
35 the provisions of this subsection.

1 16. To be credited to the state child care assistance
2 appropriation made in this section to be used for funding of
3 community-based early childhood programs targeted to children
4 from birth through five years of age, developed by community
5 empowerment areas as provided in this subsection:
6 ..... $ 7,350,000
7 a. The department may transfer federal temporary
8 assistance for needy families block grant funding appropriated
9 and allocated in this subsection to the child care and
10 development block grant appropriation in accordance with
11 federal law as necessary to comply with the provisions of this
12 subsection. The funding shall then be provided to community
13 empowerment areas for the fiscal year beginning July 1, 2003,
14 in accordance with all of the following:
15 (1) The area must be approved as a designated community
16 empowerment area by the Iowa empowerment board.
17 (2) The maximum funding amount a community empowerment
18 area is eligible to receive shall be determined by applying
19 the area's percentage of the state's average monthly family
20 investment program population in the preceding fiscal year to
21 the total amount appropriated for fiscal year 2003-2004 from
22 the TANF block grant to fund community-based programs targeted
23 to children from birth through five years of age developed by
24 community empowerment areas.
25 (3) A community empowerment area receiving funding shall
26 comply with any federal reporting requirements associated with
27 the use of that funding and other results and reporting
28 requirements established by the Iowa empowerment board. The
29 department shall provide technical assistance in identifying
30 and meeting the federal requirements.
31 (4) The availability of funding provided under this
32 subsection is subject to changes in federal requirements and
33 amendments to Iowa law.
34 b. The moneys distributed in accordance with this
35 subsection shall be used by communities for the purposes of

1 enhancing quality child care capacity in support of parent
2 capability to obtain or retain employment. The moneys shall
3 be used with a primary emphasis on low-income families and
4 children from birth to five years of age. Moneys shall be
5 provided in a flexible manner to communities, and shall be
6 used to implement strategies identified by the communities to
7 achieve such purposes. In addition to the full-time
8 equivalent positions funded in this division of this Act, 1.00
9 FTE position is authorized and the department may use funding
10 appropriated in this subsection for provision of technical
11 assistance and other support to communities developing and
12 implementing strategies with moneys distributed in accordance
13 with this subsection.
14 c. Moneys that are subject to this subsection which are
15 not distributed to a community empowerment area or otherwise
16 remain unobligated or unexpended at the end of the fiscal year
17 shall revert to the fund created in section 8.41 to be
18 available for appropriation by the general assembly in a
19 subsequent fiscal year.
20 Of the amounts appropriated in this section, $11,612,112
21 for the fiscal year beginning July 1, 2003, shall be
22 transferred to the appropriation of the federal social
23 services block grant for that fiscal year. If the federal
24 government revises requirements to reduce the amount that may
25 be transferred to the federal social services block grant, it
26 is the intent of the general assembly to act expeditiously
27 during the 2004 legislative session to adjust appropriations
28 or the transfer amount or take other actions to address the
29 reduced amount.
30 Eligible funding available under the federal temporary
31 assistance for needy families block grant that is not
32 appropriated or not otherwise expended shall be considered
33 reserved for economic downturns and welfare reform purposes
34 and is subject to further state appropriation to support
35 families in their movement toward self-sufficiency.

1 Federal funding received that is designated for activities
2 supporting marriage or two-parent families is appropriated to
3 the Iowa marriage initiative grant fund created in section
4 234.45.
5 Sec. 8. FAMILY INVESTMENT PROGRAM ACCOUNT.
6 1. Moneys credited to the family investment program (FIP)
7 account for the fiscal year beginning July 1, 2003, and ending
8 June 30, 2004, shall be used in accordance with the following
9 requirements:
10 a. The department of human services shall provide
11 assistance in accordance with chapter 239B.
12 b. The department shall continue the special needs program
13 under the family investment program.
14 c. The department shall continue to comply with federal
15 welfare reform data requirements pursuant to the
16 appropriations made for that purpose.
17 d. The department shall continue expansion of the
18 electronic benefit transfer program as necessary to comply
19 with federal food stamp benefit requirements. The target date
20 for statewide implementation of the program is October 1,
21 2003.
22 2. The department may use a portion of the moneys credited
23 to the family investment program account under this section,
24 as necessary for salaries, support, maintenance, and
25 miscellaneous purposes for not more than the following full-
26 time equivalent positions which are in addition to any other
27 full-time equivalent positions authorized by this Act:
28 ..... FTEs 8.00
29 3. The department may transfer funds in accordance with
30 section 8.39, either federal or state, to or from the child
31 care appropriations made for the fiscal year beginning July 1,
32 2003, if the department deems this would be a more effective
33 method of paying for JOBS program child care, to maximize
34 federal funding, or to meet federal maintenance of effort
35 requirements.

1 4. Moneys appropriated in this Act and credited to the
2 family investment program account for the fiscal year
3 beginning July 1, 2003, and ending June 30, 2004, are
4 allocated as follows:
5 a. For the family development and self-sufficiency grant
6 program as provided under section 217.12:
7 ..... $ 5,133,042
8 (1) Of the funds allocated for the family development and
9 self-sufficiency grant program in this lettered paragraph, not
10 more than 5 percent of the funds shall be used for the
11 administration of the grant program.
12 (2) Based upon the annual evaluation report concerning
13 each grantee funded by previously appropriated funds and
14 through the solicitation of additional grant proposals, the
15 family development and self-sufficiency council may use the
16 allocated funds to renew or expand existing grants or award
17 new grants. In utilizing the funding allocated in this
18 lettered paragraph, the council shall give consideration, in
19 addition to other criteria established by the council, to a
20 grantee's intended use of local funds with a grant and to
21 whether approval of a grant proposal would expand the
22 availability of the program's services.
23 (3) The department may continue to implement the family
24 development and self-sufficiency grant program statewide
25 during FY 2003-2004.
26 b. For the diversion subaccount of the family investment
27 program account:
28 ..... $ 2,814,000
29 (1) Moneys allocated to the diversion subaccount shall be
30 used to implement FIP diversion statewide while continuing the
31 local flexibility in program design. A family that meets
32 income eligibility requirements for the family investment
33 program may receive a one-time payment to remedy an immediate
34 need in order to permit the family to maintain self-
35 sufficiency without providing ongoing cash assistance. A FIP

1 participant family may receive diversion assistance to
2 overcome barriers to obtaining employment and to assist in
3 stabilizing employment in order to increase the likelihood of
4 the family leaving FIP more quickly. The department shall
5 assess and screen individuals who would most likely benefit
6 from the assistance. In addition to the full-time equivalent
7 positions authorized in this Act, 1.00 FTE is authorized for
8 purposes of diversion. The department may adopt additional
9 eligibility criteria as necessary for compliance with federal
10 law and for screening those families who would be most likely
11 to become eligible for FIP if diversion incentives would not
12 be provided.
13 (2) A portion of the moneys allocated for the subaccount
14 may be used for field operations salaries, data management
15 system development, and implementation costs and support
16 deemed necessary by the director of human services in order to
17 administer the FIP diversion program.
18 (3) Of the funds allocated in this lettered paragraph, not
19 more than $250,000 shall be used to develop or continue
20 community-level parental obligation pilot projects. The
21 requirements established under 2001 Iowa Acts, chapter 191,
22 section 3, subsection 5, paragraph "c", subparagraph (3),
23 shall remain applicable to the parental obligation pilot
24 projects for fiscal year 2003-2004.
25 c. For the food stamp employment and training program:
26 ..... $ 63,000
27 5. Of the child support collections assigned under the
28 family investment program, an amount equal to the federal
29 share of support collections shall be credited to the child
30 support recovery appropriation. Of the remainder of the
31 assigned child support collections received by the child
32 support recovery unit, a portion shall be credited to the
33 family investment program account and a portion may be used to
34 increase recoveries.
35 6. For the fiscal year beginning July 1, 2003, the

1 department shall continue the process for the state to receive
2 refunds of utility and rent deposits, including any accrued
3 interest, for emergency assistance program recipients which
4 were paid by persons other than the state. The department
5 shall also receive refunds, including any accrued interest, of
6 assistance paid with funding available under this program.
7 The refunds received by the department shall be credited to
8 the family investment program (FIP) account to offset FIP cash
9 grants expended in the same year. Notwithstanding section
10 8.33, moneys received by the department under this subsection
11 which remain after the emergency assistance program is
12 terminated and state or federal moneys in the emergency
13 assistance account which remain unobligated or unexpended at
14 the close of the fiscal year beginning July 1, 2003, shall not
15 revert to any other fund but shall be credited to the family
16 investment program account.
17 7. The department may adopt emergency administrative rules
18 for the family investment, food stamp, and medical assistance
19 programs, if necessary, to comply with federal requirements.
20 8. The department may continue the initiative to
21 streamline and simplify the employer verification process for
22 applicants, participants, and employers in the administration
23 of the department's programs. The department may contract
24 with companies collecting data from employers when the
25 information is needed in the administration of these programs.
26 The department may limit the availability of the initiative on
27 the basis of geographic area or number of individuals.
28 Sec. 9. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is
29 appropriated from the general fund of the state to the
30 department of human services for the fiscal year beginning
31 July 1, 2003, and ending June 30, 2004, the following amount,
32 or so much thereof as is necessary, to be used for the purpose
33 designated:
34 To be credited to the family investment program account and
35 used for family investment program assistance under chapter

1 239B:
2 ..... $ 36,187,879
3 1. The department of workforce development, in
4 consultation with the department of human services, shall
5 continue to utilize recruitment and employment practices to
6 include former and current family investment program
7 recipients.
8 2. The department of human services shall continue to work
9 with the department of workforce development and local
10 community collaborative efforts to provide support services
11 for family investment program participants. The support
12 services shall be directed to those participant families who
13 would benefit from the support services and are likely to have
14 success in achieving economic independence.
15 3. Of the funds appropriated in this section, $9,274,143
16 is allocated for the JOBS program.
17 4. The department shall continue to work with religious
18 organizations and other charitable institutions to increase
19 the availability of host homes, referred to as second chance
20 homes or other living arrangements under the federal Personal
21 Responsibility and Work Opportunity Reconciliation Act of
22 1996, Pub. L. No. 104-193, § 103. The purpose of the homes or
23 arrangements is to provide a supportive and supervised living
24 arrangement for minor parents receiving assistance under the
25 family investment program who, under chapter 239B, may receive
26 assistance while living in an alternative setting other than
27 with their parent or legal guardian.
28 Sec. 10. CHILD SUPPORT RECOVERY. There is appropriated
29 from the general fund of the state to the department of human
30 services for the fiscal year beginning July 1, 2003, and
31 ending June 30, 2004, the following amount, or so much thereof
32 as is necessary, to be used for the purposes designated:
33 For child support recovery, including salaries, support,
34 maintenance, and miscellaneous purposes and for not more than
35 the following full-time equivalent positions:

1 ..... $ 5,482,793
2 ..... FTEs 405.00
3 1. The director of human services, within the limitations
4 of the moneys appropriated in this section, or moneys
5 transferred from the family investment program account for
6 this purpose, shall establish new positions and add employees
7 to the child support recovery unit if the director determines
8 that both the current and additional employees together can
9 reasonably be expected to maintain or increase net state
10 revenue at or beyond the budgeted level.
11 2. Nonpublic assistance application fees and other user
12 fees received by the child support recovery unit are
13 appropriated and shall be used for the purposes of the child
14 support recovery program. The director of human services may
15 add positions within the limitations of the amount
16 appropriated for salaries and support for the positions.
17 3. The director of human services, in consultation with
18 the department of management and the legislative fiscal
19 committee, is authorized to receive and deposit state child
20 support incentive earnings in the manner specified under
21 applicable federal requirements.
22 4. a. The director of human services may establish new
23 positions and add state employees to the child support
24 recovery unit or contract for delivery of services if the
25 director determines the employees are necessary to replace
26 county-funded positions eliminated due to termination,
27 reduction, or nonrenewal of a chapter 28E contract. However,
28 the director must also determine that the resulting increase
29 in the state share of child support recovery incentives
30 exceeds the cost of the positions or contract, the positions
31 or contract are necessary to ensure continued federal funding
32 of the program, or the new positions or contract can
33 reasonably be expected to recover at least twice the amount of
34 money necessary to pay the salaries and support for the new
35 positions or the contract will generate at least 200 percent

1 of the cost of the contract.
2 b. Employees in full-time positions that transition from
3 county government to state government employment under this
4 subsection are exempt from testing, selection, and appointment
5 provisions of chapter 19A and from the provisions of
6 collective bargaining agreements relating to the filling of
7 vacant positions.
8 5. Surcharges paid by obligors and received by the unit as
9 a result of the referral of support delinquency by the child
10 support recovery unit to any private collection agency are
11 appropriated to the department and shall be used to pay the
12 costs of any contracts with the collection agencies.
13 6. The department shall expend up to $31,000, including
14 federal financial participation, for the fiscal year beginning
15 July 1, 2003, for a child support public awareness campaign.
16 The department and the office of the attorney general shall
17 cooperate in continuation of the campaign. The public
18 awareness campaign shall emphasize, through a variety of media
19 activities, the importance of maximum involvement of both
20 parents in the lives of their children as well as the
21 importance of payment of child support obligations.
22 7. Federal access and visitation grant moneys shall be
23 issued directly to private not-for-profit agencies that
24 provide services designed to increase compliance with the
25 child access provisions of court orders, including but not
26 limited to neutral visitation site and mediation services.
27 Sec. 11. MEDICAL ASSISTANCE. There is appropriated from
28 the general fund of the state to the department of human
29 services for the fiscal year beginning July 1, 2003, and
30 ending June 30, 2004, the following amount, or so much thereof
31 as is necessary, to be used for the purpose designated:
32 For medical assistance reimbursement and associated costs
33 as specifically provided in the reimbursement methodologies in
34 effect on June 30, 2003, except as otherwise expressly
35 authorized by law, including reimbursement for abortion

1 services, which shall be available under the medical
2 assistance program only for those abortions which are
3 medically necessary:
4 ..... $357,486,073
5 1. Medically necessary abortions are those performed under
6 any of the following conditions:
7 a. The attending physician certifies that continuing the
8 pregnancy would endanger the life of the pregnant woman.
9 b. The attending physician certifies that the fetus is
10 physically deformed, mentally deficient, or afflicted with a
11 congenital illness.
12 c. The pregnancy is the result of a rape which is reported
13 within 45 days of the incident to a law enforcement agency or
14 public or private health agency which may include a family
15 physician.
16 d. The pregnancy is the result of incest which is reported
17 within 150 days of the incident to a law enforcement agency or
18 public or private health agency which may include a family
19 physician.
20 e. Any spontaneous abortion, commonly known as a
21 miscarriage, if not all of the products of conception are
22 expelled.
23 2. Notwithstanding section 8.39, the department may
24 transfer funds appropriated in this section to a separate
25 account established in the department's case management unit
26 for expenditures required to provide case management services
27 for mental health, mental retardation, and developmental
28 disabilities services under medical assistance which are
29 jointly funded by the state and county, pending final
30 settlement of the expenditures. Funds received by the case
31 management unit in settlement of the expenditures shall be
32 used to replace the transferred funds and are available for
33 the purposes for which the funds were appropriated in this
34 section.
35 3. a. The county of legal settlement shall be billed for

1 50 percent of the nonfederal share of the cost of case
2 management provided for adults, day treatment, and partial
3 hospitalization in accordance with sections 249A.26 and
4 249A.27, and 100 percent of the nonfederal share of the cost
5 of care for adults which is reimbursed under a federally
6 approved home and community-based waiver that would otherwise
7 be approved for provision in an intermediate care facility for
8 persons with mental retardation, provided under the medical
9 assistance program. The state shall have responsibility for
10 the remaining 50 percent of the nonfederal share of the cost
11 of case management provided for adults, day treatment, and
12 partial hospitalization. For persons without a county of
13 legal settlement, the state shall have responsibility for 100
14 percent of the nonfederal share of the costs of case
15 management provided for adults, day treatment, partial
16 hospitalization, and the home and community-based waiver
17 services. The case management services specified in this
18 subsection shall be billed to a county only if the services
19 are provided outside of a managed care contract.
20 b. The state shall pay the entire nonfederal share of the
21 costs for case management services provided to persons 17
22 years of age and younger who are served in a medical
23 assistance home and community-based waiver program for persons
24 with mental retardation.
25 c. Medical assistance funding for case management services
26 for eligible persons 17 years of age and younger shall also be
27 provided to persons residing in counties with child welfare
28 decategorization projects implemented in accordance with
29 section 232.188, provided these projects have included these
30 persons in their service plan and the decategorization project
31 county is willing to provide the nonfederal share of costs.
32 d. When paying the necessary and legal expenses of
33 intermediate care facilities for persons with mental
34 retardation (ICFMR), the cost payment requirements of section
35 222.60 shall be considered fulfilled when payment is made in

1 accordance with the medical assistance payment rates
2 established for ICFMRs by the department and the state or a
3 county of legal settlement is not obligated for any amount in
4 excess of the rates.
5 e. Unless a county has paid or is paying for the
6 nonfederal share of the cost of a person's home and community-
7 based waiver services or ICFMR placement under the county's
8 mental health, mental retardation, and developmental
9 disabilities services fund, or unless a county of legal
10 settlement would become liable for the costs of services at
11 the ICFMR level of care for a person due to the person
12 reaching the age of majority, the state shall pay the
13 nonfederal share of the costs of an eligible person's services
14 under the home and community-based waiver for persons with
15 brain injury.
16 4. The department shall utilize not more than $60,000 of
17 the funds appropriated in this section to continue the
18 AIDS/HIV health insurance premium payment program as
19 established in 1992 Iowa Acts, Second Extraordinary Session,
20 chapter 1001, section 409, subsection 6. Of the funds
21 allocated in this subsection, not more than $5,000 may be
22 expended for administrative purposes.
23 5. Of the funds appropriated to the Iowa department of
24 public health for substance abuse grants, $950,000 for the
25 fiscal year beginning July 1, 2003, shall be transferred to
26 the department of human services for an integrated substance
27 abuse managed care system.
28 6. In administering the medical assistance home and
29 community-based waivers, the total number of openings at any
30 one time shall be limited to the number approved for a waiver
31 by the secretary of the United States department of health and
32 human services. The openings shall be available on a first-
33 come, first-served basis.
34 7. The department of human services, in consultation with
35 the Iowa department of public health and the department of

1 education, shall continue the program to utilize the early and
2 periodic screening, diagnosis, and treatment (EPSDT) funding
3 under medical assistance, to the extent possible, to implement
4 the screening component of the EPSDT program through the
5 school system. The department may enter into contracts to
6 utilize maternal and child health centers, the public health
7 nursing program, or school nurses in implementing this
8 provision.
9 8. The department shall continue working with county
10 representatives in aggressively implementing the
11 rehabilitation option for services to persons with chronic
12 mental illness under the medical assistance program, and
13 county funding shall be used to provide the match for the
14 federal funding, except for individuals with state case
15 status, for whom state funding shall provide the match.
16 9. If the federal centers for Medicare and Medicaid
17 services approves a waiver request from the department, the
18 department shall provide a period of 24 months of guaranteed
19 eligibility for medical assistance family planning services,
20 regardless of the change in circumstances of a woman who was a
21 medical assistance recipient when a pregnancy ended.
22 10. The department shall aggressively pursue options for
23 providing medical assistance or other assistance to
24 individuals with special needs who become ineligible to
25 continue receiving services under the early and periodic,
26 screening, diagnosis, and treatment program under the medical
27 assistance program due to becoming 21 years of age, who have
28 been approved for additional assistance through the
29 department's exception to policy provisions, but who have
30 health care needs in excess of the funding available through
31 the exception to policy process.
32 11. The drug utilization review commission shall submit
33 copies of the board's annual review, including facts and
34 findings, of the drugs on the department's prior authorization
35 list to the department and to the members of the joint

1 appropriations subcommittee on health and human services.
2 12. The department shall expend the anticipated savings
3 for operation of the state maximum allowable cost program for
4 pharmaceuticals as additional funding for the medical
5 assistance program.
6 13. The department shall implement the elimination of
7 hospital crossover claims for dually eligible federal Medicare
8 and medical assistance program beneficiaries for hospitals
9 licensed under chapter 135B, only if approval of a medical
10 assistance state plan amendment is received from the centers
11 for Medicare and Medicaid services of the United States
12 department of health and human services that protects
13 hospitals from financial losses specifically due to the
14 hospital crossover claims process under the medical assistance
15 program or the Medicare cost reports.
16 Sec. 12. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There
17 is appropriated from the general fund of the state to the
18 department of human services for the fiscal year beginning
19 July 1, 2003, and ending June 30, 2004, the following amount,
20 or so much thereof as is necessary, to be used for the purpose
21 designated:
22 For administration of the health insurance premium payment
23 program, including salaries, support, maintenance, and
24 miscellaneous purposes, and for not more than the following
25 full-time equivalent positions:
26 ..... $ 573,968
27 ..... FTEs 21.00
28 Sec. 13. MEDICAL CONTRACTS. There is appropriated from
29 the general fund of the state to the department of human
30 services for the fiscal year beginning July 1, 2003, and
31 ending June 30, 2004, the following amount, or so much thereof
32 as is necessary, to be used for the purpose designated:
33 For medical contracts:
34 ..... $ 8,990,035
35 1. In any managed care contract for mental health or

1 substance abuse services entered into or extended by the
2 department on or after July 1, 2003, the request for proposals
3 shall provide for coverage of dual diagnosis mental health and
4 substance abuse treatment provided at the state mental health
5 institute at Mount Pleasant. To the extent possible, the
6 department shall also amend any such contract existing on July
7 1, 2003, to provide for such coverage.
8 2. The department may either continue or reprocure the
9 contract existing on June 30, 2003, with the department's
10 fiscal agent.
11 Sec. 14. STATE SUPPLEMENTARY ASSISTANCE. There is
12 appropriated from the general fund of the state to the
13 department of human services for the fiscal year beginning
14 July 1, 2003, and ending June 30, 2004, the following amount,
15 or so much thereof as is necessary, to be used for the
16 purposes designated:
17 For state supplementary assistance and the medical
18 assistance home and community-based services waiver rent
19 subsidy program:
20 ..... $ 19,198,735
21 1. The department shall increase the personal needs
22 allowance for residents of residential care facilities by the
23 same percentage and at the same time as federal supplemental
24 security income and federal social security benefits are
25 increased due to a recognized increase in the cost of living.
26 The department may adopt emergency rules to implement this
27 subsection.
28 2. If during the fiscal year beginning July 1, 2003, the
29 department projects that state supplementary assistance
30 expenditures for a calendar year will not meet the federal
31 pass-along requirement specified in Title XVI of the federal
32 Social Security Act, section 1618, as codified in 42 U.S.C. §
33 1382g, the department may take actions including but not
34 limited to increasing the personal needs allowance for
35 residential care facility residents and making programmatic

1 adjustments or upward adjustments of the residential care
2 facility or in-home health-related care reimbursement rates
3 prescribed in this Act to ensure that federal requirements are
4 met. In addition, the department may make other programmatic
5 and rate adjustments necessary to remain within the amount
6 appropriated in this section while ensuring compliance with
7 federal requirements. The department may adopt emergency
8 rules to implement the provisions of this subsection.
9 Sec. 15. CHILDREN'S HEALTH INSURANCE PROGRAM. There is
10 appropriated from the general fund of the state to the
11 department of human services for the fiscal year beginning
12 July 1, 2003, and ending June 30, 2004, the following amount,
13 or so much thereof as is necessary, to be used for the purpose
14 designated:
15 For maintenance of the healthy and well kids in Iowa (hawk-
16 i) program pursuant to chapter 514I for receipt of federal
17 financial participation under Title XXI of the federal Social
18 Security Act, which creates the state children's health
19 insurance program:
20 ..... $ 11,118,275
21 1. The department may transfer funds appropriated in this
22 section to be used for the purpose of expanding health care
23 coverage to children under the medical assistance program.
24 The department shall provide periodic updates to the general
25 assembly of expenditures of funds appropriated in this
26 section.
27 2. Moneys in the hawk-i trust fund are appropriated to the
28 department of human services and shall be used to offset any
29 program costs for the fiscal year beginning July 1, 2003, and
30 ending June 30, 2004.
31 Sec. 16. CHILD CARE ASSISTANCE. There is appropriated
32 from the general fund of the state to the department of human
33 services for the fiscal year beginning July 1, 2003, and
34 ending June 30, 2004, the following amount, or so much thereof
35 as is necessary, to be used for the purpose designated:

1 For child care programs:
2 ..... $ 5,050,752
3 1. a. Of the funds appropriated in this section,
4 $4,525,228 shall be used for state child care assistance in
5 accordance with section 237A.13.
6 b. During the 2003-2004 fiscal year, the moneys deposited
7 in the child care credit fund created in section 237A.28 are
8 appropriated to the department to be used for state child care
9 assistance in accordance with section 237A.13, in addition to
10 the moneys allocated for that purpose in paragraph "a".
11 2. Nothing in this section shall be construed or is
12 intended as, or shall imply, a grant of entitlement for
13 services to persons who are eligible for assistance due to an
14 income level consistent with the waiting list requirements of
15 section 237A.13. Any state obligation to provide services
16 pursuant to this section is limited to the extent of the funds
17 appropriated in this section.
18 3. Of the funds appropriated in this section, $525,524 is
19 allocated for the statewide program for child care resource
20 and referral services under section 237A.26.
21 4. The department may use any of the funds appropriated in
22 this section as a match to obtain federal funds for use in
23 expanding child care assistance and related programs. For the
24 purpose of expenditures of state and federal child care
25 funding, funds shall be considered obligated at the time
26 expenditures are projected or are allocated to the
27 department's service areas. Projections shall be based on
28 current and projected caseload growth, current and projected
29 provider rates, staffing requirements for eligibility
30 determination and management of program requirements including
31 data systems management, staffing requirements for
32 administration of the program, contractual and grant
33 obligations and any transfers to other state agencies, and
34 obligations for decategorization or innovation projects.
35 5. If the federal government appropriates additional

1 funding under the federal child care and development block
2 grant than was anticipated would be received for the state
3 fiscal year beginning July 1, 2003, in addition to the
4 notification requirements for expenditure requirements for
5 additional federal funds under 2002 Iowa Acts, chapter 1170,
6 the department shall consult with the chairpersons and ranking
7 members of the joint appropriations subcommittee on health and
8 human services at least thirty days in advance of committing
9 to expenditure of the additional funding.
10 6. A portion of the state match for the federal child care
11 and development block grant shall be provided through the
12 state general fund appropriation for child development grants
13 and other programs for at-risk children in section 279.51.
14 7. a. The department shall develop consumer information
15 material to assist parents in selecting a child care provider.
16 In developing the material, the department shall consult with
17 department of human services staff, department of education
18 staff, the state child care advisory council, the Iowa
19 empowerment board, and child care resource and referral
20 services. In addition, the department may consult with other
21 entities at the local, state, and national level.
22 b. The consumer information material developed by the
23 department for parents and other consumers of child care
24 services shall include but is not limited to all of the
25 following:
26 (1) A pamphlet or other printed material containing
27 consumer-oriented information on locating a quality child care
28 provider.
29 (2) Information explaining important considerations a
30 consumer should take into account in selecting a licensed or
31 registered child care provider.
32 (3) Information explaining how a consumer can identify
33 quality services, including what questions to ask of providers
34 and what a consumer might expect or demand to know before
35 selecting a provider.

1 (4) An explanation of the applicable laws and regulations
2 written in layperson's terms.
3 (5) An explanation of what it means for a provider to be
4 licensed, registered, or unregistered.
5 (6) An explanation of the information considered in
6 registry and record background checks.
7 (7) Other information deemed relevant to consumers.
8 c. The department shall implement and publicize an
9 internet page or site that provides all of the following:
10 (1) The written information developed pursuant to
11 paragraphs "a" and "b".
12 (2) Regular informational updates, including when a child
13 care provider was last subject to a state quality review or
14 inspection and, based upon a final score or review, the
15 results indicating whether the provider passed or failed the
16 review or inspection.
17 (3) Capability for a consumer to be able to access
18 information concerning child care providers, such as
19 informational updates, identification of provider location,
20 name, and capacity, and identification of providers
21 participating in the state child care assistance program and
22 those participating in the child care food program, by sorting
23 the information or employing other means that provide the
24 information in a manner that is useful to the consumer.
25 Information regarding provider location shall identify
26 providers located in the vicinity of an address selected by a
27 consumer and provide contact information without listing the
28 specific addresses of the providers.
29 (4) Other information deemed appropriate by the
30 department.
31 8. If the department receives additional funding from the
32 federal government designated for purposes of improving child
33 care quality, the funding shall be used for additional child
34 care consultant positions within the department's field
35 operations.

1 Sec. 17. JUVENILE INSTITUTIONS. There is appropriated
2 from the general fund of the state to the department of human
3 services for the fiscal year beginning July 1, 2003, and
4 ending June 30, 2004, the following amounts, or so much
5 thereof as is necessary, to be used for the purposes
6 designated:
7 1. For operation of the Iowa juvenile home at Toledo and
8 for salaries, support, maintenance, and for not more than the
9 following full-time equivalent positions:
10 ..... $ 6,160,878
11 ..... FTEs 130.54
12 2. For operation of the state training school at Eldora
13 and for salaries, support, maintenance, and for not more than
14 the following full-time equivalent positions:
15 ..... $ 10,285,696
16 ..... FTEs 218.53
17 3. During the fiscal year beginning July 1, 2003, the
18 population levels at the state juvenile institutions shall not
19 exceed the population guidelines established under 1990 Iowa
20 Acts, chapter 1239, section 21, as adjusted for subsequent
21 changes in capacity at the institutions.
22 4. A portion of the moneys appropriated in this section
23 shall be used by the state training school and by the Iowa
24 juvenile home for grants for adolescent pregnancy prevention
25 activities at the institutions in the fiscal year beginning
26 July 1, 2003.
27 5. Within the amounts appropriated in this section, the
28 department may transfer funds as necessary to best fulfill the
29 needs of the institutions provided for in the appropriation.
30 Sec. 18. CHILD AND FAMILY SERVICES.
31 1. There is appropriated from the general fund of the
32 state to the department of human services for the fiscal year
33 beginning July 1, 2003, and ending June 30, 2004, the
34 following amount, or so much thereof as is necessary, to be
35 used for the purpose designated:

1 For child and family services:
2 ..... $107,091,253
3 2. The department may transfer funds appropriated in this
4 section as necessary to pay the nonfederal costs of services
5 reimbursed under medical assistance or the family investment
6 program which are provided to children who would otherwise
7 receive services paid under the appropriation in this section.
8 The department may transfer funds appropriated in this section
9 to the appropriations in this Act for general administration
10 and for field operations for resources necessary to implement
11 and operate the services funded in this section.
12 3. a. Of the funds appropriated in this section, up to
13 $30,154,516 is allocated as the statewide expenditure target
14 under section 232.143 for group foster care maintenance and
15 services.
16 b. If at any time after September 30, 2003, annualization
17 of a service area's current expenditures indicates a service
18 area is at risk of exceeding its group foster care expenditure
19 target under section 232.143 by more than 5 percent, the
20 department and juvenile court services shall examine all group
21 foster care placements in that service area in order to
22 identify those which might be appropriate for termination. In
23 addition, any aftercare services believed to be needed for the
24 children whose placements may be terminated shall be
25 identified. The department and juvenile court services shall
26 initiate action to set dispositional review hearings for the
27 placements identified. In such a dispositional review
28 hearing, the juvenile court shall determine whether needed
29 aftercare services are available and whether termination of
30 the placement is in the best interest of the child and the
31 community.
32 c. (1) Of the funds appropriated in this section, not
33 more than $6,355,170 is allocated as the state match funding
34 for psychiatric medical institutions for children.
35 (2) The department may transfer all or a portion of the

1 amount allocated in this lettered paragraph for psychiatric
2 medical institutions for children (PMICs) to the appropriation
3 in this Act for medical assistance.
4 d. Of the funds allocated in this subsection, $1,419,988
5 is allocated as the state match funding for 50 highly
6 structured juvenile program beds. If the number of beds
7 provided for in this lettered paragraph is not utilized, the
8 remaining funds allocated may be used for group foster care.
9 e. For the fiscal year beginning July 1, 2003, the
10 requirements of section 232.143 applicable to the juvenile
11 court and to representatives of the juvenile court shall be
12 applicable instead to juvenile court services and to
13 representatives of juvenile court services. The
14 representatives appointed by the department of human services
15 and by juvenile court services to establish the plan to
16 contain expenditures for children placed in group foster care
17 ordered by the court within the budget target allocated to the
18 service area shall establish the plan in a manner so as to
19 ensure the moneys allocated to the service area under section
20 232.143 shall last the entire fiscal year. Funds for a child
21 placed in group foster care shall be considered encumbered for
22 the duration of the child's projected or actual length of
23 stay, whichever is applicable.
* 24 4. Of the funds appropriated in this section, $3,000,000
25 is allocated specifically for expenditure through the
26 decategorization of child welfare funding pools and governance
27 boards established pursuant to section 232.188.
28 Notwithstanding section 8.33, moneys allocated in this
29 subsection that remain unencumbered or unobligated at the
30 close of the fiscal year shall not revert but shall remain
31 available for expenditure for the purposes designated until
32 the close of the succeeding fiscal year.
33 5. Of the funds appropriated in this section, up to
34 $915,892 is allocated for additional funding of the family
35 preservation program.

1 6. The department shall continue the goal that not more
2 than 15 percent of the children placed in foster care funded
3 under the federal Social Security Act, Title IV-E, may be
4 placed in foster care for a period of more than 24 months.
5 7. In accordance with the provisions of section 232.188,
6 the department shall continue the program to decategorize
7 child welfare services funding in additional counties or
8 clusters of counties.
9 8. A portion of the funding appropriated in this section
10 may be used for emergency family assistance to provide other
11 resources required for a family participating in a family
12 preservation or reunification project to stay together or to
13 be reunified.
14 9. Notwithstanding section 234.35, subsection 1, for the
15 fiscal year beginning July 1, 2003, state funding for shelter
16 care paid pursuant to section 234.35, subsection 1, paragraph
17 "h", shall be limited to $6,922,509.
18 10. The department shall continue to make adoption
19 presubsidy and adoption subsidy payments to adoptive parents
20 at the beginning of the month for the current month.
21 11. Federal funds received by the state during the fiscal
22 year beginning July 1, 2003, as the result of the expenditure
23 of state funds appropriated during a previous state fiscal
24 year for a service or activity funded under this section, are
25 appropriated to the department to be used as additional
26 funding for services and purposes provided for under this
27 section. Notwithstanding section 8.33, moneys received in
28 accordance with this subsection that remain unencumbered or
29 unobligated at the close of the fiscal year shall not revert
30 to any fund but shall remain available for the purposes
31 designated until the close of the succeeding fiscal year.
32 12. The department and juvenile court services shall
33 continue to develop criteria for the department service area
34 administrator and chief juvenile court officer to grant
35 exceptions to extend eligibility, within the funds allocated,

1 for intensive tracking and supervision and for supervised
2 community treatment to delinquent youth beyond age 18 who are
3 subject to release from the state training school, a highly
4 structured juvenile program, or group foster care.
5 13. Of the moneys appropriated in this section, not more
6 than $442,100 is allocated to provide clinical assessment
7 services as necessary to continue funding of children's
8 rehabilitation services under medical assistance in accordance
9 with federal law and requirements. The funding allocated is
10 the amount projected to be necessary for providing the
11 clinical assessment services.
12 14. Of the funding appropriated in this section,
13 $3,696,285 shall be used for protective child care assistance.
14 15. Of the moneys appropriated in this section, up to
15 $2,859,851 is allocated for the payment of the expenses of
16 court-ordered services provided to juveniles which are a
17 charge upon the state pursuant to section 232.141, subsection
18 4.
19 a. Notwithstanding section 232.141 or any other provision
20 of law to the contrary, the amount allocated in this
21 subsection shall be distributed to the judicial districts as
22 determined by the state court administrator. The state court
23 administrator shall make the determination of the distribution
24 amounts on or before June 15, 2003.
25 b. Notwithstanding chapter 232 or any other provision of
26 law to the contrary, a district or juvenile court shall not
27 order any service which is a charge upon the state pursuant to
28 section 232.141 if there are insufficient court-ordered
29 services funds available in the district court distribution
30 amount to pay for the service. The chief juvenile court
31 officer shall encourage use of the funds allocated in this
32 subsection such that there are sufficient funds to pay for all
33 court-related services during the entire year. The chief
34 juvenile court officers shall attempt to anticipate potential
35 surpluses and shortfalls in the distribution amounts and shall

1 cooperatively request the state court administrator to
2 transfer funds between the districts' distribution amounts as
3 prudent.
4 c. Notwithstanding any provision of law to the contrary, a
5 district or juvenile court shall not order a county to pay for
6 any service provided to a juvenile pursuant to an order
7 entered under chapter 232 which is a charge upon the state
8 under section 232.141, subsection 4.
9 d. Of the funding allocated in this subsection, not more
10 than $100,000 may be used by the judicial branch for
11 administration of the requirements under this subsection and
12 for travel associated with court-ordered placements which are
13 a charge upon the state pursuant to section 232.141,
14 subsection 4.
15 16. a. Of the funding appropriated in this section,
16 $3,062,193 is allocated to provide school-based supervision of
17 children adjudicated under chapter 232, including not more
18 than $1,431,597 from the allocation in this section for court-
19 ordered services. Not more than $15,000 of the funding
20 allocated in this subsection may be used for the purpose of
21 training.
22 b. A portion of the cost of each school-based liaison
23 officer shall be paid by the school district or other funding
24 source as approved by the chief juvenile court officer.
25 17. The department shall maximize the capacity to draw
26 federal funding under Title IV-E of the federal Social
27 Security Act.
28 18. Any unanticipated federal funding that is received
29 during the fiscal year due to improvements in the hours
30 counted by the judicial branch under the claiming process for
31 federal Title IV-E funding are appropriated to the department
32 to be used for additional or expanded services and support for
33 court-ordered services pursuant to section 232.141.
34 Notwithstanding section 8.33, moneys appropriated in this
35 subsection that remain unencumbered or unobligated at the

1 close of the fiscal year shall not revert but shall remain
2 available for expenditure for the purposes designated until
3 the close of the succeeding fiscal year.
4 19. Notwithstanding section 234.39, subsection 5, and 2000
5 Iowa Acts, chapter 1228, section 43, the department may
6 operate a subsidized guardianship program if the United States
7 department of health and human services approves a waiver
8 under Title IV-E of the federal Social Security Act or the
9 federal Social Security Act is amended to allow Title IV-E
10 funding to be used for subsidized guardianship, and the
11 subsidized guardianship program can be operated without loss
12 of Title IV-E funds.
13 20. It is the intent of the general assembly that the
14 department continue its practice of providing strong support
15 for Iowa's nationally recognized initiative of
16 decategorization of child welfare funding.
17 21. The department shall develop a plan for privatizing
18 the administration of the foster care and adoption programs.
19 The plan shall be submitted to the governor and the general
20 assembly on or before December 15, 2003.
21 22. Notwithstanding section 237.5A, a foster parent who is
22 unable to complete six hours of foster parent training prior
23 to annual licensure renewal because the foster parent is
24 engaged in active duty in the military service shall be
25 considered to be in compliance with the training requirement
26 for annual licensure renewal.
27 Sec. 19. JUVENILE DETENTION HOME FUND. Moneys deposited
28 in the juvenile detention home fund created in section 232.142
29 during the fiscal year beginning July 1, 2003, and ending June
30 30, 2004, are appropriated to the department of human services
31 for the fiscal year beginning July 1, 2003, and ending June
32 30, 2004, for distribution as follows:
33 1. An amount equal to ten percent of the costs of the
34 establishment, improvement, operation, and maintenance of
35 county or multicounty juvenile detention homes in the fiscal

1 year beginning July 1, 2002. Moneys appropriated for
2 distribution in accordance with this subsection shall be
3 allocated among eligible detention homes, prorated on the
4 basis of an eligible detention home's proportion of the costs
5 of all eligible detention homes in the fiscal year beginning
6 July 1, 2002. Notwithstanding section 232.142, subsection 3,
7 the financial aid payable by the state under that provision
8 for the fiscal year beginning July 1, 2003, shall be limited
9 to the amount appropriated for the purposes of this
10 subsection.
11 2. For renewal of a grant to a county with a population
12 between 189,000 and 196,000 for implementation of the county's
13 runaway treatment plan under section 232.195:
14 ..... $ 80,000
15 3. For continuation and expansion of the community
16 partnership for child protection sites:
17 ..... $ 159,000
18 4. For grants to counties implementing a runaway treatment
19 plan under section 232.195.
20 5. The remainder for additional allocations to county or
21 multicounty juvenile detention homes, in accordance with the
22 distribution requirements of subsection 1.
23 Sec. 20. FAMILY SUPPORT SUBSIDY PROGRAM. There is
24 appropriated from the general fund of the state to the
25 department of human services for the fiscal year beginning
26 July 1, 2003, and ending June 30, 2004, the following amount,
27 or so much thereof as is necessary, to be used for the purpose
28 designated:
29 For the family support subsidy program:
30 ..... $ 1,936,434
31 1. The department may use up to $333,312 of the moneys
32 appropriated in this section to continue the children-at-home
33 program in current counties, of which not more than $20,000
34 shall be used for administrative costs.
35 2. Notwithstanding section 225C.38, subsection 1, the

1 monthly family support payment amount for the fiscal year
2 beginning July 1, 2003, shall remain the same as the payment
3 amount in effect on June 30, 2003.
4 Sec. 21. CONNER DECREE. There is appropriated from the
5 general fund of the state to the department of human services
6 for the fiscal year beginning July 1, 2003, and ending June
7 30, 2004, the following amount, or so much thereof as is
8 necessary, to be used for the purpose designated:
9 For building community capacity through the coordination
10 and provision of training opportunities in accordance with the
11 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
12 Iowa, July 14, 1994):
13 ..... $ 42,623
14 Sec. 22. MENTAL HEALTH INSTITUTES. There is appropriated
15 from the general fund of the state to the department of human
16 services for the fiscal year beginning July 1, 2003, and
17 ending June 30, 2004, the following amounts, or so much
18 thereof as is necessary, to be used for the purposes
19 designated:
20 1. For the state mental health institute at Cherokee for
21 salaries, support, maintenance, and miscellaneous purposes and
22 for not more than the following full-time equivalent
23 positions:
24 ..... $ 12,401,246
25 ..... FTEs 227.65
26 2. For the state mental health institute at Clarinda for
27 salaries, support, maintenance, and miscellaneous purposes and
28 for not more than the following full-time equivalent
29 positions:
30 ..... $ 7,065,672
31 ..... FTEs 118.15
32 3. For the state mental health institute at Independence
33 for salaries, support, maintenance, and miscellaneous purposes
34 and for not more than the following full-time equivalent
35 positions:

1 ..... $ 16,912,302
2 ..... FTEs 317.80
3 The state mental health institute at Independence shall
4 continue the 30 psychiatric medical institution for children
5 (PMIC) beds authorized in section 135H.6, in a manner which
6 results in no net state expenditure amount in excess of the
7 amount appropriated in this subsection. Counties are not
8 responsible for the costs of PMIC services described in this
9 subsection. Subject to the approval of the department, with
10 the exception of revenues required under section 249A.11 to be
11 credited to the appropriation in this Act for medical
12 assistance, revenues attributable to the PMIC beds described
13 in this subsection for the fiscal year beginning July 1, 2003,
14 and ending June 30, 2004, shall be deposited in the
15 institute's account, including but not limited to any of the
16 following revenues:
17 a. The federal share of medical assistance revenue
18 received under chapter 249A.
19 b. Moneys received through client participation.
20 c. Any other revenues directly attributable to the PMIC
21 beds.
22 4. For the state mental health institute at Mount Pleasant
23 for salaries, support, maintenance, and miscellaneous purposes
24 and for not more than the following full-time equivalent
25 positions:
26 ..... $ 5,830,810
27 ..... FTEs 100.44
28 a. Funding is provided in this subsection for the state
29 mental health institute at Mount Pleasant to continue the dual
30 diagnosis mental health and substance abuse program on a net
31 budgeting basis in which 50 percent of the actual per diem and
32 ancillary services costs are chargeable to the patient's
33 county of legal settlement or as a state case, as appropriate.
34 Subject to the approval of the department, revenues
35 attributable to the dual diagnosis program for the fiscal year

1 beginning July 1, 2003, and ending June 30, 2004, shall be
2 deposited in the institute's account, including but not
3 limited to all of the following revenues:
4 (1) Moneys received by the state from billings to counties
5 under section 230.20.
6 (2) Moneys received from billings to the Medicare program.
7 (3) Moneys received from a managed care contractor
8 providing services under contract with the department or any
9 private third-party payor.
10 (4) Moneys received through client participation.
11 (5) Any other revenues directly attributable to the dual
12 diagnosis program.
13 b. The following additional provisions are applicable in
14 regard to the dual diagnosis program:
15 (1) A county may split the charges between the county's
16 mental health, mental retardation, and developmental
17 disabilities services fund and the county's budget for
18 substance abuse expenditures.
19 (2) If an individual is committed to the custody of the
20 department of corrections at the time the individual is
21 referred for dual diagnosis treatment, the department of
22 corrections shall be charged for the costs of treatment.
23 (3) Prior to an individual's admission for dual diagnosis
24 treatment, the individual shall have been screened through a
25 county's single entry point process to determine the
26 appropriateness of the treatment.
27 (4) A county shall not be chargeable for the costs of
28 treatment for an individual enrolled in and authorized by or
29 decertified by a managed behavioral care plan under the
30 medical assistance program.
31 (5) Notwithstanding section 8.33, state mental health
32 institute revenues related to the dual diagnosis program that
33 remain unencumbered or unobligated at the close of the fiscal
34 year shall not revert but shall remain available up to the
35 amount which would allow the state mental health institute to

1 meet credit obligations owed to counties as a result of year-
2 end per diem adjustments for the dual diagnosis program.
3 5. Within the funds appropriated in this section, the
4 department may transfer funds as necessary to best fulfill the
5 needs of the institutes provided for in the appropriation.
6 6. As part of the discharge planning process at the state
7 mental health institutes, the department shall provide
8 assistance in obtaining eligibility for federal supplemental
9 security income (SSI) to those individuals whose care at a
10 state mental health institute is the financial responsibility
11 of the state or a county.
12 Sec. 23. STATE RESOURCE CENTERS. There is appropriated
13 from the general fund of the state to the department of human
14 services for the fiscal year beginning July 1, 2003, and
15 ending June 30, 2004, the following amounts, or so much
16 thereof as is necessary, to be used for the purposes
17 designated:
18 1. For the state resource center at Glenwood for salaries,
19 support, maintenance, and miscellaneous purposes:
20 ..... $ 4,399,479
21 2. For the state resource center at Woodward for salaries,
22 support, maintenance, and miscellaneous purposes:
23 ..... $ 2,660,237
24 3. a. The department shall continue operating the state
25 resource centers at Glenwood and Woodward with a net general
26 fund appropriation. The amounts allocated in this section are
27 the net amounts of state moneys projected to be needed for the
28 state resource centers. The purposes of operating with a net
29 general fund appropriation are to encourage the state resource
30 centers to operate with increased self-sufficiency, to improve
31 quality and efficiency, and to support collaborative efforts
32 between the state resource centers and counties and other
33 funders of services available from the state resource centers.
34 The state resource centers shall not be operated under the net
35 appropriation in a manner which results in a cost increase to

1 the state or cost shifting between the state, the medical
2 assistance program, counties, or other sources of funding for
3 the state resource centers. Moneys appropriated in this
4 section may be used throughout the fiscal year in the manner
5 necessary for purposes of cash flow management, and for
6 purposes of cash flow management the state resource centers
7 may temporarily draw more than the amounts appropriated,
8 provided the amounts appropriated are not exceeded at the
9 close of the fiscal year.
10 b. Subject to the approval of the department, except for
11 revenues under section 249A.11, revenues attributable to the
12 state resource centers for the fiscal year beginning July 1,
13 2003, shall be deposited into each state resource center's
14 account, including but not limited to all of the following:
15 (1) Moneys received by the state from billings to counties
16 under section 222.73.
17 (2) The federal share of medical assistance revenue
18 received under chapter 249A.
19 (3) Federal Medicare program payments.
20 (4) Moneys received from client financial participation.
21 (5) Other revenues generated from current, new, or
22 expanded services which the state resource center is
23 authorized to provide.
24 c. For the purposes of allocating the salary adjustment
25 fund moneys appropriated in another Act, the state resource
26 centers shall be considered to be funded entirely with state
27 moneys.
28 d. Notwithstanding section 8.33, up to $500,000 of a state
29 resource center's revenues that remain unencumbered or
30 unobligated at the close of the fiscal year shall not revert
31 but shall remain available to be used in the succeeding fiscal
32 year.
33 4. Within the funds appropriated in this section, the
34 department may transfer funds as necessary to best fulfill the
35 needs of the institutions provided for in the appropriation.

1 5. The department may continue to bill for state resource
2 center services utilizing a scope of services approach used
3 for private providers of ICFMR services, in a manner which
4 does not shift costs between the medical assistance program,
5 counties, or other sources of funding for the state resource
6 centers.
7 6. The state resource centers may expand the time limited
8 assessment and respite services during the fiscal year.
9 7. If the department's administration and the department
10 of management concur with a finding by a state resource
11 center's superintendent that projected revenues can reasonably
12 be expected to pay the salary and support costs for a new
13 employee position, or that such costs for adding a particular
14 number of new positions for the fiscal year would be less than
15 the overtime costs if new positions would not be added, the
16 superintendent may add the new position or positions. If the
17 vacant positions available to a resource center do not include
18 the position classification desired to be filled, the state
19 resource center's superintendent may reclassify any vacant
20 position as necessary to fill the desired position. The
21 superintendents of the state resource centers may, by mutual
22 agreement, pool vacant positions and position classifications
23 during the course of the fiscal year in order to assist one
24 another in filling necessary positions.
25 8. If existing capacity limitations are reached in
26 operating units, a waiting list is in effect for a service or
27 a special need for which a payment source or other funding is
28 available for the service or to address the special need, and
29 facilities for the service or to address the special need can
30 be provided within the available payment source or other
31 funding, the superintendent of a state resource center may
32 authorize opening not more than two units or other facilities
33 and to begin implementing the service or addressing the
34 special need during fiscal year 2003-2004.
35 9. The state resource centers shall develop a proposal

1 providing options for addressing the service needs of persons
2 with developmental disabilities who behave in a manner that
3 presents a danger to themselves or to others. The proposal
4 shall be submitted to the governor and general assembly on or
5 before December 15, 2003.
6 Sec. 24. MI/MR/DD STATE CASES. There is appropriated from
7 the general fund of the state to the department of human
8 services for the fiscal year beginning July 1, 2003, and
9 ending June 30, 2004, the following amount, or so much thereof
10 as is necessary, to be used for the purpose designated:
11 For purchase of local services for persons with mental
12 illness, mental retardation, and developmental disabilities
13 where the client has no established county of legal
14 settlement:
15 ..... $ 11,014,619
16 The general assembly encourages the department to continue
17 discussions with the Iowa state association of counties and
18 administrators of county central point of coordination offices
19 regarding proposals for moving state cases to county budgets.
20 Sec. 25. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES --
21 COMMUNITY SERVICES FUND. There is appropriated from the
22 general fund of the state to the mental health and
23 developmental disabilities community services fund created in
24 section 225C.7 for the fiscal year beginning July 1, 2003, and
25 ending June 30, 2004, the following amount, or so much thereof
26 as is necessary, to be used for the purpose designated:
27 For mental health and developmental disabilities community
28 services in accordance with this Act:
29 ..... $ 17,757,890
30 1. Of the funds appropriated in this section, $17,727,890
31 shall be allocated to counties for funding of community-based
32 mental health and developmental disabilities services. The
33 moneys shall be allocated to a county as follows:
34 a. Fifty percent based upon the county's proportion of the
35 state's population of persons with an annual income which is

1 equal to or less than the poverty guideline established by the
2 federal office of management and budget.
3 b. Fifty percent based upon the county's proportion of the
4 state's general population.
5 2. a. A county shall utilize the funding the county
6 receives pursuant to subsection 1 for services provided to
7 persons with a disability, as defined in section 225C.2.
8 However, no more than 50 percent of the funding shall be used
9 for services provided to any one of the service populations.
10 b. A county shall use at least 50 percent of the funding
11 the county receives under subsection 1 for contemporary
12 services provided to persons with a disability, as described
13 in rules adopted by the department.
14 3. Of the funds appropriated in this section, $30,000
15 shall be used to support the Iowa compass program providing
16 computerized information and referral services for Iowans with
17 disabilities and their families.
18 4. a. Funding appropriated for purposes of the federal
19 social services block grant is allocated for distribution to
20 counties for local purchase of services for persons with
21 mental illness or mental retardation or other developmental
22 disability.
23 b. The funds allocated in this subsection shall be
24 expended by counties in accordance with the county's approved
25 county management plan. A county without an approved county
26 management plan shall not receive allocated funds until the
27 county's management plan is approved.
28 c. The funds provided by this subsection shall be
29 allocated to each county as follows:
30 (1) Fifty percent based upon the county's proportion of
31 the state's population of persons with an annual income which
32 is equal to or less than the poverty guideline established by
33 the federal office of management and budget.
34 (2) Fifty percent based upon the amount provided to the
35 county for local purchase of services in the preceding fiscal

1 year.
2 5. A county is eligible for funds under this section if
3 the county qualifies for a state payment as described in
4 section 331.439.
5 Sec. 26. PERSONAL ASSISTANCE. There is appropriated from
6 the general fund of the state to the department of human
7 services for the fiscal year beginning July 1, 2003, and
8 ending June 30, 2004, the following amount, or so much thereof
9 as is necessary, to be used for the purpose designated:
10 For continuation of a pilot project for the personal
11 assistance services program in accordance with this section:
12 ..... $ 205,748
13 1. The funds appropriated in this section shall be used to
14 continue the pilot project for the personal assistance
15 services program under section 225C.46 in an urban and a rural
16 area. Not more than 10 percent of the amount appropriated
17 shall be used for administrative costs. The pilot project
18 shall not be implemented in a manner which would require
19 additional county or state costs for assistance provided to an
20 individual served under the pilot project.
21 2. In accordance with 2001 Iowa Acts, chapter 191, section
22 25, subsection 2, new applicants shall not be accepted into
23 the pilot project. An individual receiving services under the
24 pilot project as of June 30, 2003, shall continue receiving
25 services until the individual voluntarily leaves the project
26 or until another program with similar services exists.
27 Sec. 27. SEXUALLY VIOLENT PREDATORS.
28 1. There is appropriated from the general fund of the
29 state to the department of human services for the fiscal year
30 beginning July 1, 2003, and ending June 30, 2004, the
31 following amount, or so much thereof as is necessary, to be
32 used for the purpose designated:
33 For costs associated with the commitment and treatment of
34 sexually violent predators in the unit located at the state
35 mental health institute at Cherokee, including costs of legal

1 services and other associated costs, including salaries,
2 support, maintenance, and miscellaneous purposes and for not
3 more than the following full-time equivalent positions:
4 ..... $ 2,675,179
5 ..... FTEs 46.00
6 2. Unless specifically prohibited by law, if the amount
7 charged provides for recoupment of at least the entire amount
8 of direct and indirect costs, the department of human services
9 may contract with other states to provide care and treatment
10 of persons placed by the other states at the unit for sexually
11 violent predators at Cherokee. The moneys received under such
12 a contract shall be considered to be repayment receipts and
13 used for the purposes of the appropriation made in this
14 section.
15 Sec. 28. FIELD OPERATIONS. There is appropriated from the
16 general fund of the state to the department of human services
17 for the fiscal year beginning July 1, 2003, and ending June
18 30, 2004, the following amount, or so much thereof as is
19 necessary, to be used for the purposes designated:
20 1. For field operations, including salaries, support,
21 maintenance, and miscellaneous purposes and for not more than
22 the following full-time equivalent positions:
23 ..... $ 50,657,828
24 ..... FTEs 1,800.00
25 Priority in filling full-time equivalent positions shall be
26 given to those positions related to child protection services.
27 2. In operating the service area system established
28 pursuant to 2001 Iowa Acts, Second Extraordinary Session,
29 chapter 4, for the fiscal year beginning July 1, 2003, and
30 ending June 30, 2004, the department shall utilize the service
31 areas and service area administrators in lieu of regions and
32 regional administrators, notwithstanding the references to
33 department regions or regional administrators in sections
34 232.2, 232.52, 232.68, 232.72, 232.102, 232.117, 232.127,
35 232.143, 232.188, and 234.35, or other provision in law. The

1 department shall submit proposed legislation under section
2 2.16 for consideration by the Eightieth General Assembly, 2004
3 Session, to correct the references in the necessary Code
4 sections.
5 Sec. 29. GENERAL ADMINISTRATION. There is appropriated
6 from the general fund of the state to the department of human
7 services for the fiscal year beginning July 1, 2003, and
8 ending June 30, 2004, the following amount, or so much thereof
9 as is necessary, to be used for the purpose designated:
10 For general administration, including salaries, support,
11 maintenance, and miscellaneous purposes and for not more than
12 the following full-time equivalent positions:
13 ..... $ 10,803,626
14 ..... FTEs 286.00
15 1. Of the funds appropriated in this section, $57,000 is
16 allocated for the prevention of disabilities policy council
17 established in section 225B.3.
18 2. Up to $500,000 of the moneys received in any settlement
19 of overpayments made to a child development center or to any
20 other provider that results in a settlement in excess of
21 $150,000 shall be considered as repayment receipts and shall
22 only be used for the costs of filling full-time equivalent
23 positions authorized but not funded by the appropriations made
24 for the purposes of this section.
25 Sec. 30. VOLUNTEERS. There is appropriated from the
26 general fund of the state to the department of human services
27 for the fiscal year beginning July 1, 2003, and ending June
28 30, 2004, the following amount, or so much thereof as is
29 necessary, to be used for the purpose designated:
30 For development and coordination of volunteer services:
31 ..... $ 109,568
32 Sec. 31. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
33 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
34 DEPARTMENT OF HUMAN SERVICES.
35 1. a. For the fiscal year beginning July 1, 2003, nursing

1 facilities shall be reimbursed at 100 percent of the modified
2 price-based case-mix reimbursement rate. Nursing facilities
3 reimbursed under the medical assistance program shall submit
4 annual cost reports and additional documentation as required
5 by rules adopted by the department.
6 b. For the fiscal year beginning July 1, 2003, the
7 department shall reimburse pharmacy dispensing fees using a
8 single rate of $4.26 per prescription or the pharmacy's usual
9 and customary fee, whichever is lower.
10 c. For the fiscal year beginning July 1, 2003,
11 reimbursement rates for inpatient and outpatient hospital
12 services shall remain at the rates in effect on June 30, 2003.
13 The department shall continue the outpatient hospital
14 reimbursement system based upon ambulatory patient groups
15 implemented pursuant to 1994 Iowa Acts, chapter 1186, section
16 25, subsection 1, paragraph "f". In addition, the department
17 shall continue the revised medical assistance payment policy
18 implemented pursuant to that paragraph to provide
19 reimbursement for costs of screening and treatment provided in
20 the hospital emergency room if made pursuant to the
21 prospective payment methodology developed by the department
22 for the payment of outpatient services provided under the
23 medical assistance program. Any rebasing of hospital
24 impatient or outpatient rates shall not increase total
25 payments for inpatient and outpatient services.
26 d. For the fiscal year beginning July 1, 2003,
27 reimbursement rates for rural health clinics, hospices,
28 independent laboratories, and acute mental hospitals shall be
29 increased in accordance with increases under the federal
30 Medicare program or as supported by their Medicare audited
31 costs.
32 e. For the fiscal year beginning July 1, 2003,
33 reimbursement rates for home health agencies shall remain at
34 the rates in effect on June 30, 2003.
35 f. For the fiscal year beginning July 1, 2003, federally

1 qualified health centers shall receive cost-based
2 reimbursement for 100 percent of the reasonable costs for the
3 provision of services to recipients of medical assistance.
4 g. Beginning July 1, 2003, the reimbursement rates for
5 dental services shall remain at the rates in effect on June
6 30, 2003.
7 h. Beginning July 1, 2003, the reimbursement rates for
8 community mental health centers shall remain at the rates in
9 effect on June 30, 2003.
10 i. For the fiscal year beginning July 1, 2003, the maximum
11 reimbursement rate for psychiatric medical institutions for
12 children shall remain at the rate in effect on June 30, 2003,
13 based on per day rates for actual costs.
14 j. For the fiscal year beginning July 1, 2003, unless
15 otherwise specified in this Act, all noninstitutional medical
16 assistance provider reimbursement rates shall remain at the
17 rates in effect on June 30, 2003, except for area education
18 agencies, local education agencies, infant and toddler
19 services providers, and those providers whose rates are
20 required to be determined pursuant to section 249A.20.
21 k. Notwithstanding section 249A.20, the average
22 reimbursement rates for health care providers eligible for use
23 of the reimbursement methodology under that section shall
24 remain at the rate in effect on June 30, 2003; however, this
25 rate shall not exceed the maximum level authorized by the
26 federal government.
27 2. For the fiscal year beginning July 1, 2003, the
28 reimbursement rate for residential care facilities shall not
29 be less than the minimum payment level as established by the
30 federal government to meet the federally mandated maintenance
31 of effort requirement. The flat reimbursement rate for
32 facilities electing not to file semiannual cost reports shall
33 not be less than the minimum payment level as established by
34 the federal government to meet the federally mandated
35 maintenance of effort requirement.

1 3. For the fiscal year beginning July 1, 2003, the
2 reimbursement rate for providers reimbursed under the in-home-
3 related care program shall not be less than the minimum
4 payment level as established by the federal government to meet
5 the federally mandated maintenance of effort requirement.
6 4. Unless otherwise directed in this section, when the
7 department's reimbursement methodology for any provider
8 reimbursed in accordance with this section includes an
9 inflation factor, this factor shall not exceed the amount by
10 which the consumer price index for all urban consumers
11 increased during the calendar year ending December 31, 2002.
12 5. Notwithstanding section 234.38, in the fiscal year
13 beginning July 1, 2003, the foster family basic daily
14 maintenance rate and the maximum adoption subsidy rate for
15 children ages 0 through 5 years shall be $14.28, the rate for
16 children ages 6 through 11 years shall be $15.07, the rate for
17 children ages 12 through 15 years shall be $16.83, and the
18 rate for children ages 16 and older shall be $16.83.
19 6. For the fiscal year beginning July 1, 2003, the maximum
20 reimbursement rates for social service providers shall remain
21 at the rates in effect on June 30, 2003. However, the rates
22 may be adjusted under any of the following circumstances:
23 a. If a new service was added after June 30, 2003, the
24 initial reimbursement rate for the service shall be based upon
25 actual and allowable costs.
26 b. If a social service provider loses a source of income
27 used to determine the reimbursement rate for the provider, the
28 provider's reimbursement rate may be adjusted to reflect the
29 loss of income, provided that the lost income was used to
30 support actual and allowable costs of a service purchased
31 under a purchase of service contract.
32 7. The group foster care reimbursement rates paid for
33 placement of children out of state shall be calculated
34 according to the same rate-setting principles as those used
35 for in-state providers unless the director of human services

1 or the director's designee determines that appropriate care
2 cannot be provided within the state. The payment of the daily
3 rate shall be based on the number of days in the calendar
4 month in which service is provided.
5 8. For the fiscal year beginning July 1, 2003, the
6 reimbursement rates for rehabilitative treatment and support
7 services providers shall remain at the rates in effect on June
8 30, 2003.
9 9. For the fiscal year beginning July 1, 2003, the
10 combined service and maintenance components of the
11 reimbursement rate paid to a shelter care provider shall be
12 based on the cost report submitted to the department. The
13 maximum reimbursement rate shall be $83.69 per day. The
14 department shall reimburse a shelter care provider at the
15 provider's actual and allowable unit cost, plus inflation, not
16 to exceed the maximum reimbursement rate.
17 10. For the fiscal year beginning July 1, 2003, the
18 department shall calculate reimbursement rates for
19 intermediate care facilities for persons with mental
20 retardation at the 80th percentile.
21 11. For the fiscal year beginning July 1, 2003, for child
22 care providers, the department shall set provider
23 reimbursement rates based on the rate reimbursement survey
24 completed in December 1998. The department shall set rates in
25 a manner so as to provide incentives for a nonregistered
26 provider to become registered.
27 12. For the fiscal year beginning July 1, 2003,
28 reimbursements for providers reimbursed by the department of
29 human services may be modified if appropriated funding is
30 allocated for that purpose from the senior living trust fund
31 created in section 249H.4, or as specified in appropriations
32 from the healthy Iowans tobacco trust created in section
33 12.65.
34 13. The department may adopt emergency rules to implement
35 the hospital crossover claims process.

1 14. The department may adopt emergency rules to implement
2 this section.
3 Sec. 32. TRANSFER AUTHORITY. Subject to the provisions of
4 section 8.39, for the fiscal year beginning July 1, 2003, if
5 necessary to meet federal maintenance of effort requirements
6 or to transfer federal temporary assistance for needy families
7 block grant funding to be used for purposes of the federal
8 social services block grant or to meet cash flow needs
9 resulting from delays in receiving federal funding or to
10 implement, in accordance with this Act, targeted case
11 management for child protection and for activities currently
12 funded with juvenile court services, county, or community
13 moneys and state moneys used in combination with such moneys,
14 the department of human services may transfer within or
15 between any of the appropriations made in this Act and
16 appropriations in law for the federal social services block
17 grant to the department for the following purposes, provided
18 that the combined amount of state and federal temporary
19 assistance for needy families block grant funding for each
20 appropriation remains the same before and after the transfer:
21 1. For the family investment program.
22 2. For child care assistance.
23 3. For child and family services.
24 4. For field operations.
25 5. For general administration.
26 6. MH/MR/DD/BI community services (local purchase).
27 This section shall not be construed to prohibit existing
28 state transfer authority for other purposes.
29 Sec. 33. FRAUD AND RECOUPMENT ACTIVITIES. During the
30 fiscal year beginning July 1, 2003, notwithstanding the
31 restrictions in section 239B.14, recovered moneys generated
32 through fraud and recoupment activities are appropriated to
33 the department of human services to be used for additional
34 fraud and recoupment activities performed by the department of
35 human services or the department of inspections and appeals,

1 and the department of human services may add not more than
2 five full-time equivalent positions, in addition to those
3 funded in this Act, subject to both of the following
4 conditions:
5 1. The director of human services determines that the
6 investment can reasonably be expected to increase recovery of
7 assistance paid in error, due to fraudulent or nonfraudulent
8 actions, in excess of the amount recovered in the fiscal year
9 beginning July 1, 1997.
10 2. The amount expended for the additional fraud and
11 recoupment activities shall not exceed the amount of the
12 projected increase in assistance recovered.
13 Sec. 34. ELECTRONIC BENEFIT TRANSFER IMPLEMENTATION
14 NONREVERSION. Unspent funds appropriated in 2002 Iowa Acts,
15 Second Extraordinary Session, chapter 1003, section 112, and
16 allocated by the department of human services for the purpose
17 of meeting federal food stamp electronic benefit transfer
18 requirements shall not revert but shall remain available for
19 the same purpose until the close of the succeeding fiscal
20 year.
21 Sec. 35. VEHICLE DEPRECIATION. The following facilities
22 and institutions administered by the department of human
23 services are exempt from the depreciation requirement in
24 section 18.120, subsection 1, and the appropriations for the
25 facilities, institutions, and the department shall not be
26 charged for vehicle depreciation otherwise attributable to the
27 facilities and institutions during the fiscal year beginning
28 July 1, 2003:
29 1. The state juvenile institutions.
30 2. The state resource centers.
31 3. The state mental health institutes.
32 4. The unit for commitment of sexually violent predators
33 located at the state mental health institute at Cherokee.
34 Sec. 36. NEW SECTION. 217A.1 PARENTAL INVOLVEMENT
35 PROGRAM.

1 1. The department of human services shall convene an
2 advisory group that includes representatives of the Iowa
3 department of public health, the department of education, the
4 department of workforce development, the department of
5 corrections, the Iowa empowerment board, other state agencies
6 that provide services to families, and representatives of
7 business and industry, parents, faith-based organizations, and
8 state and local community leaders, to present a plan to the
9 general assembly that provides a comprehensive approach to
10 policy and service delivery at the state, county, and local
11 level and provides a network of services to assist both
12 mothers and fathers in parenting their children. While the
13 comprehensive approach shall address the needs of both
14 parents, the focus shall be on creating a policy and service
15 delivery system that provides a network of resources to assist
16 fathers in becoming and remaining engaged in their children's
17 lives. The plan shall be submitted on or before December 31,
18 2003.
19 2. The comprehensive approach to parental involvement
20 shall provide for all of the following:
21 a. STRUCTURE AND POLICIES.
22 (1) Identification of practices that interfere with or
23 fail to help fathers become or remain engaged in their
24 children's lives.
25 (2) Development of flexible service delivery options
26 within the state system, including the public assistance
27 system, to address the varying needs of families which may
28 include modifying traditional enforcement of program
29 requirements, referral to services, or other options.
30 (3) Continuation of child support program efforts to
31 assist fathers in providing for their children and remaining
32 engaged in their children's lives while complying with federal
33 requirements. The efforts may include continuing the
34 fatherhood internet site, seeking additional federal access
35 and visitation grants, and applying for other federal funds

1 that become available, for the purpose of actively engaging
2 fathers in the lives of their children.
3 (4) Integration of the state system and community level
4 services to provide a social service network that is
5 accessible to fathers as well as mothers.
6 (5) Creation of a systemwide approach for delivery of
7 services to families that creates a family support network
8 that does all of the following:
9 (a) Trains service workers to include both fathers and
10 mothers as a family unit, rather than separately, in the
11 delivery of services.
12 (b) Promotes a common awareness across disciplines, for
13 workers providing services to parents and families, of the
14 importance of both parents in children's lives.
15 (c) Systematically engages both parents and does not
16 segment families in the provision of services.
17 (d) Improves communication across delivery systems.
18 (e) Provides for the partnering of various disciplines and
19 levels of government in providing services to parents and
20 families.
* 21 b. CONNECTING FATHERS WITH NECESSARY SERVICES.
22 (1) Utilization of the existing service system to connect
23 fathers with local community-based services that help fathers
24 develop the skills to become better parents and partners and
25 more productive members of the workforce.
26 (2) Utilization of employment opportunities and training
27 as catalysts to involve fathers with programs that help
28 fathers develop skills to retain jobs and build healthy
29 relationships.
30 c. PUBLIC AWARENESS.
31 (1) Promotion of public awareness of the importance of the
32 emotional and financial involvement of both parents in their
33 children's lives.
34 (2) Use of the media to encourage parents to discuss
35 pregnancy prevention and parental responsibility with their

1 children.
2 Sec. 37. Section 234.35, subsection 1, paragraph c, Code
3 2003, is amended to read as follows:
4 c. When the department has agreed to provide foster care
5 services for the child for a period of not more than ~~thirty~~
6 ninety days on the basis of a signed placement agreement
7 between the department and the child's parent or guardian
8 ~~initiated on or after July 1, 1992~~.
9 Sec. 38. Section 514I.4, Code 2003, is amended by adding
10 the following new subsection:
11 NEW SUBSECTION. 1A. The director, with the approval of
12 the board, may contract with participating insurers to provide
13 dental only services.
14 Sec. 39. Section 514I.5, Code 2003, is amended by adding
15 the following new subsection:
16 NEW SUBSECTION. 9. The hawk-i board may provide approval
17 to the director to contract with participating insurers to
18 provide dental only services. In determining whether to
19 provide such approval to the director, the board shall take
20 into consideration the impact on the overall program of single
21 source contracting for dental services.
22 Sec. 40. 2002 Iowa Acts, chapter 1125, section 1,
23 subsection 2, paragraphs b and d, are amended to read as
24 follows:
25 b. Amending rules ~~to maintain the group care standard for~~
26 ~~a weekly average number of hours of therapy and counseling,~~
27 ~~but determine compliance by averaging the hours per week over~~
28 ~~the course of a month~~ for group care documentation and
29 recoupment to streamline requirements relating to skills
30 development by removing the requirements for billed services
31 documentation and clarifying the requirements for meeting
32 weekly average hours of therapy and counseling and the
33 methodology for determining compliance and overpayments. ~~The~~
34 ~~recoupment for failure to comply shall be applied for a week~~
35 ~~at a time for noncompliance, not to exceed the number of days~~

1 ~~paid.--This standard shall not be applied to a highly~~
2 ~~structured juvenile group care program.~~
3 ~~d.--Utilizing a weekly results summary for documentation of~~
4 ~~the group care requirement for daily provision of skills~~
5 ~~development.~~
6 Sec. 41. 2002 Iowa Acts, chapter 1175, section 104, is
7 amended to read as follows:
8 SEC. 104. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND
9 DEVELOPMENTAL DISABILITIES ALLOWED GROWTH FACTOR ADJUSTMENT
10 AND ALLOCATIONS -- FISCAL YEAR 2003-2004. There is
11 appropriated from the general fund of the state to the
12 department of human services for the fiscal year beginning
13 July 1, 2003, and ending June 30, 2004, the following amount,
14 or so much thereof as is necessary, to be used for the purpose
15 designated:
16 For distribution to counties of the county mental health,
17 mental retardation, and developmental disabilities allowed
18 growth factor adjustment, as provided in this section in lieu
19 of the provisions of section 331.438, subsection 2, and
20 section 331.439, subsection 3, and chapter 426B:
21 ..... $ 19,073,638
22 1. The funding appropriated in this section is the allowed
23 growth factor adjustment for fiscal year 2003-2004, and is
24 allocated as follows:
25 a. For distribution as provided in this section:
26 ..... $ 17,073,638
27 b. For deposit in the risk pool created in the property
28 tax relief fund and for distribution in accordance with
29 section 426B.5, subsection 2:
30 ..... $ 2,000,000
31 2. The following formula amounts shall be utilized only to
32 calculate preliminary distribution amounts for fiscal year
33 2003-2004 under this section by applying the indicated formula
34 provisions to the formula amounts and producing a preliminary
35 distribution total for each county:

1 a. For calculation of an allowed growth factor adjustment
2 amount for each county in accordance with the formula in
3 section 331.438, subsection 2, paragraph "b":
4 ..... $ 12,000,000
5 b. For calculation of a distribution amount for eligible
6 counties from the per capita expenditure target pool created
7 in the property tax relief fund in accordance with the
8 requirements in section 426B.5, subsection 1:
9 ..... $ 12,492,712
10 c. For calculation of a distribution amount for counties
11 from the mental health and developmental disabilities (MH/DD)
12 community services fund in accordance with the formula
13 provided in ~~2002 Iowa Acts, Senate File 2326, section 119,~~
14 ~~subsection 1~~ the appropriation made for the MH/DD community
15 services fund for the fiscal year beginning July 1, 2003:
16 ..... $ ~~18,127,352~~
17 17,727,890
18 3. Notwithstanding any contrary provisions of sections
19 225C.7, 331.438, subsection 2, 331.439, subsection 3, and
20 426B.5, the moneys allocated for distribution in subsection 1,
21 paragraph "b", and in any other Act of the Eightieth General
22 Assembly, 2003 Session, for distribution to counties in the
23 fiscal year beginning July 1, 2003, for purposes of the mental
24 health and developmental disabilities (MH/DD) community
25 services fund under section 225C.7, and for the allowed growth
26 factor adjustment for services paid under a county's section
27 331.424A mental health, mental retardation, and developmental
28 disabilities services fund and as calculated under subsection
29 2 to produce preliminary distribution amounts for counties
30 shall be subject to withholding as provided in this section.
31 4. After applying the applicable statutory distribution
32 formulas to the amounts indicated in subsection 2 for purposes
33 to produce preliminary distribution totals, the department of
34 human services shall apply a withholding factor to adjust an
35 eligible individual county's preliminary distribution total.

1 An ending balance percentage for each county shall be
2 determined by expressing the county's ending balance on a
3 modified accrual basis under generally accepted accounting
4 principles for the fiscal year beginning July 1, 2002, in the
5 county's mental health, mental retardation, and developmental
6 disabilities services fund created under section 331.424A, as
7 a percentage of the county's gross expenditures from that fund
8 for that fiscal year. The withholding factor for a county
9 shall be the following applicable percent:
10 a. For an ending balance percentage of less than 10
11 percent, a withholding factor of 0 percent.
12 b. For an ending balance percentage of 10 through 24
13 percent, a withholding factor of 25 percent.
14 c. For an ending balance percentage of 25 through 34
15 percent, a withholding factor of 60 percent.
16 d. For an ending balance percentage of 35 through 44
17 percent, a withholding factor of 85 percent.
18 e. For an ending balance percentage of 45 percent or more,
19 a withholding factor of 100 percent.
20 5. The total withholding amounts applied pursuant to
21 subsection 4 shall be equal to a withholding target amount of
22 $7,419,074 and the appropriation enacted by the Eightieth
23 General Assembly, 2003 Session, for the MH/DD community
24 services fund shall be reduced by the amount necessary to
25 attain the withholding target amount. If the department of
26 human services determines that the amount to be withheld in
27 accordance with subsection 4 is not equal to the target
28 withholding amount, the department shall adjust the
29 withholding factors listed in subsection 4 as necessary to
30 achieve the withholding target amount. However, in making
31 such adjustments to the withholding factors, the department
32 shall strive to minimize changes to the withholding factors
33 for those ending balance percentage ranges that are lower than
34 others and shall not adjust the zero withholding factor
35 specified in subsection 4, paragraph "a".

1 6. A county must comply with both the requirements listed
2 in this subsection to be eligible to receive a funding
3 distribution under this section. The amount that would
4 otherwise be available for distribution to a county that fails
5 to so comply shall be proportionately distributed among the
6 eligible counties. Both of the following requirements are
7 applicable:
8 a. A county must comply with the December 1, 2003, filing
9 deadline for the county annual financial report in accordance
10 with section 331.403.
11 b. A county must levy the not less than 70 percent of the
12 maximum amount allowed for the county's mental health, mental
13 retardation, and developmental disabilities services fund
14 under section 331.424A for taxes due and payable in the fiscal
15 year beginning July 1, 2003.
16 7. The department of human services shall authorize the
17 issuance of warrants payable to the county treasurer for the
18 distribution amounts due the counties eligible under this
19 section and notwithstanding prior practice for the MH/DD
20 community services fund, the warrants shall be issued in
21 January 2004.
22 Sec. 42. 2002 Iowa Acts, Second Extraordinary Session,
23 chapter 1003, section 126, subsection 3, paragraph d, is
24 amended to read as follows:
25 d. Notwithstanding section 8.33, ~~up to $500,000 of~~ a state
26 resource center's revenues that remain unencumbered or
27 unobligated at the close of the fiscal year shall not revert
28 but shall remain available to be used in the succeeding fiscal
29 year.
30 Sec. 43. 2002 Iowa Acts, Second Extraordinary Session,
31 chapter 1003, section 131, is amended by adding the following
32 new unnumbered paragraph:
33 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
34 moneys appropriated in this section that remain unencumbered
35 or unobligated at the close of the fiscal year shall not

1 revert but shall remain available until the close of the
2 succeeding fiscal year for the purposes designated under this
3 section.
4 Sec. 44. EMERGENCY RULES. If specifically authorized by a
5 provision of this Act, the department of human services or the
6 mental health and developmental disabilities commission may
7 adopt administrative rules under section 17A.4, subsection 2,
8 and section 17A.5, subsection 2, paragraph "b", to implement
9 the provisions and the rules shall become effective
10 immediately upon filing or on a later effective date specified
11 in the rules, unless the effective date is delayed by the
12 administrative rules review committee. Any rules adopted in
13 accordance with this section shall not take effect before the
14 rules are reviewed by the administrative rules review
15 committee. The delay authority provided to the administrative
16 rules review committee under section 17A.4, subsection 5, and
17 section 17A.8, subsection 9, shall be applicable to a delay
18 imposed under this section, notwithstanding a provision in
19 those sections making them inapplicable to section 17A.5,
20 subsection 2, paragraph "b". Any rules adopted in accordance
21 with the provisions of this section shall also be published as
22 notice of intended action as provided in section 17A.4.
23 Sec. 45. REPORTS.
24 1. Any reports or information required to be compiled and
25 submitted under this Act shall be submitted to the
26 chairpersons and ranking members of the joint appropriations
27 subcommittee on health and human services, the legislative
28 fiscal bureau, the legislative service bureau, and to the
29 legislative caucus staffs on or before the dates specified for
30 submission of the reports or information.
31 2. In order to reduce mailing and paper processing costs,
32 the department shall provide, to the extent feasible, reports,
33 notices, minutes, and other documents by electronic means to
34 those persons who have the capacity to access the documents in
35 that manner.

1 Sec. 46. LAW INAPPLICABLE FOR FISCAL YEAR 2003-2004.
2 1. The following provisions in Code or rule shall be
3 suspended for the period beginning July 1, 2003, and ending
4 June 30, 2004:
5 a. The requirements of section 239B.2A, relating to school
6 attendance by children participating in the family investment
7 program.
8 b. For a case permanency plan, as defined in section
9 232.2, the requirement for a six-month case permanency plan
10 review for an intact family.
11 c. The requirements of section 225C.42, relating to an
12 annual evaluation of the family support subsidy program.
13 2. The department may adopt emergency rules to implement
14 the provisions of this section.
15 Sec. 47. EFFECTIVE DATES. The following provisions of
16 this division of this Act, being deemed of immediate
17 importance, take effect upon enactment:
18 1. The provision under the appropriation for child and
19 family services, relating to requirements of section 232.143
20 for representatives of the department of human services and
21 juvenile court services to establish a plan for continuing
22 group foster care expenditures for the 2002-2003 fiscal year.
23 2. The provision under the appropriation for child and
24 family services, relating to the state court administrator
25 determining allocation of court-ordered services funding by
26 June 15, 2003.
27 3. The provision under the appropriation for child and
28 family services, relating to the requirements in section
29 237.5A involving a foster parent unable to complete annual
30 training due to being engaged in active duty in the military
31 service.
32 4. The provision relating to unspent funds for food stamp
33 electronic benefit transfer remaining available from the
34 appropriation made in 2002 Iowa Acts, Second Extraordinary
35 Session, chapter 1003, section 112, for the 2003-2004 fiscal

1 year.
2 5. The provisions amending 2002 Iowa Acts, Second
3 Extraordinary Session, chapter 1003, sections 126 and 131,
4 relating to nonreversion of moneys appropriated in fiscal year
5 2002-2003 for the state resource centers and for the sexually
6 violent predator program.
7 DIVISION IV
8 SENIOR LIVING TRUST FUND
9 Sec. 48. DEPARTMENT OF ELDER AFFAIRS. There is
10 appropriated from the senior living trust fund created in
11 section 249H.4 to the department of elder affairs for the
12 fiscal year beginning July 1, 2003, and ending June 30, 2004,
13 the following amount, or so much thereof as is necessary, to
14 be used for the purpose designated:
15 For the development and implementation of a comprehensive
16 senior living program, including program administration and
17 costs associated with implementation, salaries, support,
18 maintenance, and miscellaneous purposes:
19 ..... $ 7,480,814
20 1. It is the intent of the general assembly that the
21 department not transfer moneys appropriated to the department
22 for purposes of the assisted living program and adult day care
23 for the fiscal year beginning July 1, 2003.
24 2. Notwithstanding section 249H.7, the department of elder
25 affairs shall distribute up to $300,000 of the funds
26 appropriated in this section in a manner that will supplement
27 and maximize federal funds under the federal Older Americans
28 Act and shall not use the amount distributed for any
29 administrative purposes of either the department of elder
30 affairs or the area agencies on aging.
31 Sec. 49. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
32 appropriated from the senior living trust fund created in
33 section 249H.4 to the department of inspections and appeals
34 for the fiscal year beginning July 1, 2003, and ending June
35 30, 2004, the following amount, or so much thereof as is

1 necessary, to be used for the purpose designated:
2 For the inspection and certification of assisted living
3 facilities and adult day care services, including program
4 administration and costs associated with implementation,
5 salaries, support, maintenance, and miscellaneous purposes and
6 for not more than the following full-time equivalent
7 positions:
8 ..... $ 800,000
9 ..... FTEs 6.00
10 Sec. 50. DEPARTMENT OF HUMAN SERVICES. There is
11 appropriated from the senior living trust fund created in
12 section 249H.4 to the department of human services for the
13 fiscal year beginning July 1, 2003, and ending June 30, 2004,
14 the following amounts, or so much thereof as is necessary, to
15 be used for the purposes designated:
16 1. To provide grants to nursing facilities for conversion
17 to assisted living programs or to provide long-term care
18 alternatives and to provide grants to ICF/MR for conversion to
19 assisted living programs or home and community-based services
20 and to provide grants to long-term care providers for
21 development of long-term care alternatives:
22 ..... $ 20,000,000
23 Up to 25 percent of this amount may be used for development
24 of less restrictive community-based services with a
25 significant focus on reducing the numbers of persons served in
26 state resource centers and other intermediate care facilities
27 for persons with mental retardation as well as for activities
28 designed to facilitate the planning for or placement of such
29 services and persons.
30 2. To supplement the medical assistance appropriation,
31 including program administration and costs associated with
32 implementation, salaries, support, maintenance, and
33 miscellaneous purposes, and for not more than the following
34 full-time equivalent positions:
35 ..... $101,600,000

1 ..... FTEs 5.00
2 3. To provide reimbursement for health care services and
3 rent expenses to eligible persons through the home and
4 community-based services waiver and the state supplementary
5 assistance program, including program administration and data
6 system costs associated with implementation, salaries,
7 support, maintenance, and miscellaneous purposes:
8 ..... $ 1,733,406
9 Participation in the rent subsidy program shall be limited
10 to only those persons who are at risk for nursing facility
11 care. The department shall adopt emergency rules to implement
12 this provision.
13 4. To implement nursing facility provider reimbursements
14 as provided in 2001 Iowa Acts, chapter 192, section 4,
15 subsection 2, paragraph "c":
16 ..... $ 29,950,000
17 In order to carry out the purposes of this section, the
18 department shall transfer funds appropriated in this section
19 to supplement other appropriations made to the department of
20 human services.
21 5. Notwithstanding sections 249H.4 and 249H.5, the
22 department of human services may use moneys from the senior
23 living trust fund for cash flow purposes to make payments
24 under the nursing facility or hospital upper payment limit
25 methodology. The amount of any moneys so used shall be
26 refunded to the senior living trust fund within the same
27 fiscal year and in a prompt manner.
28 6. Notwithstanding section 8.33, moneys committed to
29 grantees under contract to provide for conversion to assisted
30 living programs or for development of long-term care
31 alternatives that remain unexpended at the close of the fiscal
32 year shall not revert to any fund but shall remain available
33 for expenditure for purposes of the contract.
34 Sec. 51. CONVERSION GRANT PROJECTS -- RULES.
35 1. For the fiscal year beginning July 1, 2003, and ending

1 June 30, 2004, the department of human services shall continue
2 to give greater weight in the scoring methodology to nursing
3 facility conversion projects that are primarily for the
4 renovation and remodeling of the existing nursing facility
5 structure and give less weight to conversion projects that are
6 primarily for new construction. The department of human
7 services shall encourage cooperative efforts between the
8 department of inspections and appeals, the state fire marshal,
9 and the grant applicant to promote the acceptance of nursing
10 facility conversion projects that are primarily renovation and
11 remodeling of the existing nursing facility structure.
12 2. For the fiscal year beginning July 1, 2003, and ending
13 June 30, 2004, the department of inspections and appeals shall
14 certify all assisted living programs established through
15 nursing facility conversion grants. The department of
16 inspections and appeals shall consult with conversion grant
17 applicants and recipients to establish and monitor occupancy
18 agreements and assisted living program residents shall be
19 allowed access to third-party payors.
20 DIVISION V
21 HOSPITAL TRUST FUND
22 Sec. 52. DEPARTMENT OF HUMAN SERVICES APPROPRIATION.
23 There is appropriated from the hospital trust fund created in
24 section 249I.4 to the department of human services for the
25 fiscal year beginning July 1, 2003, and ending June 30, 2004,
26 the following amount, or so much thereof as is necessary, to
27 be used for the purpose designated:
28 To supplement the medical assistance appropriation:
29 ..... $ 15,000,000
30 DIVISION VI
31 MEDICAL ASSISTANCE PROGRAM SUPPLEMENTATION
32 Sec. 53. MEDICAL ASSISTANCE APPROPRIATION SUPPLEMENTATION
33 -- FISCAL YEAR 2002-2003. There is appropriated from the
34 following sources, to the department of human services, for
35 the fiscal year beginning July 1, 2002, and ending June 30,

1 2003, the following amounts, or so much thereof as is
2 necessary, to supplement the appropriations made for the
3 medical assistance program for that fiscal year:
4 1. From the general fund of the state:
5 ..... $ 41,535,000
6 2. From the senior living trust fund created in section
7 249H.4:
8 ..... $ 9,465,000
9 3. From the hospital trust fund created in section 249I.4:
10 ..... $ 7,000,000
11 Sec. 54. MEDICAL ASSISTANCE PROGRAM -- REVERSION TO SENIOR
12 LIVING TRUST FUND FOR FY 2002-2003. Notwithstanding section
13 8.33, if moneys appropriated in this division for
14 supplementation of the medical assistance program
15 appropriation for the fiscal year beginning July 1, 2002, and
16 ending June 30, 2003, from the general fund of the state, the
17 senior living trust fund, and the hospital trust fund are in
18 excess of actual expenditures for the medical assistance
19 program and remain unencumbered or unobligated at the close of
20 the fiscal year, the excess moneys shall not revert but shall
21 be transferred to the senior living trust fund created in
22 section 249H.4.
23 Sec. 55. EFFECTIVE DATE. This division of this Act, being
24 deemed of immediate importance, takes effect upon enactment.
25 DIVISION VII
26 COMMISSION OF VETERANS AFFAIRS
27 Sec. 56. COMMISSION OF VETERANS AFFAIRS. There is
28 appropriated from the general fund of the state to the
29 commission of veterans affairs for the fiscal year beginning
30 July 1, 2003, and ending June 30, 2004, the following amounts,
31 or so much thereof as is necessary, to be used for the
32 purposes designated:
33 1. COMMISSION OF VETERANS AFFAIRS ADMINISTRATION
34 For salaries, support, maintenance, miscellaneous purposes,
35 including the war orphans educational aid fund established

1 pursuant to chapter 35, and for not more than the following
2 full-time equivalent positions:
3 ..... $ 288,193
4 ..... FTEs 4.00
5 The commission of veterans affairs may use the gifts
6 accepted by the chairperson of the commission of veterans
7 affairs, or designee, and other resources available to the
8 commission for use at its Camp Dodge office. The commission
9 shall report annually to the governor and the general assembly
10 on monetary gifts received by the commission for the Camp
11 Dodge office.
12 2. IOWA VETERANS HOME
13 For salaries, support, maintenance, miscellaneous purposes,
14 and for not more than the following full-time equivalent
15 positions:
16 ..... $ 14,205,741
17 ..... FTEs 843.50
18 a. The Iowa veterans home may use the gifts accepted by
19 the chairperson of the commission of veterans affairs and
20 other resources available to the commission for use at the
21 Iowa veterans home.
22 b. Any Iowa veterans home successor contractor shall not
23 consider employees of a state institution or facility to be
24 new employees for purposes of employee wages, health
25 insurance, or retirement benefits.
26 c. The chairpersons and ranking members of the joint
27 appropriations subcommittee on health and human services or
28 successor subcommittee shall be notified by January 15 of any
29 calendar year during which a request for proposals is
30 anticipated to be issued regarding any Iowa veterans home
31 contract involving employment, for purposes of providing
32 legislative review and oversight.
33 d. The Iowa veterans home shall operate with a net state
34 general fund appropriation. The amount appropriated in this
35 subsection is the net amount of state moneys projected to be

1 needed for the Iowa veterans home. The purposes of operating
2 with a net state general fund appropriation are to encourage
3 the Iowa veterans home to operate with increased self-
4 sufficiency, to improve quality and efficiency, and to support
5 collaborative efforts among all funders of services available
6 from the Iowa veterans home. Moneys appropriated in this
7 subsection may be used throughout the fiscal year in the
8 manner necessary for purposes of cash flow management, and for
9 purposes of cash flow management the Iowa veterans home may
10 temporarily draw more than the amount appropriated, provided
11 the amount appropriated is not exceeded at the close of the
12 fiscal year.
13 e. Revenues attributable to the Iowa veterans home for the
14 fiscal year beginning July 1, 2003, shall be deposited into
15 the Iowa veterans home account and shall be treated as
16 repayment receipts, including but not limited to all of the
17 following:
18 (1) Federal veterans administration payments.
19 (2) Medical assistance revenue received under chapter
20 249A.
21 (3) Federal Medicare program payments.
22 (4) Moneys received from client financial participation.
23 (5) Other revenues generated from current, new, or
24 expanded services which the Iowa veterans home is authorized
25 to provide.
26 f. For the purposes of allocating the salary adjustment
27 fund moneys appropriated in another Act, the Iowa veterans
28 home shall be considered to be funded entirely with state
29 moneys.
30 g. Notwithstanding section 8.33, up to $500,000 of the
31 Iowa veterans home revenues that remain unencumbered or
32 unobligated at the close of the fiscal year shall not revert
33 but shall remain available to be used in the succeeding fiscal
34 year.
35 Sec. 57. 2002 Iowa Acts, Second Extraordinary Session,

chapter 1003, section 102, subsection 2, paragraph g, is amended to read as follows:

g. Notwithstanding section 8.33, up to ~~$500,000~~ $1,000,000 of the Iowa veterans home revenues that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used in the succeeding fiscal year.

Sec. 58. EFFECTIVE DATE. The section of this division of this Act amending 2002 Iowa Acts, Second Extraordinary Session, chapter 1003, section 102, being deemed of immediate importance, takes effect upon enactment.

HOUSE FILE 667

S-3278

Amend House File 667, as amended, passed, and reprinted by the House, as follows:

1. Page 9, by inserting after line 15, the following:

"Sec. ___. Section 135.61, subsection 14, paragraph f, Code 2003, is amended by striking the paragraph.

Sec. ___. Section 135.61, subsection 18, Code 2003, is amended by adding the following new paragraph:

NEW PARAGRAPH. n. Any of the following relative to a birth center:

(1) Any capital expenditure in excess of five hundred thousand dollars.

(2) Bed capacity in excess of three beds.

(3) Performance of cesarean sections or operative deliveries, or the use of regional anesthesia by the birth center.

(4) Failure of a birth center to provide upon request demonstrable evidence that the birth center has met the national standards for birth centers of the national association of child-bearing centers."

2. By renumbering as necessary.

By JACK HATCH

S-3278 FILED APRIL 22, 2003
RULED OUT OF ORDER

HOUSE FILE 667

S-3268

1 Amend House File 667, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 68, by inserting after line 3, the
4 following:
5 "Sec. ___. 2003 Iowa Acts, House File 619, section
6 12, subsections 2 and 3, are amended to read as
7 follows:
8 2. The department of human services, in
9 cooperation with the department's fiscal agent and in
10 consultation with a chronic care ~~management resource~~
11 ~~group~~ consortium, shall profile medical assistance
12 recipients within a select number of disease diagnosis
13 categories. The assessment shall focus on those
14 diagnosis areas that present the greatest opportunity
15 for impact to improved care and cost reduction.
16 3. The department of human services, in
17 consultation with a chronic care ~~management resource~~
18 ~~group~~ consortium, shall conduct a chronic disease
19 management pilot project for a select number of
20 individuals who are participants in the medical
21 assistance program. The project shall focus on a
22 select number of chronic diseases which may include
23 congestive heart failure, diabetes, and asthma. The
24 initial pilot project shall be implemented by October
25 1, 2003.
26 Sec. ___. 2003 Iowa Acts, House File 619, section
27 12, subsection 4, is amended by striking the
28 subsection and inserting in lieu thereof the
29 following:
30 4. The department of human services may procure a
31 sole source contract with a vendor to manage
32 individuals with select chronic diseases following the
33 conclusion of the profiling of medical assistance
34 recipients. The management of chronic diseases for
35 individuals under this subsection may be coordinated
36 with the pilot project established in subsection 3."
37 2. By renumbering as necessary.

By DOUG SHULL
MAGGIE TINSMAN
JOE BOLKCOM
KEN VEENSTRA
JACK HATCH

S-3268 FILED APRIL 22, 2003
WITHDRAWN

HOUSE FILE 667

S-3273

1 Amend House File 667, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 63, by inserting after line 1, the
4 following:
5 "Sec. ___. Section 234.12A, subsection 1,
6 paragraphs b and c, Code 2003, are amended to read as
7 follows:
8 b. A retailer providing electronic funds transfer
9 system equipment for transactions pursuant to the
10 program shall be reimbursed ~~seven cents for each~~
11 ~~approved transaction~~ pursuant to the program utilizing
12 the retailer's equipment as follows:
13 (1) For the fiscal year beginning July 1, 2003,
14 seven cents for each approved transaction.
15 (2) For the fiscal year beginning July 1, 2004,
16 four cents for each approved transaction.
17 (3) For the fiscal year beginning July 1, 2005,
18 and succeeding fiscal years, reimbursement shall not
19 be provided under this paragraph.
20 c. A retailer that provides electronic funds
21 transfer system equipment for transactions pursuant to
22 the program and who makes cash disbursements pursuant
23 to the program utilizing the retailer's equipment
24 shall be paid a fee ~~of seven cents~~ by the department
25 ~~for each cash disbursement transaction by the retailer~~
26 as follows:
27 (1) For the fiscal year beginning July 1, 2003,
28 seven cents for each cash disbursement transaction.
29 (2) For the fiscal year beginning July 1, 2004,
30 four cents for each cash disbursement transaction.
31 (3) For the fiscal year beginning July 1, 2005,
32 and succeeding fiscal years, reimbursement shall not
33 be provided under this paragraph."
34 2. By renumbering as necessary.

By MAGGIE TINSMAN

S-3273 FILED APRIL 22, 2003
LOST

HOUSE FILE 667

S-3272

1 Amend House File 667, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking page 15, line 10 through page 16,
4 line 35, and inserting the following:
5 "a. Moneys credited to the Iowa marriage
6 initiative grant fund in this subsection are
7 appropriated to the department for the fiscal year
8 beginning July 1, 2003, and ending June 30, 2004, to
9 be used to provide grants in accordance with this
10 subsection.
11 b. The department shall establish a premarital
12 education grant program to fund premarital education
13 activities. The department of human services shall
14 adopt rules pursuant to chapter 17A to establish
15 procedures for the awarding of the grants including
16 specification of minimum requirements for providers of
17 premarital education activities.
18 c. The program shall require that a grantee is a
19 nonprofit organization incorporated in this state with
20 demonstrated experience in provision of premarital
21 education activities.
22 d. The premarital education activities funded by
23 the grant shall be privately funded at no less than
24 fifty percent of the grant amount.
25 e. Grants shall be awarded in a manner that
26 results in provision of services throughout the state
27 in an equal number of urban and rural geographic
28 areas.
29 f. The department shall implement the grant
30 program so that the initial request for proposals is
31 issued on or before October 1, 2003, and so that any
32 grants are awarded on or before January 1, 2004.
33 g. A grantee shall submit a quarterly financial
34 report to the department and to the legislative fiscal
35 bureau and shall be subject to an annual independent
36 evaluation to assess the results of the program.
37 h. The department shall provide a copy of the
38 request for proposals and shall submit a report
39 concerning the proposals received and grants awarded
40 to those persons designated by this division of this
41 Act to receive reports.
42 i. The department may adopt emergency rules to
43 implement the provisions of this subsection."
44 2. By renumbering as necessary.

By MAGGIE TINSMAN

S-3272 FILED APRIL 22, 2003
LOST 4/22/03

HOUSE FILE 667

S-3274

1 Amend House File 667, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 53, line 26, by inserting after the word
4 "services." the following: "Any layoff or other
5 reduction in force applied to field operations staff
6 during the fiscal year shall exempt child protection
7 positions."
8 2. Page 60, by striking lines 21 through 33.
9 3. Page 67, by inserting after line 29, the
10 following:
11 "Sec. ___. 2002 Iowa Acts, Second Extraordinary
12 Session, chapter 1003, section 110, is amended by
13 adding the following new paragraph:
14 NEW UNNUMBERED PARAGRAPH. Notwithstanding section
15 8.33, up to $2,400,000 of the funds appropriated in
16 this section that remain unencumbered or unobligated
17 at the close of the fiscal year shall not revert but
18 shall remain available in the succeeding fiscal year
19 to be used for additional field operations, full-time
20 equivalent positions, and $400,000 of this amount
21 shall be used for eight full-time equivalent positions
22 to provide a case manager in each of the judicial
23 districts to provide coordination of services for
24 families that have a history of methamphetamine
25 abuse."
26 4. Page 69, by inserting after line 31 the
27 following:
28 "__. The provision amending 2002 Iowa Acts, Second
29 Extraordinary Session, chapter 1003, section 110,
30 relating to certain federal temporary assistance for
31 needy families block grant funding."
32 5. Page 75, by inserting after line 11, the
33 following:
34 "The commission of veterans affairs shall work with
35 the commandant of the Iowa veterans home, the
36 department of human services, and the department of
37 inspections and appeals to determine the eligibility
38 of prospective residents and current residents of
39 health care facilities for benefits through the
40 federal department of veterans affairs pursuant to
41 section 135C.31A, if enacted by 2003 Iowa Acts, House
42 File 619."
43 6. By renumbering as necessary.

By MAGGIE TINSMAN

S-3274 FILED APRIL 22, 2003
LOST

S-3276

1 Amend House File 667, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 9, by inserting after line 15 the
4 following:
5 "Sec. ___. Section 509.3, subsections 5, 6, and 7,
6 Code 2003, are amended to read as follows:
7 5. A provision shall be made available to
8 policyholders, under group policies covering vision
9 care services or procedures, for payment of necessary
10 medical or surgical care and treatment provided by an
11 optometrist licensed under chapter 154 if the care and
12 treatment are provided within the scope of the
13 optometrist's license and if the policy would pay for
14 the care and treatment if the care and treatment were
15 provided by a person engaged in the practice of
16 medicine or surgery as licensed under chapter 148 or
17 150A. The provision shall also guarantee that any
18 care or treatment provided by an optometrist shall be
19 compensated at the same level as equivalent services
20 provided by a person licensed in the practice of
21 medicine and surgery under chapter 148 or 150A. The
22 policy shall provide that the policyholder may reject
23 the coverage or provision if the coverage or provision
24 for services which may be provided by an optometrist
25 is rejected for all providers of similar vision care
26 services as licensed under chapter 148, 150A, or 154.
27 This subsection applies to group policies delivered or
28 issued for delivery after July 1, 1983, and to
29 existing group policies on their next anniversary or
30 renewal date, or upon expiration of the applicable
31 collective bargaining contract, if any, whichever is
32 later. This subsection does not apply to blanket,
33 short-term travel, accident only, limited or specified
34 disease, or individual or group conversion policies,
35 or policies designed only for issuance to persons for
36 coverage under Title XVIII of the Social Security Act,
37 or any other similar coverage under a state or federal
38 government plan.
39 6. A provision shall be made available to
40 policyholders under group policies covering diagnosis
41 and treatment of human ailments for payment or
42 reimbursement for necessary diagnosis or treatment
43 provided by a chiropractor licensed under chapter 151,
44 if the diagnosis or treatment is provided within the
45 scope of the chiropractor's license and if the policy
46 would pay or reimburse for the diagnosis or treatment
47 by a person licensed under chapter 148, 150, or 150A
48 of the human ailment, irrespective of and disregarding
49 variances in terminology employed by the various
50 licensed professions in describing the human ailment

1 or its diagnosis or its treatment. The provision
2 shall also guarantee that any care or treatment
3 provided by a chiropractor shall be compensated at the
4 same level as equivalent services provided by a person
5 licensed in the practice of medicine and surgery under
6 chapter 148 or 150A. The policy shall provide that
7 the policyholder may reject the coverage or provision
8 if the coverage or provision for diagnosis or
9 treatment of a human ailment by a chiropractor is
10 rejected for all providers of diagnosis or treatment
11 for similar human ailments licensed under chapter 148,
12 150, 150A, or 151. A policy of group health insurance
13 may limit or make optional the payment or
14 reimbursement for lawful diagnostic or treatment
15 service by all licensees under chapters 148, 150,
16 150A, and 151 on any rational basis which is not
17 solely related to the license under or the practices
18 authorized by chapter 151 or is not dependent upon a
19 method of classification, categorization, or
20 description based directly or indirectly upon
21 differences in terminology used by different licensees
22 in describing human ailments or their diagnosis or
23 treatment. This subsection applies to group policies
24 delivered or issued for delivery after July 1, 1986,
25 and to existing group policies on their next
26 anniversary or renewal date, or upon expiration of the
27 applicable collective bargaining contract, if any,
28 whichever is later. This subsection does not apply to
29 blanket, short-term travel, accident-only, limited or
30 specified disease, or individual or group conversion
31 policies, or policies under Title XVIII of the Social
32 Security Act, or any other similar coverage under a
33 state or federal government plan.
34 7. A provision shall be made available to
35 policyholders, under group policies covering hospital,
36 medical, or surgical expenses, for payment of covered
37 services determined to be medically necessary provided
38 by registered nurses certified by a national
39 certifying organization, which organization shall be
40 identified by the Iowa board of nursing pursuant to
41 rules adopted by the board, if the services are within
42 the practice of the profession of a registered nurse
43 as that practice is defined in section 152.1, under
44 terms and conditions agreed upon between the insurer
45 and the policyholder, subject to utilization controls.
46 The provision shall also guarantee that any care or
47 treatment provided by registered nurses shall be
48 compensated at the same level as equivalent services
49 provided by a person licensed in the practice of
50 medicine and surgery under chapter 148 or 150A. This

1 subsection shall not require payment for nursing
2 services provided by a certified nurse practicing in a
3 hospital, nursing facility, health care institution,
4 physician's office, or other noninstitutional setting
5 if the certified nurse is an employee of the hospital,
6 nursing facility, health care institution, physician,
7 or other health care facility or health care provider.
8 This subsection applies to group policies delivered or
9 issued for delivery in this state on or after July 1,
10 1989, and to existing group policies on their next
11 anniversary or renewal dates, or upon expiration of
12 the applicable collective bargaining contract, if any,
13 whichever is later. This subsection does not apply to
14 blanket, short-term travel, accident only, limited or
15 specified disease, or individual or group conversion
16 policies, policies rated on a community basis, or
17 policies designed only for issuance to persons for
18 eligible coverage under Title XVIII of the federal
19 Social Security Act, or any other similar coverage
20 under a state or federal government plan.
21 Sec. ___. Section 509.3, Code 2003, is amended by
22 adding the following new subsection:
23 NEW SUBSECTION. 8. A provision shall be made
24 available to policyholders, under group policies
25 covering hospital, medical, or surgical expenses for
26 payment of necessary medical or surgical care and
27 treatment, as well as drug prescriptions, provided by
28 a person licensed to practice podiatry under chapter
29 149, if the care and treatment are provided within the
30 scope of the person's license and if the policy would
31 pay for the care and treatment if the care and
32 treatment were provided by a person engaged in the
33 practice of medicine and surgery as licensed under
34 chapter 148 or 150A. The provision shall also
35 guarantee that any medical or surgical services
36 provided by a podiatrist shall be compensated at the
37 same level as equivalent services provided by a person
38 licensed in the practice of medicine or surgery under
39 chapter 148 or 150A. The policy shall provide that
40 the policyholder may reject the coverage or provision
41 if the coverage or provision for similar services
42 which may be provided by a podiatric physician is
43 rejected for all providers of services as licensed
44 under chapter 148, 149, or 150A. This subsection
45 applies to group policies delivered or issued for
46 delivery on or after July 1, 2003, and to existing
47 group policies on their next anniversary or renewal
48 date, or upon expiration of the applicable collective
49 bargaining contract, if any, whichever is later. This
50 subsection does not apply to blanket, short-term

1 travel, accident only, limited or specified disease,
2 or individual or group conversion policies, or
3 policies designed only for issuance to persons for
4 coverage under Title XVIII of the federal Social
5 Security Act, or any other similar coverage under a
6 state or federal government plan.
7 Sec. ___. Section 509.3, unnumbered paragraph 2,
8 Code 2003, is amended to read as follows:
9 In addition to the provisions required in
10 subsections 1 through ~~7~~ 8, the commissioner shall
11 require provisions through the adoption of rules
12 implementing the federal Health Insurance Portability
13 and Accountability Act, Pub. L. No. 104-191.
14 Sec. ___. Section 514B.1, subsection 5, paragraphs
15 b, c, and d, Code 2003, are amended to read as
16 follows:
17 b. The health care services available to enrollees
18 under prepaid group plans covering vision care
19 services or procedures, shall include a provision for
20 payment of necessary medical or surgical care and
21 treatment provided by an optometrist licensed under
22 chapter 154, if performed within the scope of the
23 optometrist's license, and the plan would pay for the
24 care and treatment when the care and treatment were
25 provided by a person engaged in the practice of
26 medicine or surgery as licensed under chapter 148 or
27 150A. Additionally, any optometric medical or
28 surgical care and treatment provided shall be
29 compensated at the same level as equivalent services
30 provided by a person licensed in the practice of
31 medicine or surgery under chapter 148 or 150A. The
32 plan shall provide that the plan enrollees may reject
33 the coverage for services which may be provided by an
34 optometrist if the coverage is rejected for all
35 providers of similar vision care services as licensed
36 under chapter 148, 150A, or 154. This paragraph
37 applies to services provided under plans made after
38 July 1, 1983, and to existing group plans on their
39 next anniversary or renewal date, or upon the
40 expiration of the applicable collective bargaining
41 contract, if any, whichever is the later. This
42 paragraph does not apply to enrollees eligible for
43 coverage under Title XVIII of the Social Security Act
44 or any other similar coverage under a state or federal
45 government plan.
46 c. The health care services available to enrollees
47 under prepaid group plans covering diagnosis and
48 treatment of human ailments, shall include a provision
49 for payment of necessary diagnosis or treatment
50 provided by a chiropractor licensed under chapter 151

1 if the diagnosis or treatment is provided within the
2 scope of the chiropractor's license and if the plan
3 would pay or reimburse for the diagnosis or treatment
4 of human ailment, irrespective of and disregarding
5 variances in terminology employed by the various
6 licensed professions in describing the human ailment
7 or its diagnosis or its treatment, if it were provided
8 by a person licensed under chapter 148, 150, or 150A.
9 Additionally, any diagnosis and treatment provided by
10 a chiropractor shall be compensated at the same level
11 as equivalent services provided by a person licensed
12 in the practice of medicine or surgery under chapter
13 148 or 150A. The plan shall also provide that the
14 plan enrollees may reject the coverage for diagnosis
15 or treatment of a human ailment by a chiropractor if
16 the coverage is rejected for all providers of
17 diagnosis or treatment for similar human ailments
18 licensed under chapter 148, 150, 150A, or 151. A
19 prepaid group plan of health care services may limit
20 or make optional the payment or reimbursement for
21 lawful diagnostic or treatment service by all
22 licensees under chapters 148, 150, 150A, and 151 on
23 any rational basis which is not solely related to the
24 license under or the practices authorized by chapter
25 151 or is not dependent upon a method of
26 classification, categorization, or description based
27 upon differences in terminology used by different
28 licensees in describing human ailments or their
29 diagnosis or treatment. This paragraph applies to
30 services provided under plans made after July 1, 1986,
31 and to existing group plans on their next anniversary
32 or renewal date, or upon the expiration of the
33 applicable collective bargaining contract, if any,
34 whichever is the later. This paragraph does not apply
35 to enrollees eligible for coverage under Title XVIII
36 of the Social Security Act, or any other similar
37 coverage under a state or federal government plan.
38 d. The health care services available to enrollees
39 under prepaid group plans covering hospital, medical,
40 or surgical expenses, may include, at the option of
41 the employer purchaser, a provision for payment of
42 covered services determined to be medically necessary
43 provided by a certified registered nurse certified by
44 a national certifying organization, which organization
45 shall be identified by the Iowa board of nursing
46 pursuant to rules adopted by the board, if the
47 services are within the practice of the profession of
48 a registered nurse as that practice is defined in
49 section 152.1, under terms and conditions agreed upon
50 between the employer purchaser and the health

1 maintenance organization, subject to utilization
2 controls. Additionally, any covered services provided
3 by a registered nurse shall be compensated at the same
4 level as equivalent services provided by a person
5 licensed in the practice of medicine or surgery under
6 chapter 148 or 150A. This paragraph shall not require
7 payment for nursing services provided by a certified
8 registered nurse practicing in a hospital, nursing
9 facility, health care institution, a physician's
10 office, or other noninstitutional setting if the
11 certified registered nurse is an employee of the
12 hospital, nursing facility, health care institution,
13 physician, or other health care facility or health
14 care provider. This paragraph applies to services
15 provided under plans within this state made on or
16 after July 1, 1989, and to existing group plans on
17 their next anniversary or renewal date, or upon the
18 expiration of the applicable collective bargaining
19 contract, if any, whichever is later. This paragraph
20 does not apply to enrollees eligible for coverage
21 under an individual contract or coverage designed only
22 for issuance to enrollees eligible for coverage under
23 Title XVIII of the federal Social Security Act, or
24 under coverage which is rated on a community basis, or
25 any other similar coverage under a state or federal
26 government plan.
27 Sec. ___. Section 514B.1, subsection 5, Code 2003,
28 is amended by adding the following new paragraph:
29 NEW PARAGRAPH. e. The health care services
30 available to enrollees under prepaid group plans
31 covering hospital, medical, or surgical expenses shall
32 include a provision for payment of necessary medical
33 or surgical care and treatment as well as drug
34 prescriptions provided by a podiatric physician
35 licensed under chapter 149, if performed within the
36 scope of the podiatrist's license and the plan would
37 pay for the care and treatment when the care and
38 treatment were provided by a person engaged in the
39 practice of medicine or surgery as licensed under
40 chapter 148 or 150A. Additionally, any medical or
41 surgical service provided by a podiatrist shall be
42 compensated at the same level as equivalent services
43 provided by a person licensed in the practice of
44 medicine or surgery under chapter 148, 149, or 150A.
45 The plan shall provide that the plan enrollees may
46 reject the coverage for services which may be provided
47 by a podiatric physician if the coverage is rejected
48 for all providers of similar services as licensed
49 under chapter 148, 149, or 150A. This paragraph
50 applies to services provided under plans made on or

1 after July 1, 2003, and to existing group plans on
2 their next anniversary or renewal date, or upon the
3 expiration of the applicable collective bargaining
4 contract, if any, whichever is the later. This
5 paragraph does not apply to enrollees eligible for
6 coverage under Title XVIII of the federal Social
7 Security Act or any other similar coverage under a
8 state or federal government plan."
9 2. By renumbering as necessary.

By JOHN PUTNEY
MICHAEL E. GRONSTAL
MARY A. LUNDBY
JOHN P. KIBBIE

S-3276 FILED APRIL 22, 2003
WITHDRAWN

HOUSE FILE 667

S-3282

1 Amend House File 667, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 74, by inserting after line 22 the
4 following:
5 "Sec. ___. MEDICAL ASSISTANCE PROGRAM -- REPAYMENT
6 OF SENIOR LIVING TRUST FUND FOR FY 2003-2004. If
7 moneys received from the federal government for the
8 medical assistance program for the fiscal year
9 beginning July 1, 2003, and ending June 30, 2004,
10 exceed the amount anticipated, the excess moneys in an
11 amount not to exceed the amount appropriated from the
12 senior living trust fund for the medical assistance
13 program for the fiscal year beginning July 1, 2003,
14 which have not otherwise been repaid, shall be
15 transferred to the senior living trust fund created in
16 section 249H.4."
17 2. By renumbering as necessary.

By JACK HOLVECK
KEITH A. KREIMAN
MIKE CONNOLLY
JOHN P. KIBBIE
EUGENE S. FRAISE
MICHAEL E. GRONSTAL
AMANDA RAGAN
DENNIS H. BLACK
JOE BOLKCOM
ROGER STEWART
HERMAN C. QUIRMBACH
THOMAS G. COURTNEY
DARYL BEALL
WALLY E. HORN
ROBERT E. DVORSKY
DICK L. DEARDEN
DR. JOE SENG
WILLIAM A. DOTZLER
JACK HATCH
STEVEN H. WARNSTADT
MATT McCOY

S-3282 FILED APRIL 22, 2003
LOST

HOUSE FILE 667

S-3279

1 Amend House File 667, as amended, passed, and
2 reprinted by the House, as follows:
DIV 3 1. Page 1, line 23, by striking the figure
B 4 "2,653,222" and inserting the following: "3,153,222".
5 2. Page 3, line 21, by striking the figure
6 "260,582" and inserting the following: "310,582".
7 3. Page 3, line 27, by striking the figure
8 "835,959" and inserting the following: "935,959".
9 4. Page 3, line 33, by striking the figure
10 "1,036,805" and inserting the following: "1,086,805".
11 5. Page 4, line 4, by striking the figure
12 "1,287,158" and inserting the following: "1,397,158".
DIV 13 6. Page 4, by inserting after line 9, the
A 14 following:
15 "Of the funds appropriated in this subsection,
16 $10,000 is allocated to community mental health
17 centers to provide counseling services to persons who
18 are members of the national guard and reservists
19 activated but as yet not sent to combat zones and to
20 the persons' family members. The sessions shall be
21 provided on a first come, first served basis and shall
22 be limited to three visits per family."
DIV 23 7. Page 4, line 26, by striking the figure
B 24 "977,340" and inserting the following: "1,077,340".
25 8. Page 5, line 7, by striking the figure
26 "6,510,871" and inserting the following: "6,710,871".
27 9. Page 7, line 33, by striking the figure
28 "666,717" and inserting the following: "1,040,717".
29 10. Page 7, by inserting after line 34, the
30 following:
31 "11A. SUBSTANCE ABUSE TREATMENT
32 For additional substance abuse treatment under the
33 substance abuse treatment program:
34 ..... $ 1,800,000"
DIV 35 11. Page 15, line 9, by striking the figure "85,000" and
A 36 inserting the following: "75,000".
DIV 37 12. Page 24, line 1, by striking the figure "5,482,793" and
B 38 inserting the following: "5,912,793".
39 13. Page 37, line 2, by striking the figure "107,091,253" and
40 inserting the following: "108,287,253".
41 14. Page 37, by striking lines 12 through 15 and
42 inserting the following:
43 "3. a. Of the funds appropriated in this section, up to
44 $30,154,516 is allocated for group foster care maintenance and
45 services. Notwithstanding sections 232.52, 232.102, 232.117,
46 232.127, 232.143, 232.188, and 234.35, requirements for group
47 foster care expenditure targets and the related restrictions on
48 court orders for group foster care placements are not applicable
49 during the fiscal year beginning July 1, 2003."
50 15. Page 42, by striking lines 17 through 20.

S-3279
Page 2
DIV B
1 16. Page 71, line 23, by inserting before the word "Up" the
2 following: "a."
3 17. Page 71, by inserting after line 29, the following:
4 "b. Notwithstanding section 249H.5, of the amount
5 appropriated in this subsection, $4,870,000 is transferred to the
6 general fund of the state."

By JACK HATCH
AMANDA RAGAN
JOE BOLKCOM
JACK HOLVECK
KEITH A. KREIMAN

S-3279 FILED APRIL 22, 2003
DIV A - WITHDRAWN; DIV B - LOST

HOUSE FILE 667

S-3284
1 Amend House File 667, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 15, by inserting after line 9, the
4 following:
5 "Of the funds appropriated in this subsection,
6 $10,000 is transferred to the Iowa department of
7 public health for allocation to community mental
8 health centers to provide counseling services to
9 persons who are members of the national guard and
10 reservists activated but as yet not sent to combat
11 zones and to the persons' family members. The
12 sessions shall be provided on a first come, first
13 served basis and shall be limited to three visits per
14 family."
15 2. By renumbering as necessary.

By JACK HOLVECK
EUGENE S. FRAISE
MIKE CONNOLLY
MICHAEL E. GRONSTAL
KEITH A. KREIMAN
AMANDA RAGAN
DENNIS H. BLACK
ROGER STEWART
HERMAN C. QUIRMBACH
DARYL BEALL
JOHN P. KIBBIE
STEVEN H. WARNSTADT
ROBERT E. DVORSKY
DR. JOE SENG
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JACK HATCH
JOE BOLKCOM
WILLIAM A. DOTZLER
WALLY E. HORN
DICK L. DEARDEN
MATT McCOY

S-3284 FILED APRIL 22, 2003
WITHDRAWN

HSB 309

Sr 0667 APPROPRIATIONS

SENATE/HOUSE FILE _____

BY (PROPOSED COMMITTEE ON APPROPRIATIONS BILL BY JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES)

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to and making appropriations for health and human
2 services to the department of elder affairs, the Iowa
3 department of public health, the department of inspections and
4 appeals, the department of human services, and the commission
5 of veterans affairs, and providing effective dates.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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TLSB 1124JA 80
pf/cf/24

S.F. _____ H.F. _____

1 DIVISION I
2 ELDER AFFAIRS
3 Section 1. DEPARTMENT OF ELDER AFFAIRS. There is
4 appropriated from the general fund of the state to the
5 department of elder affairs for the fiscal year beginning July
6 1, 2003, and ending June 30, 2004, the following amount, or so
7 much thereof as is necessary, to be used for the purposes
8 designated:
9 For aging programs for the department of elder affairs and
10 area agencies on aging to provide citizens of Iowa who are 60
11 years of age and older with case management for the frail
12 elderly, the retired and senior volunteer program, resident
13 advocate committee coordination, employment, and other
14 services which may include, but are not limited to, adult day
15 services, respite care, chore services, telephone reassurance,
16 information and assistance, and home repair services,
17 including the winterizing of homes, and for the construction
18 of entrance ramps which make residences accessible to the
19 physically handicapped, and for salaries, support,
20 administration, maintenance, miscellaneous purposes, and for
21 not more than the following full-time equivalent positions
22 with the department of elder affairs:
23 ..... $ 2,653,222
24 ..... FTEs 25.50
25 1. Funds appropriated in this section may be used to
26 supplement federal funds under federal regulations. To
27 receive funds appropriated in this section, a local area
28 agency on aging shall match the funds with moneys from other
29 sources according to rules adopted by the department. Funds
30 appropriated in this section may be used for elderly services
31 not specifically enumerated in this section only if approved
32 by an area agency on aging for provision of the service within
33 the area.
34 2. Of the funds allocated under this section and any other
35 state funds allocated for aging programs of the area agencies

1 on aging not more than 7.5 percent of the total amount
2 allocated shall be used for area agencies on aging
3 administrative purposes.
4 3. It is the intent of the general assembly that the Iowa
5 chapters of the Alzheimer's association and the case
6 management program for the frail elderly shall collaborate and
7 cooperate fully to assist families in maintaining family
8 members with Alzheimer's disease in the community for the
9 longest period of time possible.
10 4. The department shall maintain policies and procedures
11 regarding Alzheimer's support and the retired and senior
12 volunteer program.
13 DIVISION II
14 PUBLIC HEALTH
15 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. There is
16 appropriated from the general fund of the state to the Iowa
17 department of public health for the fiscal year beginning July
18 1, 2003, and ending June 30, 2004, the following amounts, or
19 so much thereof as is necessary, to be used for the purposes
20 designated:
21 1. ADDICTIVE DISORDERS
22 For reducing the prevalence of use of tobacco, alcohol, and
23 other drugs, and treating individuals affected by addictive
24 behaviors, including gambling, and for not more than the
25 following full-time equivalent positions:
26 ..... $ 1,277,947
27 ..... FTEs 13.75
28 a. The department shall continue to coordinate with
29 substance abuse treatment and prevention providers regardless
30 of funding source to assure the delivery of substance abuse
31 treatment and prevention programs.
32 b. The commission on substance abuse, in conjunction with
33 the department, shall continue to coordinate the delivery of
34 substance abuse services involving prevention, social and
35 medical detoxification, and other treatment by medical and

1 nonmedical providers to uninsured and court-ordered substance
2 abuse patients in all counties of the state.
3 c. The department and any grantee or subgrantee of the
4 department shall not discriminate against a nongovernmental
5 organization that provides substance abuse treatment and
6 prevention services or applies for funding to provide those
7 services on the basis that the organization has a religious
8 character. The department shall report to the governor and
9 the general assembly on or before February 1, 2004, regarding
10 the number of religious or other nongovernmental organizations
11 that applied for funds in the preceding fiscal year, the
12 amounts awarded to those organizations, and the basis for any
13 refusal by the department or grantee or subgrantee of the
14 department to award funds to any of those organizations that
15 applied.
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 ..... $ 260,582
22 ..... FTEs 23.85
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 ..... $ 835,959
28 ..... FTEs 44.15
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 ..... $ 1,036,805
34 ..... FTEs 11.15
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 ..... $ 1,287,158
5 ..... FTEs 25.10
6 Of the funds appropriated in this subsection, $100,000 is
7 allocated for a child vision screening program implemented
8 through the university of Iowa hospitals and clinics in
9 collaboration with community empowerment areas.
10 6. ELDERLY WELLNESS
11 For optimizing the health of persons 60 years of age and
12 older, and for not more than the following full-time
13 equivalent positions:
14 ..... $ 9,470,754
15 ..... FTEs 4.35
16 7. ENVIRONMENTAL HAZARDS
17 For reducing the public's exposure to hazards in the
18 environment, primarily chemical hazards, and for not more than
19 the following full-time equivalent positions:
20 ..... $ 349,547
21 ..... FTEs 8.50
22 8. INFECTIOUS DISEASES
23 For reducing the incidence and prevalence of communicable
24 diseases, and for not more than the following full-time
25 equivalent positions:
26 ..... $ 977,340
27 ..... FTEs 36.90
28 9. INJURIES
29 For providing support and protection to victims of abuse or
30 injury, or programs that are designed to prevent abuse or
31 injury, and for not more than the following full-time
32 equivalent positions:
33 ..... $ 1,412,918
34 ..... FTEs 7.05
35 Of the funds appropriated in this subsection, $660,000

1 shall be credited to the emergency medical services fund
2 created in section 135.25.
3 10. PUBLIC PROTECTION
4 For protecting the health and safety of the public through
5 establishing standards and enforcing regulations, and for not
6 more than the following full-time equivalent positions:
7 ..... $ 6,510,871
8 ..... FTEs 147.10
9 a. The department may expend funds received from licensing
10 fees in addition to amounts appropriated in this subsection,
11 if those additional expenditures are directly the result of a
12 scope of practice review committee unanticipated litigation
13 costs arising from the discharge of an examining board's
14 regulatory duties. Before the department expends or encumbers
15 funds for a scope of practice review committee or for an
16 amount in excess of the funds budgeted for an examining board,
17 the director of the department of management shall approve the
18 expenditure or encumbrance. The amounts necessary to fund any
19 unanticipated litigation or scope of practice review committee
20 expense in the fiscal year beginning July 1, 2003, shall not
21 exceed 5 percent of the average annual fees generated by the
22 boards for the previous two fiscal years. The funds
23 authorized for expenditure pursuant to this lettered paragraph
24 are appropriated to the department for the purposes described
25 in this paragraph.
26 b. For the fiscal year beginning July 1, 2003, the
27 department shall retain fees collected from the certification
28 of lead inspectors and lead abaters pursuant to section
29 135.105A to support the certification program; and shall
30 retain fees collected from the licensing, registration,
31 authorization, accreditation, and inspection of x-ray machines
32 used for mammographically guided breast biopsy, screening, and
33 diagnostic mammography, pursuant to section 136C.10 to support
34 the administration of the chapter. The department may also
35 retain fees collected pursuant to section 136C.10 on all

1 shippers of radioactive material waste containers transported
2 across Iowa if the department does not obtain funding to
3 support the oversight and regulation of this activity, and for
4 x-ray radiology examination fees collected by the department
5 and reimbursed to a private organization conducting the
6 examination. Fees retained by the department pursuant to this
7 lettered paragraph are appropriated to the department for the
8 purposes described in this lettered paragraph.
9 c. The department may retain and expend not more than
10 $297,961 for lease and maintenance expenses from fees
11 collected pursuant to section 147.80 by the board of dental
12 examiners, the board of pharmacy examiners, the board of
13 medical examiners, and the board of nursing in the fiscal year
14 beginning July 1, 2003, and ending June 30, 2004. Fees
15 retained by the department pursuant to this lettered paragraph
16 are appropriated to the department for the purposes described
17 in this lettered paragraph.
18 d. The department may retain and expend not more than
19 $100,000 for reduction of the number of days necessary to
20 process medical license requests and for reduction of the
21 number of days needed for consideration of malpractice cases
22 from fees collected pursuant to section 147.80 by the board of
23 medical examiners in the fiscal year beginning July 1, 2003,
24 and ending June 30, 2004. Fees retained by the department
25 pursuant to this lettered paragraph are appropriated to the
26 department for the purposes described in this lettered
27 paragraph.
28 e. If a person in the course of responding to an emergency
29 renders aid to an injured person and becomes exposed to bodily
30 fluids of the injured person, that emergency responder shall
31 be entitled to hepatitis testing and immunization in
32 accordance with the latest available medical technology to
33 determine if infection with hepatitis has occurred. The
34 person shall be entitled to reimbursement from the funds
35 appropriated in this subsection only if the reimbursement is

1 not available through any employer or third-party payor.
2 f. The board of dental examiners may retain and expend not
3 more than $148,060 from revenues generated pursuant to section
4 147.80. Fees retained by the board pursuant to this lettered
5 paragraph are appropriated to the department to be used for
6 the purposes of regulating dental assistants.
7 g. The board of medical examiners, the board of pharmacy
8 examiners, the board of dental examiners, and the board of
9 nursing shall prepare estimates of projected receipts to be
10 generated by the licensing, certification, and examination
11 fees of each board as well as a projection of the fairly
12 apportioned administrative costs and rental expenses
13 attributable to each board. Each board shall annually review
14 and adjust its schedule of fees so that, as nearly as
15 possible, projected receipts equal projected costs.
16 h. The board of medical examiners, the board of pharmacy
17 examiners, the board of dental examiners, and the board of
18 nursing shall retain their individual executive officers, but
19 are strongly encouraged to share administrative, clerical, and
20 investigative staffs to the greatest extent possible.
21 i. For the fiscal year beginning July 1, 2003, the board
22 of nursing may retain and expend 90 percent of the revenues
23 generated from any increase in licensing fees pursuant to
24 section 147.80 for purposes related to the state board's
25 duties, including but not limited to addition of full-time
26 equivalent positions. Fees retained by the board pursuant to
27 this lettered paragraph are appropriated to the board of
28 nursing for the purposes described in this paragraph.
29 11. RESOURCE MANAGEMENT
30 For establishing and sustaining the overall ability of the
31 department to deliver services to the public, and for not more
32 than the following full-time equivalent positions:
33 ..... $ 666,717
34 ..... FTEs 51.15
35 12. The university of Iowa hospitals and clinics under the

1 control of the state board of regents shall not receive
2 indirect costs from the funds appropriated in this section.
3 13. A local health care provider or nonprofit health care
4 organization seeking grant moneys administered by the Iowa
5 department of public health shall provide documentation that
6 the provider or organization has coordinated its services with
7 other local entities providing similar services.
8 14. a. The department shall apply for available federal
9 funds for sexual abstinence education programs.
10 b. It is the intent of the general assembly to comply with
11 the United States Congress' intent to provide education that
12 promotes abstinence from sexual activity outside of marriage
13 and reduces pregnancies, by focusing efforts on those persons
14 most likely to father and bear children out of wedlock.
15 c. Any sexual abstinence education program awarded moneys
16 under the grant program shall meet the definition of
17 abstinence education in the federal law. Grantees shall be
18 evaluated based upon the extent to which the abstinence
19 program successfully communicates the goals set forth in the
20 federal law.
21 Sec. 3. GAMBLING TREATMENT FUND -- APPROPRIATION.
22 1. There is appropriated from funds available in the
23 gambling treatment fund established in the office of the
24 treasurer of state pursuant to section 99E.10 to the Iowa
25 department of public health for the fiscal year beginning July
26 1, 2003, and ending June 30, 2004, the following amount, or so
27 much thereof as is necessary, to be used for the purpose
28 designated:
29 a. Addictive disorders
30 To be utilized for the benefit of persons with addictions:
31 ..... $ 1,690,000
32 b. It is the intent of the general assembly that from the
33 moneys appropriated in this section, persons with a dual
34 diagnosis of substance abuse and gambling addictions shall be
35 given priority in treatment services.

1 c. Gambling treatment program
2 The funds remaining in the gambling treatment fund after
3 the appropriation in paragraph "a" is made shall be used for
4 funding of administrative costs and to provide programs which
5 may include, but are not limited to, outpatient and follow-up
6 treatment for persons affected by problem gambling,
7 rehabilitation and residential treatment programs, information
8 and referral services, education and preventive services, and
9 financial management services.
10 2. For the fiscal year beginning July 1, 2003, and ending
11 June 30, 2004, from the tax revenue received by the state
12 racing and gaming commission pursuant to section 99D.15,
13 subsections 1, 3, and 4, an amount equal to three-tenths of
14 one percent of the gross sum wagered by the pari-mutuel method
15 is to be deposited into the gambling treatment fund.
16 Sec. 4. VITAL RECORDS. The vital records modernization
17 project as enacted in 1993 Iowa Acts, chapter 55, section 1,
18 as amended by 1994 Iowa Acts, chapter 1068, section 8, as
19 amended by 1997 Iowa Acts, chapter 203, section 9, 1998 Iowa
20 Acts, chapter 1221, section 9, and 1999 Iowa Acts, chapter
21 201, section 17, and as continued by 2000 Iowa Acts, chapter
22 1222, section 10, 2001 Iowa Acts, chapter 182, section 13, and
23 2002 Iowa Acts, Second Extraordinary Session, chapter 1003,
24 section 104, shall be extended until June 30, 2004, and the
25 increased fees to be collected pursuant to that project shall
26 continue to be collected and are appropriated to the Iowa
27 department of public health until June 30, 2004.
28 Sec. 5. SCOPE OF PRACTICE REVIEW PROJECT. The scope of
29 practice review committee pilot project as enacted in 1997
30 Iowa Acts, chapter 203, section 6, and as continued by 2002
31 Iowa Acts, Second Extraordinary Session, chapter 1003, section
32 107, shall be extended until June 30, 2004. The Iowa
33 department of public health shall submit an annual progress
34 report to the governor and the general assembly by January 15
35 and shall include any recommendations for legislative action

1 as a result of review committee activities. The department
2 may contract with a school or college of public health in Iowa
3 to assist in implementing the project.
4 Sec. 6. HEALTH CARE ACCESS PARTNERSHIP PILOT PROJECT.
5 1. The director of public health shall establish a health
6 care access partnership pilot project in a county with a
7 population of more than 250,000 for a two-year period. The
8 director shall adopt rules as necessary to establish and
9 administer the pilot project. In adopting rules, the director
10 shall consult with persons and agencies who may be involved
11 with a health care access partnership and with the department
12 of human services.
13 2. The purpose of the health care access partnership pilot
14 project is to implement systems of health care services for
15 low-income persons or persons without health insurance
16 coverage, and others, by enhancing collaboration between
17 persons and agencies providing charity care or services under
18 the medical assistance program.
19 3. The elements of the partnership pilot project shall
20 include but are not limited to all of the following:
21 a. A person participating in the partnership may be a
22 public, private, for-profit, or nonprofit entity.
23 b. Participation provisions shall be outlined in a written
24 agreement between those participating. If authorized under
25 chapter 28E, a chapter 28E agreement may be utilized for all
26 or a portion of the participant provisions.
27 c. If a participant in the partnership is a medical
28 assistance program provider, the participant must be a medical
29 assistance program provider in good standing and must accept
30 medical assistance reimbursement as full payment for any
31 service provided. Unless expressly prohibited by the federal
32 government, a medical assistance program provider offering
33 services in the area served by the partnership shall be
34 required to participate in the partnership as a condition of
35 participation in the medical assistance program.

1 d. Participants shall be authorized to share confidential
2 information if the sharing is in the best interests of a
3 client and the client has provided written authorization for
4 the information sharing. If it is determined that the optimal
5 approach for the information sharing is for the participants
6 to establish a multidisciplinary community services team under
7 section 331.909, notwithstanding section 331.909, subsection
8 4, the participants may disclose information other than oral
9 information with one another.
10 e. A referral process among the participants shall be
11 established.
12 f. The geographic area to be served by those participating
13 in the agreement shall be identified in the agreement and may
14 encompass the entire county.
15 g. Provision shall be made for receipt and expenditure of
16 funding for the joint purposes of those participating or for
17 clients of those participating and for receiving and expending
18 funding received from foundations, grants, or other revenue
19 sources.
20 h. Provision to allow the partnership to form any
21 governance structure that is appropriate to the purposes of
22 the partnership and that meets all federal or state statutory
23 requirements for the specific elements of the partnership's
24 charter.
25 4. If administrative rules are necessary to implement the
26 provisions of this section, the initial rules shall be adopted
27 on or before September 1, 2003. The director of public health
28 may adopt the initial rules as emergency rules under section
29 17A.4, subsection 2, and section 17A.5, subsection 2,
30 paragraph "b", and the rules shall be effective immediately
31 upon filing unless the effective date is delayed by the
32 administrative rules review committee, notwithstanding section
33 17A.4, subsection 5, and section 17A.8, subsection 9, or a
34 later date is specified in the rules. Any rules adopted in
35 accordance with this subsection shall not take effect before

1 the administrative rules review committee reviews the rules.
2 Any rules adopted in accordance with this subsection shall
3 also be published as a notice of intended action as provided
4 in section 17A.4.

5 DIVISION III
6 HUMAN SERVICES

7 Sec. 7. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
8 GRANT. There is appropriated from the fund created in section
9 8.41 to the department of human services for the fiscal year
10 beginning July 1, 2003, and ending June 30, 2004, from moneys
11 received under the federal temporary assistance for needy
12 families block grant pursuant to the federal Personal
13 Responsibility and Work Opportunity Reconciliation Act of
14 1996, Pub. L. No. 104-193 and successor legislation, which are
15 federally appropriated for the federal fiscal years beginning
16 October 1, 2002, and ending September 30, 2003, and beginning
17 October 1, 2003, and ending September 30, 2004, the following
18 amounts, or so much thereof as is necessary, to be used for
19 the purposes designated:
20 If the federal government appropriation received for Iowa's
21 portion of the federal temporary assistance for needy families
22 block grant amounts for the federal fiscal years beginning
23 October 1, 2002, and ending September 30, 2003, and beginning
24 October 1, 2003, and ending September 30, 2004, are less than
25 $131,524,959, it is the intent of the general assembly to act
26 expeditiously during the 2004 legislative session to adjust
27 appropriations or take other actions to address the reduced
28 amount. Moneys appropriated in this section shall be used in
29 accordance with the federal law making the funds available,
30 applicable Iowa law, appropriations made from the general fund
31 of the state in this Act for the purpose designated, and
32 administrative rules adopted to implement the federal and Iowa
33 law:
34 1. To be credited to the family investment program account
35 and used for assistance under the family investment program

1 under chapter 239B:
2 ..... $ 51,492,790
3 2. To be credited to the family investment program account
4 and used for the job opportunities and basic skills (JOBS)
5 program, and implementing family investment agreements, in
6 accordance with chapter 239B:
7 ..... $ 13,412,794
8 3. For field operations:
9 ..... $ 14,152,174
10 4. For general administration:
11 ..... $ 3,238,614
12 5. For local administrative costs:
13 ..... $ 2,122,982
14 6. For state child care assistance:
15 ..... $ 21,145,765
16 a. Of the funds appropriated in this subsection, $200,000
17 shall be used for provision of educational opportunities to
18 registered child care home providers in order to improve
19 services and programs offered by this category of providers
20 and to increase the number of providers. The department may
21 contract with institutions of higher education or child care
22 resource and referral centers to provide the educational
23 opportunities. Allowable administrative costs under the
24 contracts shall not exceed 5 percent. The application for a
25 grant shall not exceed two pages in length.
26 b. Of the funds appropriated in this subsection, the
27 maximum amount allowed under Pub. L. No. 104-193 and successor
28 legislation shall be transferred to the child care and
29 development block grant appropriation. Funds appropriated in
30 this subsection that remain following the transfer shall be
31 used to provide direct spending for the child care needs of
32 working parents in families eligible for the family investment
33 program.
34 7. For the parental involvement program established in
35 section 217A.1, if enacted by this Act:

1 ..... $ 35,000
2 8. For mental health and developmental disabilities
3 community services:
4 ..... $ 4,349,266
5 9. For child and family services:
6 ..... $ 25,256,571
7 10. For child abuse prevention grants:
8 ..... $ 250,000
9 11. For pregnancy prevention grants on the condition that
10 family planning services are funded:
11 ..... $ 2,514,413
12 a. Pregnancy prevention grants shall be awarded to
13 programs in existence on or before July 1, 2003, if the
14 programs are comprehensive in scope and have demonstrated
15 positive outcomes. Grants shall be awarded to pregnancy
16 prevention programs which are developed after July 1, 2003, if
17 the programs are comprehensive in scope and are based on
18 existing models that have demonstrated positive outcomes.
19 Grants shall comply with the requirements provided in 1997
20 Iowa Acts, chapter 208, section 14, subsections 1 and 2,
21 including the requirement that grant programs must emphasize
22 sexual abstinence. Priority in the awarding of grants shall
23 be given to programs that serve areas of the state which
24 demonstrate the highest percentage of unplanned pregnancies of
25 females age 13 or older but younger than age 18 within the
26 geographic area to be served by the grant.
27 b. In addition to the full-time equivalent positions
28 funded in this Act, the department may use a portion of the
29 funds appropriated in this subsection to employ an employee in
30 up to 1.00 FTE for the administration of programs specified in
31 this subsection.
32 12. For technology needs and other resources necessary to
33 meet federal welfare reform reporting, tracking, and case
34 management requirements:
35 ..... $ 1,037,186

1 13. For volunteers:
2 ..... $ 42,663
3 14. For the healthy opportunities for parents to
4 experience success (HOPES) program administered by the Iowa
5 department of public health to target child abuse prevention:
6 ..... $ 200,000
7 15. To be credited to the state child care assistance
8 appropriation made in this section to be used for funding of
9 community-based early childhood programs targeted to children
10 from birth through five years of age, developed by community
11 empowerment areas as provided in this subsection:
12 ..... $ 7,350,000
13 a. The department may transfer federal temporary
14 assistance for needy families block grant funding appropriated
15 and allocated in this subsection to the child care and
16 development block grant appropriation in accordance with
17 federal law as necessary to comply with the provisions of this
18 subsection. The funding shall then be provided to community
19 empowerment areas for the fiscal year beginning July 1, 2003,
20 in accordance with all of the following:
21 (1) The area must be approved as a designated community
22 empowerment area by the Iowa empowerment board.
23 (2) The maximum funding amount a community empowerment
24 area is eligible to receive shall be determined by applying
25 the area's percentage of the state's average monthly family
26 investment program population in the preceding fiscal year to
27 the total amount appropriated for fiscal year 2003-2004 from
28 the TANF block grant to fund community-based programs targeted
29 to children from birth through five years of age developed by
30 community empowerment areas.
31 (3) A community empowerment area receiving funding shall
32 comply with any federal reporting requirements associated with
33 the use of that funding and other results and reporting
34 requirements established by the Iowa empowerment board. The
35 department shall provide technical assistance in identifying

1 and meeting the federal requirements.
2 (4) The availability of funding provided under this
3 subsection is subject to changes in federal requirements and
4 amendments to Iowa law.
5 b. The moneys distributed in accordance with this
6 subsection shall be used by communities for the purposes of
7 enhancing quality child care capacity in support of parent
8 capability to obtain or retain employment. The moneys shall
9 be used with a primary emphasis on low-income families and
10 children from birth to five years of age. Moneys shall be
11 provided in a flexible manner to communities, and shall be
12 used to implement strategies identified by the communities to
13 achieve such purposes. In addition to the full-time
14 equivalent positions funded in this division of this Act, 1.00
15 FTE position is authorized and the department may use funding
16 appropriated in this subsection for provision of technical
17 assistance and other support to communities developing and
18 implementing strategies with moneys distributed in accordance
19 with this subsection.
20 c. Moneys that are subject to this subsection which are
21 not distributed to a community empowerment area or otherwise
22 remain unobligated or unexpended at the end of the fiscal year
23 shall revert to the fund created in section 8.41 to be
24 available for appropriation by the general assembly in a
25 subsequent fiscal year.
26 Of the amounts appropriated in this section, $11,612,112
27 for the fiscal year beginning July 1, 2003, shall be
28 transferred to the appropriation of the federal social
29 services block grant for that fiscal year. If the federal
30 government revises requirements to reduce the amount that may
31 be transferred to the federal social services block grant, it
32 is the intent of the general assembly to act expeditiously
33 during the 2004 legislative session to adjust appropriations
34 or the transfer amount or take other actions to address the
35 reduced amount.

1 Eligible funding available under the federal temporary
2 assistance for needy families block grant that is not
3 appropriated or not otherwise expended shall be considered
4 reserved for economic downturns and welfare reform purposes
5 and is subject to further state appropriation to support
6 families in their movement toward self-sufficiency.
7 Federal funding received that is designated for activities
8 supporting marriage or two-parent families is appropriated to
9 the Iowa marriage initiative grant fund created in section
10 234.45.
11 Sec. 8. FAMILY INVESTMENT PROGRAM ACCOUNT.
12 1. Moneys credited to the family investment program (FIP)
13 account for the fiscal year beginning July 1, 2003, and ending
14 June 30, 2004, shall be used in accordance with the following
15 requirements:
16 a. The department of human services shall provide
17 assistance in accordance with chapter 239B.
18 b. The department shall continue the special needs program
19 under the family investment program.
20 c. The department shall continue to comply with federal
21 welfare reform data requirements pursuant to the
22 appropriations made for that purpose.
23 d. The department shall continue expansion of the
24 electronic benefit transfer program as necessary to comply
25 with federal food stamp benefit requirements. The target date
26 for statewide implementation of the program is October 1,
27 2003.
28 2. The department may use a portion of the moneys credited
29 to the family investment account under this section, as
30 necessary for salaries, support, maintenance, and
31 miscellaneous purposes for not more than the following full-
32 time equivalent positions which are in addition to any other
33 full-time equivalent positions authorized by this Act:
34 ..... FTEs 8.00
35 3. The department may transfer funds in accordance with

1 section 8.39, either federal or state, to or from the child
2 care appropriations made for the fiscal year beginning July 1,
3 2003, if the department deems this would be a more effective
4 method of paying for JOBS program child care, to maximize
5 federal funding, or to meet federal maintenance of effort
6 requirements.
7 4. Moneys appropriated in this Act and credited to the
8 family investment program account for the fiscal year
9 beginning July 1, 2003, and ending June 30, 2004, are
10 allocated as follows:
11 a. For the family development and self-sufficiency grant
12 program as provided under section 217.12:
13 ..... $ 5,133,042
14 (1) Of the funds allocated for the family development and
15 self-sufficiency grant program in this lettered paragraph, not
16 more than 5 percent of the funds shall be used for the
17 administration of the grant program.
18 (2) Based upon the annual evaluation report concerning
19 each grantee funded by previously appropriated funds and
20 through the solicitation of additional grant proposals, the
21 family development and self-sufficiency council may use the
22 allocated funds to renew or expand existing grants or award
23 new grants. In utilizing the funding allocated in this
24 lettered paragraph, the council shall give consideration, in
25 addition to other criteria established by the council, to a
26 grantee's intended use of local funds with a grant and to
27 whether approval of a grant proposal would expand the
28 availability of the program's services.
29 (3) The department may continue to implement the family
30 development and self-sufficiency grant program statewide
31 during FY 2003-2004.
32 b. For the diversion subaccount of the family investment
33 program account:
34 ..... $ 2,814,000
35 (1) Moneys allocated to the diversion subaccount shall be

1 used to implement FIP diversion statewide while continuing the
2 local flexibility in program design. A family that meets
3 income eligibility requirements for the family investment
4 program may receive a one-time payment to remedy an immediate
5 need in order to permit the family to maintain self-
6 sufficiency without providing ongoing cash assistance. A FIP
7 participant family may receive diversion assistance to
8 overcome barriers to obtaining employment and to assist in
9 stabilizing employment reducing the likelihood of the family
10 leaving FIP more quickly. The department shall assess and
11 screen individuals who would most likely benefit from the
12 assistance. In addition to the full-time equivalent positions
13 authorized in this Act, 1.00 FTE is authorized for purposes of
14 diversion. The department may adopt additional eligibility
15 criteria as necessary for compliance with federal law and for
16 screening those families who would be most likely to become
17 eligible for FIP if diversion incentives would not be
18 provided.
19 (2) A portion of the moneys allocated for the subaccount
20 may be used for field operations salaries, data management
21 system development, and implementation costs and support
22 deemed necessary by the director of human services in order to
23 administer the FIP diversion program.
24 (3) Of the funds allocated in this lettered paragraph, not
25 more than $250,000 shall be used to develop or continue
26 community-level parental obligation pilot projects. The
27 requirements established under 2001 Iowa Acts, chapter 191,
28 section 3, subsection 5, paragraph "c", subparagraph (3),
29 shall remain applicable to the parental obligation pilot
30 projects for fiscal year 2003-2004.
31 c. For the food stamp employment and training program:
32 ..... $ 63,000
33 5. Of the child support collections assigned under the
34 family investment program, an amount equal to the federal
35 share of support collections shall be credited to the child

1 support recovery appropriation. Of the remainder of the
2 assigned child support collections received by the child
3 support recovery unit, a portion shall be credited to the
4 family investment program account and a portion may be used to
5 increase recoveries.
6 6. For the fiscal year beginning July 1, 2003, the
7 department shall continue the process for the state to receive
8 refunds of utility and rent deposits, including any accrued
9 interest, for emergency assistance program recipients which
10 were paid by persons other than the state. The department
11 shall also receive refunds, including any accrued interest, of
12 assistance paid with funding available under this program.
13 The refunds received by the department shall be credited to
14 the family investment program (FIP) account to offset FIP cash
15 grants expended in the same year. Notwithstanding section
16 8.33, moneys received by the department under this subsection
17 which remain after the emergency assistance program is
18 terminated and state or federal moneys in the emergency
19 assistance account which remain unobligated or unexpended at
20 the close of the fiscal year beginning July 1, 2003, shall not
21 revert to any other fund but shall be credited to the family
22 investment program account.
23 7. The department may adopt emergency administrative rules
24 for the family investment, food stamp, and medical assistance
25 programs, if necessary, to comply with federal requirements.
26 Prior to adoption of the rules, the department shall consult
27 with the welfare reform council and the chairpersons and
28 ranking members of the joint appropriations subcommittee on
29 health and human services.
30 8. The department may continue the initiative to
31 streamline and simplify the employer verification process for
32 applicants, participants, and employers in the administration
33 of the department's programs. The department may contract
34 with companies collecting data from employers when the
35 information is needed in the administration of these programs.

1 The department may limit the availability of the initiative on
2 the basis of geographic area or number of individuals.
3 Sec. 9. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is
4 appropriated from the general fund of the state to the
5 department of human services for the fiscal year beginning
6 July 1, 2003, and ending June 30, 2004, the following amount,
7 or so much thereof as is necessary, to be used for the purpose
8 designated:
9 To be credited to the family investment program account and
10 used for family investment program assistance under chapter
11 239B:
12 ..... $ 36,187,879
13 1. The department of workforce development, in
14 consultation with the department of human services, shall
15 continue to utilize recruitment and employment practices to
16 include former and current family investment program
17 recipients.
18 2. The department of human services shall continue to work
19 with the department of workforce development and local
20 community collaborative efforts to provide support services
21 for family investment program participants. The support
22 services shall be directed to those participant families who
23 would benefit from the support services and are likely to have
24 success in achieving economic independence.
25 3. Of the funds appropriated in this section, $9,274,143
26 is allocated for the JOBS program.
27 4. The department shall continue to work with religious
28 organizations and other charitable institutions to increase
29 the availability of host homes, referred to as second chance
30 homes or other living arrangements under the federal Personal
31 Responsibility and Work Opportunity Reconciliation Act of
32 1996, Pub. L. No. 104-193, § 103. The purpose of the homes or
33 arrangements is to provide a supportive and supervised living
34 arrangement for minor parents receiving assistance under the
35 family investment program who, under chapter 239B, may receive

1 assistance while living in an alternative setting other than
2 with their parent or legal guardian.
3 Sec. 10. CHILD SUPPORT RECOVERY. There is appropriated
4 from the general fund of the state to the department of human
5 services for the fiscal year beginning July 1, 2003, and
6 ending June 30, 2004, the following amount, or so much thereof
7 as is necessary, to be used for the purposes designated:
8 For child support recovery, including salaries, support,
9 maintenance, and miscellaneous purposes and for not more than
10 the following full-time equivalent positions:
11 ..... $ 5,482,793
12 ..... FTEs 405.00
13 1. The director of human services, within the limitations
14 of the moneys appropriated in this section, or moneys
15 transferred from the family investment program account for
16 this purpose, shall establish new positions and add employees
17 to the child support recovery unit if the director determines
18 that both the current and additional employees together can
19 reasonably be expected to maintain or increase net state
20 revenue at or beyond the budgeted level.
21 2. Nonpublic assistance application fees and other user
22 fees received by the child support recovery unit are
23 appropriated and shall be used for the purposes of the child
24 support recovery program. The director of human services may
25 add positions within the limitations of the amount
26 appropriated for salaries and support for the positions.
27 3. The director of human services, in consultation with
28 the department of management and the legislative fiscal
29 committee, is authorized to receive and deposit state child
30 support incentive earnings in the manner specified under
31 applicable federal requirements.
32 4. a. The director of human services may establish new
33 positions and add state employees to the child support
34 recovery unit or contract for delivery of services if the
35 director determines the employees are necessary to replace

1 county-funded positions eliminated due to termination,
2 reduction, or nonrenewal of a chapter 28E contract. However,
3 the director must also determine that the resulting increase
4 in the state share of child support recovery incentives
5 exceeds the cost of the positions or contract, the positions
6 or contract are necessary to ensure continued federal funding
7 of the program, or the new positions or contract can
8 reasonably be expected to recover at least twice the amount of
9 money necessary to pay the salaries and support for the new
10 positions or the contract will generate at least 200 percent
11 of the cost of the contract.
12 b. Employees in full-time positions that transition from
13 county government to state government employment under this
14 subsection are exempt from testing, selection, and appointment
15 provisions of chapter 19A and from the provisions of
16 collective bargaining agreements relating to the filling of
17 vacant positions.
18 5. Surcharges paid by obligors and received by the unit as
19 a result of the referral of support delinquency by the child
20 support recovery unit to any private collection agency are
21 appropriated to the department and shall be used to pay the
22 costs of any contracts with the collection agencies.
23 6. The department shall expend up to $31,000, including
24 federal financial participation, for the fiscal year beginning
25 July 1, 2003, for a child support public awareness campaign.
26 The department and the office of the attorney general shall
27 cooperate in continuation of the campaign. The public
28 awareness campaign shall emphasize, through a variety of media
29 activities, the importance of maximum involvement of both
30 parents in the lives of their children as well as the
31 importance of payment of child support obligations.
32 7. Federal access and visitation grant moneys shall be
33 issued directly to private not-for-profit agencies that
34 provide services designed to increase compliance with the
35 child access provisions of court orders, including but not

1 limited to neutral visitation site and mediation services.
2 Sec. 11. MEDICAL ASSISTANCE. There is appropriated from
3 the general fund of the state to the department of human
4 services for the fiscal year beginning July 1, 2003, and
5 ending June 30, 2004, the following amount, or so much thereof
6 as is necessary, to be used for the purpose designated:
7 For medical assistance reimbursement and associated costs
8 as specifically provided in the reimbursement methodologies in
9 effect on June 30, 2003, except as otherwise expressly
10 authorized by law, including reimbursement for abortion
11 services, which shall be available under the medical
12 assistance program only for those abortions which are
13 medically necessary:
14 ..... $357,486,073
15 1. Medically necessary abortions are those performed under
16 any of the following conditions:
17 a. The attending physician certifies that continuing the
18 pregnancy would endanger the life of the pregnant woman.
19 b. The attending physician certifies that the fetus is
20 physically deformed, mentally deficient, or afflicted with a
21 congenital illness.
22 c. The pregnancy is the result of a rape which is reported
23 within 45 days of the incident to a law enforcement agency or
24 public or private health agency which may include a family
25 physician.
26 d. The pregnancy is the result of incest which is reported
27 within 150 days of the incident to a law enforcement agency or
28 public or private health agency which may include a family
29 physician.
30 e. Any spontaneous abortion, commonly known as a
31 miscarriage, if not all of the products of conception are
32 expelled.
33 2. Notwithstanding section 8.39, the department may
34 transfer funds appropriated in this section to a separate
35 account established in the department's case management unit

1 for expenditures required to provide case management services
2 for mental health, mental retardation, and developmental
3 disabilities services under medical assistance which are
4 jointly funded by the state and county, pending final
5 settlement of the expenditures. Funds received by the case
6 management unit in settlement of the expenditures shall be
7 used to replace the transferred funds and are available for
8 the purposes for which the funds were appropriated in this
9 section.
10 3. a. The county of legal settlement shall be billed for
11 50 percent of the nonfederal share of the cost of case
12 management provided for adults, day treatment, and partial
13 hospitalization in accordance with sections 249A.26 and
14 249A.27, and 100 percent of the nonfederal share of the cost
15 of care for adults which is reimbursed under a federally
16 approved home and community-based waiver that would otherwise
17 be approved for provision in an intermediate care facility for
18 persons with mental retardation, provided under the medical
19 assistance program. The state shall have responsibility for
20 the remaining 50 percent of the nonfederal share of the cost
21 of case management provided for adults, day treatment, and
22 partial hospitalization. For persons without a county of
23 legal settlement, the state shall have responsibility for 100
24 percent of the nonfederal share of the costs of case
25 management provided for adults, day treatment, partial
26 hospitalization, and the home and community-based waiver
27 services. The case management services specified in this
28 subsection shall be billed to a county only if the services
29 are provided outside of a managed care contract.
30 b. The state shall pay the entire nonfederal share of the
31 costs for case management services provided to persons 17
32 years of age and younger who are served in a medical
33 assistance home and community-based waiver program for persons
34 with mental retardation.
35 c. Medical assistance funding for case management services

1 for eligible persons 17 years of age and younger shall also be
2 provided to persons residing in counties with child welfare
3 decategorization projects implemented in accordance with
4 section 232.188, provided these projects have included these
5 persons in their service plan and the decategorization project
6 county is willing to provide the nonfederal share of costs.
7 d. When paying the necessary and legal expenses of
8 intermediate care facilities for persons with mental
9 retardation (ICFMR), the cost payment requirements of section
10 222.60 shall be considered fulfilled when payment is made in
11 accordance with the medical assistance payment rates
12 established for ICFMRs by the department and the state or a
13 county of legal settlement is not obligated for any amount in
14 excess of the rates.
15 e. Unless a county has paid or is paying for the
16 nonfederal share of the cost of a person's home and community-
17 based waiver services or ICFMR placement under the county's
18 mental health, mental retardation, and developmental
19 disabilities services fund, or unless a county of legal
20 settlement would become liable for the costs of services at
21 the ICFMR level of care for a person due to the person
22 reaching the age of majority, the state shall pay the
23 nonfederal share of the costs of an eligible person's services
24 under the home and community-based waiver for persons with
25 brain injury.
26 4. The department shall utilize not more than $60,000 of
27 the funds appropriated in this section to continue the
28 AIDS/HIV health insurance premium payment program as
29 established in 1992 Iowa Acts, Second Extraordinary Session,
30 chapter 1001, section 409, subsection 6. Of the funds
31 allocated in this subsection, not more than $5,000 may be
32 expended for administrative purposes.
33 5. Of the funds appropriated to the Iowa department of
34 public health for substance abuse grants, $950,000 for the
35 fiscal year beginning July 1, 2003, shall be transferred to

1 the department of human services for an integrated substance
2 abuse managed care system.
3 6. In administering the medical assistance home and
4 community-based waivers, the total number of openings for
5 persons with physical disabilities served at any one time
6 shall be limited to the number approved for a waiver by the
7 secretary of the United States department of health and human
8 services. The openings shall be available on a first-come,
9 first-served basis.
10 7. The department of human services, in consultation with
11 the Iowa department of public health and the department of
12 education, shall continue the program to utilize the early and
13 periodic screening, diagnosis, and treatment (EPSDT) funding
14 under medical assistance, to the extent possible, to implement
15 the screening component of the EPSDT program through the
16 school system. The department may enter into contracts to
17 utilize maternal and child health centers, the public health
18 nursing program, or school nurses in implementing this
19 provision.
20 8. The department shall continue working with county
21 representatives in aggressively implementing the
22 rehabilitation option for services to persons with chronic
23 mental illness under the medical assistance program, and
24 county funding shall be used to provide the match for the
25 federal funding, except for individuals with state case
26 status, for whom state funding shall provide the match.
27 9. If the federal centers for Medicare and Medicaid
28 services approves a waiver request from the department, the
29 department shall provide a period of 24 months of guaranteed
30 eligibility for medical assistance family planning services,
31 regardless of the change in circumstances of a woman who was a
32 medical assistance recipient when a pregnancy ended.
33 10. The department shall aggressively pursue options for
34 providing medical assistance or other assistance to
35 individuals with special needs who become ineligible to

1 continue receiving services under the early and periodic,
2 screening, diagnosis, and treatment program under the medical
3 assistance program due to becoming 21 years of age, who have
4 been approved for additional assistance through the
5 department's exception to policy provisions, but who have
6 health care needs in excess of the funding available through
7 the exception to policy process.
8 11. The drug utilization review commission shall submit
9 copies of the board's annual review, including facts and
10 findings, of the drugs on the department's prior authorization
11 list to the department and to the members of the joint
12 appropriations subcommittee on health and human services.
13 12. The department shall expend the anticipated savings
14 for operation of the state maximum allowable cost program for
15 pharmaceuticals as additional funding for the medical
16 assistance program.
17 Sec. 12. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There
18 is appropriated from the general fund of the state to the
19 department of human services for the fiscal year beginning
20 July 1, 2003, and ending June 30, 2004, the following amount,
21 or so much thereof as is necessary, to be used for the purpose
22 designated:
23 For administration of the health insurance premium payment
24 program, including salaries, support, maintenance, and
25 miscellaneous purposes, and for not more than the following
26 full-time equivalent positions:
27 ..... $ 573,968
28 ..... FTEs 21.00
29 Sec. 13. MEDICAL CONTRACTS. There is appropriated from
30 the general fund of the state to the department of human
31 services for the fiscal year beginning July 1, 2003, and
32 ending June 30, 2004, the following amount, or so much thereof
33 as is necessary, to be used for the purpose designated:
34 For medical contracts:
35 ..... $ 8,990,035

1 1. The department shall receive input and recommendations
2 from the chairpersons and ranking members of the joint
3 appropriations subcommittee on health and human services prior
4 to entering into or extending any managed care contract for
5 mental health or substance abuse services.
6 2. In any managed care contract for mental health or
7 substance abuse services entered into or extended by the
8 department on or after July 1, 2003, the request for proposals
9 shall provide for coverage of dual diagnosis mental health and
10 substance abuse treatment provided at the state mental health
11 institute at Mount Pleasant. To the extent possible, the
12 department shall also amend any such contract existing on July
13 1, 2003, to provide for such coverage.
14 Sec. 14. STATE SUPPLEMENTARY ASSISTANCE. There is
15 appropriated from the general fund of the state to the
16 department of human services for the fiscal year beginning
17 July 1, 2003, and ending June 30, 2004, the following amount,
18 or so much thereof as is necessary, to be used for the
19 purposes designated:
20 For state supplementary assistance and the medical
21 assistance home and community-based services waiver rent
22 subsidy program:
23 ..... $ 19,198,735
24 1. The department shall increase the personal needs
25 allowance for residents of residential care facilities by the
26 same percentage and at the same time as federal supplemental
27 security income and federal social security benefits are
28 increased due to a recognized increase in the cost of living.
29 The department may adopt emergency rules to implement this
30 subsection.
31 2. If during the fiscal year beginning July 1, 2003, the
32 department projects that state supplementary assistance
33 expenditures for a calendar year will not meet the federal
34 pass-along requirement specified in Title XVI of the federal
35 Social Security Act, section 1618, as codified in 42 U.S.C. §

1 1382g, the department may take actions including but not
2 limited to increasing the personal needs allowance for
3 residential care facility residents and making programmatic
4 adjustments or upward adjustments of the residential care
5 facility or in-home health-related care reimbursement rates
6 prescribed in this Act to ensure that federal requirements are
7 met. In addition, the department may make other programmatic
8 and rate adjustments necessary to remain within the amount
9 appropriated in this section while ensuring compliance with
10 federal requirements. The department may adopt emergency
11 rules to implement the provisions of this subsection.
12 Sec. 15. CHILDREN'S HEALTH INSURANCE PROGRAM. There is
13 appropriated from the general fund of the state to the
14 department of human services for the fiscal year beginning
15 July 1, 2003, and ending June 30, 2004, the following amount,
16 or so much thereof as is necessary, to be used for the purpose
17 designated:
18 For maintenance of the healthy and well kids in Iowa (hawk-
19 i) program pursuant to chapter 514I for receipt of federal
20 financial participation under Title XXI of the federal Social
21 Security Act, which creates the state children's health
22 insurance program:
23 ..... $ 11,118,275
24 1. The department may transfer funds appropriated in this
25 section to be used for the purpose of expanding health care
26 coverage to children under the medical assistance program.
27 The department shall provide periodic updates to the general
28 assembly of expenditures of funds appropriated in this
29 section.
30 2. Moneys in the hawk-i trust fund are appropriated to the
31 department of human services and shall be used to offset any
32 program costs for the fiscal year beginning July 1, 2003, and
33 ending June 30, 2004.
34 Sec. 16. CHILD CARE ASSISTANCE. There is appropriated
35 from the general fund of the state to the department of human

1 services for the fiscal year beginning July 1, 2003, and
2 ending June 30, 2004, the following amount, or so much thereof
3 as is necessary, to be used for the purpose designated:
4 For child care programs:
5 ..... $ 5,050,752
6 1. a. Of the funds appropriated in this section,
7 $4,525,228 shall be used for state child care assistance in
8 accordance with section 237A.13.
9 b. During the 2003-2004 fiscal year, the moneys deposited
10 in the child care credit fund created in section 237A.28 are
11 appropriated to the department to be used for state child care
12 assistance in accordance with section 237A.13, in addition to
13 the moneys allocated for that purpose in paragraph "a".
14 2. Nothing in this section shall be construed or is
15 intended as, or shall imply, a grant of entitlement for
16 services to persons who are eligible for assistance due to an
17 income level consistent with the waiting list requirements of
18 section 237A.13. Any state obligation to provide services
19 pursuant to this section is limited to the extent of the funds
20 appropriated in this section.
21 3. Of the funds appropriated in this section, $525,524 is
22 allocated for the statewide program for child care resource
23 and referral services under section 237A.26.
24 4. The department may use any of the funds appropriated in
25 this section as a match to obtain federal funds for use in
26 expanding child care assistance and related programs. For the
27 purpose of expenditures of state and federal child care
28 funding, funds shall be considered obligated at the time
29 expenditures are projected or are allocated to the
30 department's service areas. Projections shall be based on
31 current and projected caseload growth, current and projected
32 provider rates, staffing requirements for eligibility
33 determination and management of program requirements including
34 data systems management, staffing requirements for
35 administration of the program, contractual and grant

1 obligations and any transfers to other state agencies, and
2 obligations for decategorization or innovation projects.
3 5. If the federal government appropriates additional
4 funding under the federal child care and development block
5 grant than was anticipated would be received for the state
6 fiscal year beginning July 1, 2003, in addition to the
7 notification requirements for expenditure requirements for
8 additional federal funds under 2002 Iowa Acts, chapter 1170,
9 the department shall consult with the chairpersons and ranking
10 members of the joint appropriations subcommittee on health and
11 human services at least thirty days in advance of committing
12 to expenditure of the additional funding.
13 6. A portion of the state match for the federal child care
14 and development block grant shall be provided through the
15 state general fund appropriation for child development grants
16 and other programs for at-risk children in section 279.51.
17 Sec. 17. JUVENILE INSTITUTIONS. There is appropriated
18 from the general fund of the state to the department of human
19 services for the fiscal year beginning July 1, 2003, and
20 ending June 30, 2004, the following amounts, or so much
21 thereof as is necessary, to be used for the purposes
22 designated:
23 1. For operation of the Iowa juvenile home at Toledo and
24 for salaries, support, maintenance, and for not more than the
25 following full-time equivalent positions:
26 ..... $ 5,750,338
27 ..... FTEs 130.54
28 It is the intent of the general assembly that beginning in
29 the fiscal year commencing on July 1, 2004, the Iowa juvenile
30 home at Toledo will serve only females.
31 2. For operation of the state training school at Eldora
32 and for salaries, support, maintenance, and for not more than
33 the following full-time equivalent positions:
34 ..... $ 9,046,469
35 ..... FTEs 218.53

1 3. During the fiscal year beginning July 1, 2003, the
2 population levels at the state juvenile institutions shall not
3 exceed the population guidelines established under 1990 Iowa
4 Acts, chapter 1239, section 21, as adjusted for subsequent
5 changes in capacity at the institutions.
6 4. A portion of the moneys appropriated in this section
7 shall be used by the state training school and by the Iowa
8 juvenile home for grants for adolescent pregnancy prevention
9 activities at the institutions in the fiscal year beginning
10 July 1, 2003.
11 5. Within the amounts appropriated in this section, the
12 department may transfer funds as necessary to best fulfill the
13 needs of the institutions provided for in the appropriation.
14 6. The state juvenile institutions are exempt from the
15 depreciation payment requirement in section 18.120, subsection
16 1, and the institutions and the department shall not be
17 charged for vehicle depreciation otherwise attributable to the
18 institutions.
19 7. Notwithstanding chapters 233A and 233B and any other
20 provision of law to the contrary, for the fiscal year
21 beginning July 1, 2003, the superintendent of the state
22 training school shall also serve as the superintendent of the
23 Iowa juvenile home.
24 Sec. 18. CHILD AND FAMILY SERVICES.
25 1. There is appropriated from the general fund of the
26 state to the department of human services for the fiscal year
27 beginning July 1, 2003, and ending June 30, 2004, the
28 following amount, or so much thereof as is necessary, to be
29 used for the purpose designated:
30 For child and family services:
31 ..... $109,285,212
32 2. The department may transfer funds appropriated in this
33 section as necessary to pay the nonfederal costs of services
34 reimbursed under medical assistance or the family investment
35 program which are provided to children who would otherwise

1 receive services paid under the appropriation in this section.
2 The department may transfer funds appropriated in this section
3 to the appropriations in this Act for general administration
4 and for field operations for resources necessary to implement
5 and operate the services funded in this section.
6 3. a. Of the funds appropriated in this section, up to
7 $31,909,683 is allocated as the statewide expenditure target
8 under section 232.143 for group foster care maintenance and
9 services.
10 b. If at any time after September 30, 2003, annualization
11 of a service area's current expenditures indicates a service
12 area is at risk of exceeding its group foster care expenditure
13 target under section 232.143 by more than 5 percent, the
14 department and juvenile court services shall examine all group
15 foster care placements in that service area in order to
16 identify those which might be appropriate for termination. In
17 addition, any aftercare services believed to be needed for the
18 children whose placements may be terminated shall be
19 identified. The department and juvenile court services shall
20 initiate action to set dispositional review hearings for the
21 placements identified. In such a dispositional review
22 hearing, the juvenile court shall determine whether needed
23 aftercare services are available and whether termination of
24 the placement is in the best interest of the child and the
25 community.
26 c. (1) Of the funds appropriated in this section, not
27 more than $6,355,170 is allocated as the state match funding
28 for psychiatric medical institutions for children.
29 (2) The department may transfer all or a portion of the
30 amount allocated in this lettered paragraph for psychiatric
31 medical institutions for children (PMICs) to the appropriation
32 in this Act for medical assistance.
33 d. Of the funds allocated in this subsection, $1,419,988
34 is allocated as the state match funding for 50 highly
35 structured juvenile program beds. If the number of beds

1 provided for in this lettered paragraph is not utilized, the
2 remaining funds allocated may be used for group foster care.
3 e. For the fiscal year beginning July 1, 2003, the
4 requirements of section 232.143 applicable to the juvenile
5 court and to representatives of the juvenile court shall be
6 applicable instead to juvenile court services and to
7 representatives of juvenile court services. The
8 representatives appointed by the department of human services
9 and by juvenile court services to establish the plan to
10 contain expenditures for children placed in group foster care
11 ordered by the court within the budget target allocated to the
12 service area shall establish the plan in a manner so as to
13 ensure the moneys allocated to the service area under section
14 232.143 shall last the entire fiscal year. Funds for a child
15 placed in group foster care shall be considered encumbered for
16 the duration of the child's projected or actual length of
17 stay, whichever is applicable.
18 4. If House File 568, relating to education funding for
19 children placed in institutions under the department's
20 jurisdiction, is not enacted by the Eightieth General
21 Assembly, 2003 Session, the allocation made in this section
22 for the statewide expenditure target under section 232.143
23 shall be reduced by $1,755,167, the allocation for the family
24 preservation program shall be reduced by $219,396, and the
25 allocation for school-based supervision of children shall be
26 reduced by $219,396, and the following transfers shall be made
27 to the indicated appropriations made in this Act from the
28 appropriation made in this section:
29 a. To the appropriation for the state training school at
30 Eldora:
31 ..... $ 1,239,227
32 b. To the appropriation for the Iowa juvenile home at
33 Toledo:
34 ..... $ 410,540
35 c. To the appropriation for the state mental health

1 institute at Independence:
2 ..... $ 544,192
3 5. Of the funds appropriated in this section, $3,000,000
4 is allocated specifically for expenditure through the
5 decategorization of child welfare funding pools and governance
6 boards established pursuant to section 232.188.
7 Notwithstanding section 8.33, moneys allocated in this
8 subsection that remain unencumbered or unobligated at the
9 close of the fiscal year shall not revert but shall remain
10 available for expenditure for the purposes designated until
11 the close of the succeeding fiscal year.
12 6. Of the funds appropriated in this section, at least
13 $1,135,288 is allocated for additional funding of the family
14 preservation program.
15 7. The department shall continue the goal that not more
16 than 15 percent of the children placed in foster care funded
17 under the federal Social Security Act, Title IV-E, may be
18 placed in foster care for a period of more than 24 months.
19 8. In accordance with the provisions of section 232.188,
20 the department shall continue the program to decategorize
21 child welfare services funding in additional counties or
22 clusters of counties.
23 9. A portion of the funding appropriated in this section
24 may be used for emergency family assistance to provide other
25 resources required for a family participating in a family
26 preservation or reunification project to stay together or to
27 be reunified.
28 10. Notwithstanding section 234.35, subsection 1, for the
29 fiscal year beginning July 1, 2003, state funding for shelter
30 care paid pursuant to section 234.35, subsection 1, paragraph
31 "h", shall be limited to $6,922,509.
32 11. The department shall continue to make adoption
33 presubsidy and adoption subsidy payments to adoptive parents
34 at the beginning of the month for the current month.
35 12. Federal funds received by the state during the fiscal

1 year beginning July 1, 2003, as the result of the expenditure
2 of state funds appropriated during a previous state fiscal
3 year for a service or activity funded under this section, are
4 appropriated to the department to be used as additional
5 funding for services and purposes provided for under this
6 section. Notwithstanding section 8.33, moneys received in
7 accordance with this subsection that remain unencumbered or
8 unobligated at the close of the fiscal year shall not revert
9 to any fund but shall remain available for the purposes
10 designated until the close of the succeeding fiscal year.
11 13. The department and juvenile court services shall
12 continue to develop criteria for the department service area
13 administrator and chief juvenile court officer to grant
14 exceptions to extend eligibility, within the funds allocated,
15 for intensive tracking and supervision and for supervised
16 community treatment to delinquent youth beyond age 18 who are
17 subject to release from the state training school, a highly
18 structured juvenile program, or group foster care.
19 14. Of the moneys appropriated in this section, not more
20 than $442,100 is allocated to provide clinical assessment
21 services as necessary to continue funding of children's
22 rehabilitation services under medical assistance in accordance
23 with federal law and requirements. The funding allocated is
24 the amount projected to be necessary for providing the
25 clinical assessment services.
26 15. Of the funding appropriated in this section,
27 $3,696,285 shall be used for protective child care assistance.
28 16. Of the moneys appropriated in this section, up to
29 $2,859,851 is allocated for the payment of the expenses of
30 court-ordered services provided to juveniles which are a
31 charge upon the state pursuant to section 232.141, subsection
32 4.
33 a. Notwithstanding section 232.141 or any other provision
34 of law to the contrary, the amount allocated in this
35 subsection shall be distributed to the judicial districts as

1 determined by the state court administrator. The state court
2 administrator shall make the determination of the distribution
3 amounts on or before June 15, 2003.
4 b. Notwithstanding chapter 232 or any other provision of
5 law to the contrary, a district or juvenile court shall not
6 order any service which is a charge upon the state pursuant to
7 section 232.141 if there are insufficient court-ordered
8 services funds available in the district court distribution
9 amount to pay for the service. The chief juvenile court
10 officer shall encourage use of the funds allocated in this
11 subsection such that there are sufficient funds to pay for all
12 court-related services during the entire year. The chief
13 juvenile court officers shall attempt to anticipate potential
14 surpluses and shortfalls in the distribution amounts and shall
15 cooperatively request the state court administrator to
16 transfer funds between the districts' distribution amounts as
17 prudent.
18 c. Notwithstanding any provision of law to the contrary, a
19 district or juvenile court shall not order a county to pay for
20 any service provided to a juvenile pursuant to an order
21 entered under chapter 232 which is a charge upon the state
22 under section 232.141, subsection 4.
23 d. Of the funding allocated in this subsection, not more
24 than $100,000 may be used by the judicial branch for
25 administration of the requirements under this subsection and
26 for travel associated with court-ordered placements which are
27 a charge upon the state pursuant to section 232.141,
28 subsection 4.
29 17. a. Of the funding appropriated in this section,
30 $3,281,589 is allocated to provide school-based supervision of
31 children adjudicated under chapter 232, including not more
32 than $1,431,597 from the allocation in this section for court-
33 ordered services. Not more than $15,000 of the funding
34 allocated in this subsection may be used for the purpose of
35 training.

1 b. A portion of the cost of each school-based liaison
2 officer shall be paid by the school district or other funding
3 source as approved by the chief juvenile court officer.
4 18. The department shall maximize the capacity to draw
5 federal funding under Title IV-E of the federal Social
6 Security Act.
7 19. Any unanticipated federal funding that is received
8 during the fiscal year due to improvements in the hours
9 counted by the judicial branch under the claiming process for
10 federal Title IV-E funding are appropriated to the department
11 to be used for additional or expanded services and support for
12 court-ordered services pursuant to section 232.141.
13 Notwithstanding section 8.33, moneys appropriated in this
14 subsection that remain unencumbered or unobligated at the
15 close of the fiscal year shall not revert but shall remain
16 available for expenditure for the purposes designated until
17 the close of the succeeding fiscal year.
18 20. Notwithstanding section 234.39, subsection 5, and 2000
19 Iowa Acts, chapter 1228, section 43, the department may
20 operate a subsidized guardianship program if the United States
21 department of health and human services approves a waiver
22 under Title IV-E of the federal Social Security Act and the
23 subsidized guardianship program can be operated without loss
24 of Title IV-E funds.
25 21. It is the intent of the general assembly that the
26 department continue its practice of providing strong support
27 for Iowa's nationally recognized initiative of
28 decategorization of child welfare funding.
29 22. It is the intent of the general assembly that
30 administration of the foster care and adoption programs be
31 privatized.
32 23. Notwithstanding section 237.5A, a foster parent who is
33 unable to complete six hours of foster parent training prior
34 to annual licensure renewal because the foster parent is
35 engaged in active duty in the military service shall be

1 considered to be in compliance with the training requirement
2 for annual licensure renewal.
3 Sec. 19. JUVENILE DETENTION HOME FUND. Moneys deposited
4 in the juvenile detention home fund created in section 232.142
5 during the fiscal year beginning July 1, 2003, and ending June
6 30, 2004, are appropriated to the department of human services
7 for the fiscal year beginning July 1, 2003, and ending June
8 30, 2004, for distribution as follows:
9 1. An amount equal to ten percent of the costs of the
10 establishment, improvement, operation, and maintenance of
11 county or multicounty juvenile detention homes in the fiscal
12 year beginning July 1, 2002. Moneys appropriated for
13 distribution in accordance with this subsection shall be
14 allocated among eligible detention homes, prorated on the
15 basis of an eligible detention home's proportion of the costs
16 of all eligible detention homes in the fiscal year beginning
17 July 1, 2002. Notwithstanding section 232.142, subsection 3,
18 the financial aid payable by the state under that provision
19 for the fiscal year beginning July 1, 2003, shall be limited
20 to the amount appropriated for the purposes of this
21 subsection.
22 2. For renewal of a grant to a county with a population
23 between 189,000 and 196,000 for implementation of the county's
24 runaway treatment plan under section 232.195:
25 ..... $ 80,000
26 3. For continuation and expansion of the community
27 partnership for child protection sites:
28 ..... $ 159,000
29 4. For grants to counties implementing a runaway treatment
30 plan under section 232.195.
31 5. The remainder for additional allocations to county or
32 multicounty juvenile detention homes, in accordance with the
33 distribution requirements of subsection 1.
34 Sec. 20. FAMILY SUPPORT SUBSIDY PROGRAM. There is
35 appropriated from the general fund of the state to the

1 department of human services for the fiscal year beginning
2 July 1, 2003, and ending June 30, 2004, the following amount,
3 or so much thereof as is necessary, to be used for the purpose
4 designated:
5 For the family support subsidy program:
6 ..... $ 1,936,434
7 1. The department may use up to $333,312 of the moneys
8 appropriated in this section to continue the children-at-home
9 program in current counties, of which not more than $20,000
10 shall be used for administrative costs.
11 2. Notwithstanding section 225C.38, subsection 1, the
12 monthly family support payment amount for the fiscal year
13 beginning July 1, 2003, shall remain the same as the payment
14 amount in effect on June 30, 2003.
15 Sec. 21. CONNER DECREE. There is appropriated from the
16 general fund of the state to the department of human services
17 for the fiscal year beginning July 1, 2003, and ending June
18 30, 2004, the following amount, or so much thereof as is
19 necessary, to be used for the purpose designated:
20 For building community capacity through the coordination
21 and provision of training opportunities in accordance with the
22 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
23 Iowa, July 14, 1994):
24 ..... $ 42,623
25 Sec. 22. MENTAL HEALTH INSTITUTES. There is appropriated
26 from the general fund of the state to the department of human
27 services for the fiscal year beginning July 1, 2003, and
28 ending June 30, 2004, the following amounts, or so much
29 thereof as is necessary, to be used for the purposes
30 designated:
31 1. For the state mental health institute at Cherokee for
32 salaries, support, maintenance, and miscellaneous purposes and
33 for not more than the following full-time equivalent
34 positions:
35 ..... $ 12,401,246

1 ..... FTEs 227.65
2 2. For the state mental health institute at Clarinda for
3 salaries, support, maintenance, and miscellaneous purposes and
4 for not more than the following full-time equivalent
5 positions:
6 ..... $ 7,065,672
7 ..... FTEs 118.15
8 3. For the state mental health institute at Independence
9 for salaries, support, maintenance, and miscellaneous purposes
10 and for not more than the following full-time equivalent
11 positions:
12 ..... $ 16,368,110
13 ..... FTEs 317.80
14 The state mental health institute at Independence shall
15 continue the 30 psychiatric medical institution for children
16 (PMIC) beds authorized in section 135H.6, in a manner which
17 results in no net state expenditure amount in excess of the
18 amount appropriated in this subsection. Counties are not
19 responsible for the costs of PMIC services described in this
20 subsection. Subject to the approval of the department, with
21 the exception of revenues required under section 249A.11 to be
22 credited to the appropriation in this Act for medical
23 assistance, revenues attributable to the PMIC beds described
24 in this subsection for the fiscal year beginning July 1, 2003,
25 and ending June 30, 2004, shall be deposited in the
26 institute's account, including but not limited to any of the
27 following revenues:
28 a. The federal share of medical assistance revenue
29 received under chapter 249A.
30 b. Moneys received through client participation.
31 c. Any other revenues directly attributable to the PMIC
32 beds.
33 4. For the state mental health institute at Mount Pleasant
34 for salaries, support, maintenance, and miscellaneous purposes
35 and for not more than the following full-time equivalent

1 positions:
2 ..... $ 5,830,810
3 ..... FTEs 100.44
4 a. Funding is provided in this subsection for the state
5 mental health institute at Mount Pleasant to continue the dual
6 diagnosis mental health and substance abuse program on a net
7 budgeting basis in which 50 percent of the actual per diem and
8 ancillary services costs are chargeable to the patient's
9 county of legal settlement or as a state case, as appropriate.
10 Subject to the approval of the department, revenues
11 attributable to the dual diagnosis program for the fiscal year
12 beginning July 1, 2003, and ending June 30, 2004, shall be
13 deposited in the institute's account, including but not
14 limited to all of the following revenues:
15 (1) Moneys received by the state from billings to counties
16 under section 230.20.
17 (2) Moneys received from billings to the Medicare program.
18 (3) Moneys received from a managed care contractor
19 providing services under contract with the department or any
20 private third-party payor.
21 (4) Moneys received through client participation.
22 (5) Any other revenues directly attributable to the dual
23 diagnosis program.
24 b. The following additional provisions are applicable in
25 regard to the dual diagnosis program:
26 (1) A county may split the charges between the county's
27 mental health, mental retardation, and developmental
28 disabilities services fund and the county's budget for
29 substance abuse expenditures.
30 (2) If an individual is committed to the custody of the
31 department of corrections at the time the individual is
32 referred for dual diagnosis treatment, the department of
33 corrections shall be charged for the costs of treatment.
34 (3) Prior to an individual's admission for dual diagnosis
35 treatment, the individual shall have been screened through a

1 county's single entry point process to determine the
2 appropriateness of the treatment.
3 (4) A county shall not be chargeable for the costs of
4 treatment for an individual enrolled in and authorized by or
5 decertified by a managed behavioral care plan under the
6 medical assistance program.
7 (5) Notwithstanding section 8.33, state mental health
8 institute revenues related to the dual diagnosis program that
9 remain unencumbered or unobligated at the close of the fiscal
10 year shall not revert but shall remain available up to the
11 amount which would allow the state mental health institute to
12 meet credit obligations owed to counties as a result of year-
13 end per diem adjustments for the dual diagnosis program.
14 5. Within the funds appropriated in this section, the
15 department may transfer funds as necessary to best fulfill the
16 needs of the institutes provided for in the appropriation.
17 6. As part of the discharge planning process at the state
18 mental health institutes, the department shall provide
19 assistance in obtaining eligibility for federal supplemental
20 security income (SSI) to those individuals whose care at a
21 state mental health institute is the financial responsibility
22 of the state or a county.
23 Sec. 23. STATE RESOURCE CENTERS. There is appropriated
24 from the general fund of the state to the department of human
25 services for the fiscal year beginning July 1, 2003, and
26 ending June 30, 2004, the following amounts, or so much
27 thereof as is necessary, to be used for the purposes
28 designated:
29 1. For the state resource center at Glenwood for salaries,
30 support, maintenance, and miscellaneous purposes:
31 ..... $ 4,399,479
32 2. For the state resource center at Woodward for salaries,
33 support, maintenance, and miscellaneous purposes:
34 ..... $ 2,660,237
35 3. a. The department shall continue operating the state

1 resource centers at Glenwood and Woodward with a net general
2 fund appropriation. The amounts allocated in this section are
3 the net amounts of state moneys projected to be needed for the
4 state resource centers. The purposes of operating with a net
5 general fund appropriation are to encourage the state resource
6 centers to operate with increased self-sufficiency, to improve
7 quality and efficiency, and to support collaborative efforts
8 between the state resource centers and counties and other
9 funders of services available from the state resource centers.
10 The state resource centers shall not be operated under the net
11 appropriation in a manner which results in a cost increase to
12 the state or cost shifting between the state, the medical
13 assistance program, counties, or other sources of funding for
14 the state resource centers. Moneys appropriated in this
15 section may be used throughout the fiscal year in the manner
16 necessary for purposes of cash flow management, and for
17 purposes of cash flow management the state resource centers
18 may temporarily draw more than the amounts appropriated,
19 provided the amounts appropriated are not exceeded at the
20 close of the fiscal year.
21 b. Subject to the approval of the department, except for
22 revenues under section 249A.11, revenues attributable to the
23 state resource centers for the fiscal year beginning July 1,
24 2003, shall be deposited into each state resource center's
25 account, including but not limited to all of the following:
26 (1) Moneys received by the state from billings to counties
27 under section 222.73.
28 (2) The federal share of medical assistance revenue
29 received under chapter 249A.
30 (3) Federal Medicare program payments.
31 (4) Moneys received from client financial participation.
32 (5) Other revenues generated from current, new, or
33 expanded services which the state resource center is
34 authorized to provide.
35 c. For the purposes of allocating the salary adjustment

1 fund moneys appropriated in another Act, the state resource
2 centers shall be considered to be funded entirely with state
3 moneys.
4 d. Notwithstanding section 8.33, up to $500,000 of a state
5 resource center's revenues that remain unencumbered or
6 unobligated at the close of the fiscal year shall not revert
7 but shall remain available to be used in the succeeding fiscal
8 year.
9 4. Within the funds appropriated in this section, the
10 department may transfer funds as necessary to best fulfill the
11 needs of the institutions provided for in the appropriation.
12 5. The department may continue to bill for state resource
13 center services utilizing a scope of services approach used
14 for private providers of ICFMR services, in a manner which
15 does not shift costs between the medical assistance program,
16 counties, or other sources of funding for the state resource
17 centers.
18 6. The state resource centers may expand the time limited
19 assessment and respite services during the fiscal year.
20 7. If the department's administration and the department
21 of management concur with a finding by a state resource
22 center's superintendent that projected revenues can reasonably
23 be expected to pay the salary and support costs for a new
24 employee position, or that such costs for adding a particular
25 number of new positions for the fiscal year would be less than
26 the overtime costs if new positions would not be added, the
27 superintendent may add the new position or positions. If the
28 vacant positions available to a resource center do not include
29 the position classification desired to be filled, the state
30 resource center's superintendent may reclassify any vacant
31 position as necessary to fill the desired position. The
32 superintendents of the state resource centers may, by mutual
33 agreement, pool vacant positions and position classifications
34 during the course of the fiscal year in order to assist one
35 another in filling necessary positions.

1 8. If existing capacity limitations are reached in
2 operating units, a waiting list is in effect for a service or
3 a special need for which a payment source or other funding is
4 available for the service or to address the special need, and
5 facilities for the service or to address the special need can
6 be provided within the available payment source or other
7 funding, the superintendent of a state resource center may
8 authorize opening not more than two units or other facilities
9 and to begin implementing the service or addressing the
10 special need during fiscal year 2003-2004.
11 Sec. 24. MI/MR/DD STATE CASES. There is appropriated from
12 the general fund of the state to the department of human
13 services for the fiscal year beginning July 1, 2003, and
14 ending June 30, 2004, the following amount, or so much thereof
15 as is necessary, to be used for the purpose designated:
16 For purchase of local services for persons with mental
17 illness, mental retardation, and developmental disabilities
18 where the client has no established county of legal
19 settlement:
20 ..... $ 11,014,619
21 The general assembly encourages the department to continue
22 discussions with the Iowa state association of counties and
23 administrators of county central point of coordination offices
24 regarding proposals for moving state cases to county budgets.
25 Sec. 25. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES --
26 COMMUNITY SERVICES FUND. There is appropriated from the
27 general fund of the state to the mental health and
28 developmental disabilities community services fund created in
29 section 225C.7 for the fiscal year beginning July 1, 2003, and
30 ending June 30, 2004, the following amount, or so much thereof
31 as is necessary, to be used for the purpose designated:
32 For mental health and developmental disabilities community
33 services in accordance with this Act:
34 ..... $ 17,757,890
35 1. Of the funds appropriated in this section, $17,727,890

1 shall be allocated to counties for funding of community-based
2 mental health and developmental disabilities services. The
3 moneys shall be allocated to a county as follows:
4 a. Fifty percent based upon the county's proportion of the
5 state's population of persons with an annual income which is
6 equal to or less than the poverty guideline established by the
7 federal office of management and budget.
8 b. Fifty percent based upon the county's proportion of the
9 state's general population.
10 2. a. A county shall utilize the funding the county
11 receives pursuant to subsection 1 for services provided to
12 persons with a disability, as defined in section 225C.2.
13 However, no more than 50 percent of the funding shall be used
14 for services provided to any one of the service populations.
15 b. A county shall use at least 50 percent of the funding
16 the county receives under subsection 1 for contemporary
17 services provided to persons with a disability, as described
18 in rules adopted by the department.
19 3. Of the funds appropriated in this section, $30,000
20 shall be used to support the Iowa compass program providing
21 computerized information and referral services for Iowans with
22 disabilities and their families.
23 4. a. Funding appropriated for purposes of the federal
24 social services block grant is allocated for distribution to
25 counties for local purchase of services for persons with
26 mental illness or mental retardation or other developmental
27 disability.
28 b. The funds allocated in this subsection shall be
29 expended by counties in accordance with the county's approved
30 county management plan. A county without an approved county
31 management plan shall not receive allocated funds until the
32 county's management plan is approved.
33 c. The funds provided by this subsection shall be
34 allocated to each county as follows:
35 (1) Fifty percent based upon the county's proportion of

1 the state's population of persons with an annual income which
2 is equal to or less than the poverty guideline established by
3 the federal office of management and budget.
4 (2) Fifty percent based upon the amount provided to the
5 county for local purchase of services in the preceding fiscal
6 year.
7 5. A county is eligible for funds under this section if
8 the county qualifies for a state payment as described in
9 section 331.439.
10 Sec. 26. PERSONAL ASSISTANCE. There is appropriated from
11 the general fund of the state to the department of human
12 services for the fiscal year beginning July 1, 2003, and
13 ending June 30, 2004, the following amount, or so much thereof
14 as is necessary, to be used for the purpose designated:
15 For continuation of a pilot project for the personal
16 assistance services program in accordance with this section:
17 ..... $ 205,748
18 1. The funds appropriated in this section shall be used to
19 continue the pilot project for the personal assistance
20 services program under section 225C.46 in an urban and a rural
21 area. Not more than 10 percent of the amount appropriated
22 shall be used for administrative costs. The pilot project
23 shall not be implemented in a manner which would require
24 additional county or state costs for assistance provided to an
25 individual served under the pilot project.
26 2. In accordance with 2001 Iowa Acts, chapter 191, section
27 25, subsection 2, new applicants shall not be accepted into
28 the pilot project. An individual receiving services under the
29 pilot project as of June 30, 2003, shall continue receiving
30 services until the individual voluntarily leaves the project
31 or until another program with similar services exists.
32 Sec. 27. SEXUALLY VIOLENT PREDATORS.
33 1. There is appropriated from the general fund of the
34 state to the department of human services for the fiscal year
35 beginning July 1, 2003, and ending June 30, 2004, the

1 following amount, or so much thereof as is necessary, to be
2 used for the purpose designated:
3 For costs associated with the commitment and treatment of
4 sexually violent predators in the unit located at the state
5 mental health institute at Cherokee, including costs of legal
6 services and other associated costs, including salaries,
7 support, maintenance, and miscellaneous purposes and for not
8 more than the following full-time equivalent positions:
9 ..... $ 2,675,179
10 ..... FTEs 46.00
11 2. Unless specifically prohibited by law, if the amount
12 charged provides for recoupment of the entire amount of direct
13 and indirect costs, the department of human services may
14 contract with other states to provide care and treatment of
15 persons placed by the other states at the unit for sexually
16 violent predators at Cherokee. The moneys received under such
17 a contract that are attributable to the direct and indirect
18 costs shall be considered to be repayment receipts and used
19 for the purposes of the appropriation made in this section.
20 Sec. 28. FIELD OPERATIONS. There is appropriated from the
21 general fund of the state to the department of human services
22 for the fiscal year beginning July 1, 2003, and ending June
23 30, 2004, the following amount, or so much thereof as is
24 necessary, to be used for the purposes designated:
25 1. For field operations, including salaries, support,
26 maintenance, and miscellaneous purposes and for not more than
27 the following full-time equivalent positions:
28 ..... $ 50,657,828
29 ..... FTEs 1,771.50
30 Priority in filling full-time equivalent positions shall be
31 given to those positions related to child protection services.
32 2. In operating the service area system established
33 pursuant to 2001 Iowa Acts, Second Extraordinary Session,
34 chapter 4, for the fiscal year beginning July 1, 2003, and
35 ending June 30, 2004, the department shall utilize the service

1 areas and service area administrators in lieu of regions and
2 regional administrators, notwithstanding the references to
3 department regions or regional administrators in sections
4 232.2, 232.52, 232.68, 232.72, 232.102, 232.117, 232.127,
5 232.143, 232.188, and 234.35, or other provision in law. The
6 department shall submit proposed legislation under section
7 2.16 for consideration by the Eightieth General Assembly, 2004
8 Session, to correct the references in the necessary Code
9 sections.
10 Sec. 29. GENERAL ADMINISTRATION. There is appropriated
11 from the general fund of the state to the department of human
12 services for the fiscal year beginning July 1, 2003, and
13 ending June 30, 2004, the following amount, or so much thereof
14 as is necessary, to be used for the purpose designated:
15 For general administration, including salaries, support,
16 maintenance, and miscellaneous purposes and for not more than
17 the following full-time equivalent positions:
18 ..... $ 10,803,626
19 ..... FTEs 286.00
20 1. Of the funds appropriated in this section, $57,000 is
21 allocated for the prevention of disabilities policy council
22 established in section 225B.3.
23 2. Up to $500,000 of the moneys received in any settlement
24 of overpayments made to a child development center or to any
25 other provider that results in a settlement in excess of
26 $150,000 shall be considered as repayment receipts and shall
27 only be used for the costs of filling full-time equivalent
28 positions authorized but not funded by the appropriations made
29 for the purposes of this section.
30 Sec. 30. VOLUNTEERS. There is appropriated from the
31 general fund of the state to the department of human services
32 for the fiscal year beginning July 1, 2003, and ending June
33 30, 2004, the following amount, or so much thereof as is
34 necessary, to be used for the purpose designated:
35 For development and coordination of volunteer services:

1 ..... $ 109,568
2 Sec. 31. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
3 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
4 DEPARTMENT OF HUMAN SERVICES.
5 1. a. For the fiscal year beginning July 1, 2003, nursing
6 facilities shall be reimbursed at 100 percent of the modified
7 price-based case-mix reimbursement rate. Nursing facilities
8 reimbursed under the medical assistance program shall submit
9 annual cost reports and additional documentation as required
10 by rules adopted by the department.
11 b. For the fiscal year beginning July 1, 2003, the
12 department shall reimburse pharmacy dispensing fees using a
13 single rate of $5.17 per prescription or the pharmacy's usual
14 and customary fee, whichever is lower.
15 c. For the fiscal year beginning July 1, 2003,
16 reimbursement rates for inpatient and outpatient hospital
17 services shall remain at the rates in effect on June 30, 2003.
18 The department shall continue the outpatient hospital
19 reimbursement system based upon ambulatory patient groups
20 implemented pursuant to 1994 Iowa Acts, chapter 1186, section
21 25, subsection 1, paragraph "f". In addition, the department
22 shall continue the revised medical assistance payment policy
23 implemented pursuant to that paragraph to provide
24 reimbursement for costs of screening and treatment provided in
25 the hospital emergency room if made pursuant to the
26 prospective payment methodology developed by the department
27 for the payment of outpatient services provided under the
28 medical assistance program. Any rebasing of hospital
29 impatient or outpatient rates shall not increase total
30 payments for inpatient and outpatient services.
31 d. For the fiscal year beginning July 1, 2003,
32 reimbursement rates for rural health clinics, hospices,
33 independent laboratories, and acute mental hospitals shall be
34 increased in accordance with increases under the federal
35 Medicare program or as supported by their Medicare audited

1 costs.
2 e. For the fiscal year beginning July 1, 2003,
3 reimbursement rates for home health agencies shall remain at
4 the rates in effect on June 30, 2003.
5 f. For the fiscal year beginning July 1, 2003, federally
6 qualified health centers shall receive cost-based
7 reimbursement for 100 percent of the reasonable costs for the
8 provision of services to recipients of medical assistance.
9 g. Beginning July 1, 2003, the reimbursement rates for
10 dental services shall remain at the rates in effect on June
11 30, 2003.
12 h. Beginning July 1, 2003, the reimbursement rates for
13 community mental health centers shall remain at the rates in
14 effect on June 30, 2003.
15 i. For the fiscal year beginning July 1, 2003, the maximum
16 reimbursement rate for psychiatric medical institutions for
17 children shall remain at the rate in effect on June 30, 2003,
18 based on per day rates for actual costs.
19 j. For the fiscal year beginning July 1, 2003, unless
20 otherwise specified in this Act, all noninstitutional medical
21 assistance provider reimbursement rates shall remain at the
22 rates in effect on June 30, 2003, except for area education
23 agencies, local education agencies, infant and toddler
24 services providers, and those providers whose rates are
25 required to be determined pursuant to section 249A.20.
26 k. Notwithstanding section 249A.20, the average
27 reimbursement rates for health care providers eligible for use
28 of the reimbursement methodology under that section shall
29 remain at the rate in effect on June 30, 2003; however, this
30 rate shall not exceed the maximum level authorized by the
31 federal government.
32 2. For the fiscal year beginning July 1, 2003, the
33 reimbursement rate for residential care facilities shall not
34 be less than the minimum payment level as established by the
35 federal government to meet the federally mandated maintenance

1 of effort requirement. The flat reimbursement rate for
2 facilities electing not to file semiannual cost reports shall
3 not be less than the minimum payment level as established by
4 the federal government to meet the federally mandated
5 maintenance of effort requirement.
6 3. For the fiscal year beginning July 1, 2003, the
7 reimbursement rate for providers reimbursed under the in-home-
8 related care program shall not be less than the minimum
9 payment level as established by the federal government to meet
10 the federally mandated maintenance of effort requirement.
11 4. Unless otherwise directed in this section, when the
12 department's reimbursement methodology for any provider
13 reimbursed in accordance with this section includes an
14 inflation factor, this factor shall not exceed the amount by
15 which the consumer price index for all urban consumers
16 increased during the calendar year ending December 31, 2002.
17 5. Notwithstanding section 234.38, in the fiscal year
18 beginning July 1, 2003, the foster family basic daily
19 maintenance rate and the maximum adoption subsidy rate for
20 children ages 0 through 5 years shall be $14.28, the rate for
21 children ages 6 through 11 years shall be $15.07, the rate for
22 children ages 12 through 15 years shall be $16.83, and the
23 rate for children ages 16 and older shall be $16.83.
24 6. For the fiscal year beginning July 1, 2003, the maximum
25 reimbursement rates for social service providers shall remain
26 at the rates in effect on June 30, 2003. However, the rates
27 may be adjusted under any of the following circumstances:
28 a. If a new service was added after June 30, 2003, the
29 initial reimbursement rate for the service shall be based upon
30 actual and allowable costs.
31 b. If a social service provider loses a source of income
32 used to determine the reimbursement rate for the provider, the
33 provider's reimbursement rate may be adjusted to reflect the
34 loss of income, provided that the lost income was used to
35 support actual and allowable costs of a service purchased

1 under a purchase of service contract.
2 7. The group foster care reimbursement rates paid for
3 placement of children out of state shall be calculated
4 according to the same rate-setting principles as those used
5 for in-state providers unless the director of human services
6 or the director's designee determines that appropriate care
7 cannot be provided within the state. The payment of the daily
8 rate shall be based on the number of days in the calendar
9 month in which service is provided.
10 8. For the fiscal year beginning July 1, 2003, the
11 reimbursement rates for rehabilitative treatment and support
12 services providers shall remain at the rates in effect on June
13 30, 2003.
14 9. For the fiscal year beginning July 1, 2003, the
15 combined service and maintenance components of the
16 reimbursement rate paid to a shelter care provider shall be
17 based on the cost report submitted to the department. The
18 maximum reimbursement rate shall be $83.69 per day. The
19 department shall reimburse a shelter care provider at the
20 provider's actual and allowable unit cost, plus inflation, not
21 to exceed the maximum reimbursement rate.
22 10. For the fiscal year beginning July 1, 2003, the
23 department shall calculate reimbursement rates for
24 intermediate care facilities for persons with mental
25 retardation at the 80th percentile.
26 11. For the fiscal year beginning July 1, 2003, for child
27 care providers, the department shall set provider
28 reimbursement rates based on the rate reimbursement survey
29 completed in December 1998. The department shall set rates in
30 a manner so as to provide incentives for a nonregistered
31 provider to become registered.
32 12. For the fiscal year beginning July 1, 2003,
33 reimbursements for providers reimbursed by the department of
34 human services may be modified if appropriated funding is
35 allocated for that purpose from the senior living trust fund

1 created in section 249H.4, or as specified in appropriations
2 from the healthy Iowans tobacco trust created in section
3 12.65.
4 13. The department may adopt emergency rules to implement
5 the hospital crossover claims process.
6 14. The department may adopt emergency rules to implement
7 this section.
8 Sec. 32. TRANSFER AUTHORITY. Subject to the provisions of
9 section 8.39, for the fiscal year beginning July 1, 2003, if
10 necessary to meet federal maintenance of effort requirements
11 or to transfer federal temporary assistance for needy families
12 block grant funding to be used for purposes of the federal
13 social services block grant or to meet cash flow needs
14 resulting from delays in receiving federal funding or to
15 implement, in accordance with this Act, targeted case
16 management for child protection and for activities currently
17 funded with juvenile court services, county, or community
18 moneys and state moneys used in combination with such moneys,
19 the department of human services may transfer within or
20 between any of the appropriations made in this Act and
21 appropriations in law for the federal social services block
22 grant to the department for the following purposes, provided
23 that the combined amount of state and federal temporary
24 assistance for needy families block grant funding for each
25 appropriation remains the same before and after the transfer:
26 1. For the family investment program.
27 2. For child care assistance.
28 3. For child and family services.
29 4. For field operations.
30 5. For general administration.
31 6. MH/MR/DD/BI community services (local purchase).
32 This section shall not be construed to prohibit existing
33 state transfer authority for other purposes.
34 Sec. 33. FRAUD AND RECOUPMENT ACTIVITIES. During the
35 fiscal year beginning July 1, 2003, notwithstanding the

1 restrictions in section 239B.14, recovered moneys generated
2 through fraud and recoupment activities are appropriated to
3 the department of human services to be used for additional
4 fraud and recoupment activities performed by the department of
5 human services or the department of inspections and appeals,
6 and the department of human services may add not more than
7 five full-time equivalent positions, in addition to those
8 funded in this Act, subject to both of the following
9 conditions:
10 1. The director of human services determines that the
11 investment can reasonably be expected to increase recovery of
12 assistance paid in error, due to fraudulent or nonfraudulent
13 actions, in excess of the amount recovered in the fiscal year
14 beginning July 1, 1997.
15 2. The amount expended for the additional fraud and
16 recoupment activities shall not exceed the amount of the
17 projected increase in assistance recovered.
18 Sec. 34. ELECTRONIC BENEFIT TRANSFER IMPLEMENTATION
19 NONREVERSION. Unspent funds appropriated in 2002 Iowa Acts,
20 Second Extraordinary Session, chapter 1003, section 112, and
21 allocated by the department of human services for the purpose
22 of meeting federal food stamp electronic benefit transfer
23 requirements shall not revert but shall remain available for
24 the same purpose until the close of the succeeding fiscal
25 year.
26 Sec. 35. NEW SECTION. 217A.1 PARENTAL INVOLVEMENT
27 PROGRAM.
28 1. The department of human services shall convene an
29 advisory group that includes representatives of the Iowa
30 department of public health, the department of education, the
31 department of workforce development, the department of
32 corrections, the Iowa empowerment board, other state agencies
33 that provide services to families, and representatives of
34 business and industry, parents, faith-based organizations, and
35 state and local community leaders, to present a plan to the

1 general assembly that provides a comprehensive approach to
2 policy and service delivery at the state, county, and local
3 level and provides a network of services to assist both
4 mothers and fathers in parenting their children. While the
5 comprehensive approach shall address the needs of both
6 parents, the focus shall be on creating a policy and service
7 delivery system that provides a network of resources to assist
8 fathers in becoming and remaining engaged in their children's
9 lives. The plan shall be submitted on or before December 31,
10 2003.
11 2. The comprehensive approach to parental involvement
12 shall provide for all of the following:
13 a. STRUCTURE AND POLICIES.
14 (1) Identification of state laws, regulations, policies,
15 and practices that interfere with or fail to help fathers
16 become or remain engaged in their children's lives.
17 (2) Development of flexible service delivery options
18 within the state system, including the public assistance and
19 child support systems, to address the varying needs of
20 families which may include modifying traditional enforcement
21 of program requirements, referral to services, or other
22 options.
23 (3) Integration of the state system and community level
24 services to provide a social service network that is
25 accessible to fathers as well as mothers.
26 (4) Creation of a systemwide approach for delivery of
27 services to families that creates a family support network
28 that does all of the following:
29 (a) Trains service workers to include both fathers and
30 mothers as a family unit, rather than separately, in the
31 delivery of services.
32 (b) Promotes a common awareness across disciplines, for
33 workers providing services to parents and families, of the
34 importance of both parents in children's lives.
35 (c) Systematically engages both parents and does not

1 segment families in the provision of services.
2 (d) Improves communication across delivery systems.
3 (e) Provides for the partnering of various disciplines and
4 levels of government in providing services to parents and
5 families.
6 (5) Implementation of enhanced child support policies.
7 b. CONNECTING FATHERS WITH NECESSARY SERVICES.
8 (1) Utilization of the existing service system to connect
9 fathers with local community-based services that help fathers
10 develop the skills to become better parents and partners and
11 more productive members of the workforce.
12 (2) Utilization of employment opportunities and training
13 as catalysts to involve fathers with programs that help
14 fathers develop skills to retain jobs and build healthy
15 relationships.
16 c. PUBLIC AWARENESS.
17 (1) Promotion of public awareness of the importance of the
18 emotional and financial involvement of both parents in their
19 children's lives.
20 (2) Use of the media to encourage parents to discuss
21 pregnancy prevention and parental responsibility with their
22 children.
23 d. PREVENTION OF AND PLANNING FOR PARENTHOOD.
24 (1) Inclusion in the curriculum of grades nine through
25 twelve and in the postsecondary education curriculum of
26 responsible parenthood programs. The curriculum shall target
27 both young men and young women and shall include gender-
28 specific lessons for males and females that focus on the
29 unique male and female roles in pregnancy prevention.
30 (2) Utilization of a variety of access points to reach
31 young men who may be outside of the school environment to
32 provide prevention information. Such access points may
33 include recreation centers and sporting events, youth
34 development programs, peer education programs, youth
35 leadership development programs, male involvement groups,

1 media campaigns, community programs, and street outreach.
2 (3) Integration of responsible parenthood and fatherhood
3 curricula into existing abstinence and sexuality education.
4 Sec. 36. Section 234.35, subsection 1, paragraph c, Code
5 2003, is amended to read as follows:
6 c. When the department has agreed to provide foster care
7 services for the child for a period of not more than ~~thirty~~
8 ninety days on the basis of a signed placement agreement
9 between the department and the child's parent or guardian
10 ~~initiated-on-or-after-July-1,-1992~~.
11 Sec. 37. 2002 Iowa Acts, chapter 1125, section 1,
12 subsection 2, paragraphs b and d, are amended to read as
13 follows:
14 b. Amending rules ~~to-maintain-the-group-care-standard-for~~
15 ~~a-weekly-average-number-of-hours-of-therapy-and-counseling,~~
16 ~~but-determine-compliance-by-averaging-the-hours-per-week-over~~
17 ~~the-course-of-a-month~~ for group care documentation and
18 recoupment to streamline requirements relating to skills
19 development by removing the requirements for billed services
20 documentation and clarifying the requirements for meeting
21 weekly average hours of therapy and counseling and the
22 methodology for determining compliance and overpayments. ~~The~~
23 ~~recoupment-for-failure-to-comply-shall-be-applied-for-a-week~~
24 ~~at-a-time-for-noncompliance,-not-to-exceed-the-number-of-days~~
25 ~~paid.--This-standard-shall-not-be-applied-to-a-highly~~
26 ~~structured-juvenile-group-care-program.~~
27 ~~d.--Utilizing-a-weekly-results-summary-for-documentation-of~~
28 ~~the-group-care-requirement-for-daily-provision-of-skills~~
29 ~~development.~~
30 Sec. 38. 2002 Iowa Acts, chapter 1175, section 104, is
31 amended to read as follows:
32 SEC. 104. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND
33 DEVELOPMENTAL DISABILITIES ALLOWED GROWTH FACTOR ADJUSTMENT
34 AND ALLOCATIONS -- FISCAL YEAR 2003-2004. There is
35 appropriated from the general fund of the state to the

1 department of human services for the fiscal year beginning
2 July 1, 2003, and ending June 30, 2004, the following amount,
3 or so much thereof as is necessary, to be used for the purpose
4 designated:
5 For distribution to counties of the county mental health,
6 mental retardation, and developmental disabilities allowed
7 growth factor adjustment, as provided in this section in lieu
8 of the provisions of section 331.438, subsection 2, and
9 section 331.439, subsection 3, and chapter 426B:
10 ..... $ 19,073,638
11 1. The funding appropriated in this section is the allowed
12 growth factor adjustment for fiscal year 2003-2004, and is
13 allocated as follows:
14 a. For distribution as provided in this section:
15 ..... $ 17,073,638
16 b. For deposit in the risk pool created in the property
17 tax relief fund and for distribution in accordance with
18 section 426B.5, subsection 2:
19 ..... $ 2,000,000
20 2. The following formula amounts shall be utilized only to
21 calculate preliminary distribution amounts for fiscal year
22 2003-2004 under this section by applying the indicated formula
23 provisions to the formula amounts and producing a preliminary
24 distribution total for each county:
25 a. For calculation of an allowed growth factor adjustment
26 amount for each county in accordance with the formula in
27 section 331.438, subsection 2, paragraph "b":
28 ..... $ 12,000,000
29 b. For calculation of a distribution amount for eligible
30 counties from the per capita expenditure target pool created
31 in the property tax relief fund in accordance with the
32 requirements in section 426B.5, subsection 1:
33 ..... $ 12,492,712
34 c. For calculation of a distribution amount for counties
35 from the mental health and developmental disabilities (MH/DD)

1 community services fund in accordance with the formula
2 provided in ~~2002-Iowa-Acts,-Senate-File-2326,-section-119,~~
3 ~~subsection-1~~ the appropriation made for the MH/DD community
4 services fund for the fiscal year beginning July 1, 2003:
5 ..... $ ~~18,127,352~~
6 17,727,890
7 3. Notwithstanding any contrary provisions of sections
8 225C.7, 331.438, subsection 2, 331.439, subsection 3, and
9 426B.5, the moneys allocated for distribution in subsection 1,
10 paragraph "b", and in any other Act of the Eightieth General
11 Assembly, 2003 Session, for distribution to counties in the
12 fiscal year beginning July 1, 2003, for purposes of the mental
13 health and developmental disabilities (MH/DD) community
14 services fund under section 225C.7, and for the allowed growth
15 factor adjustment for services paid under a county's section
16 331.424A mental health, mental retardation, and developmental
17 disabilities services fund and as calculated under subsection
18 2 to produce preliminary distribution amounts for counties
19 shall be subject to withholding as provided in this section.
20 4. After applying the applicable statutory distribution
21 formulas to the amounts indicated in subsection 2 for purposes
22 to produce preliminary distribution totals, the department of
23 human services shall apply a withholding factor to adjust an
24 eligible individual county's preliminary distribution total.
25 An ending balance percentage for each county shall be
26 determined by expressing the county's ending balance on a
27 modified accrual basis under generally accepted accounting
28 principles for the fiscal year beginning July 1, 2002, in the
29 county's mental health, mental retardation, and developmental
30 disabilities services fund created under section 331.424A, as
31 a percentage of the county's gross expenditures from that fund
32 for that fiscal year. The withholding factor for a county
33 shall be the following applicable percent:
34 a. For an ending balance percentage of less than 10
35 percent, a withholding factor of 0 percent.

1 b. For an ending balance percentage of 10 through 24
2 percent, a withholding factor of 25 percent.
3 c. For an ending balance percentage of 25 through 34
4 percent, a withholding factor of 60 percent.
5 d. For an ending balance percentage of 35 through 44
6 percent, a withholding factor of 85 percent.
7 e. For an ending balance percentage of 45 percent or more,
8 a withholding factor of 100 percent.
9 5. The total withholding amounts applied pursuant to
10 subsection 4 shall be equal to a withholding target amount of
11 $7,419,074 and the appropriation enacted by the Eightieth
12 General Assembly, 2003 Session, for the MH/DD community
13 services fund shall be reduced by the amount necessary to
14 attain the withholding target amount. If the department of
15 human services determines that the amount to be withheld in
16 accordance with subsection 4 is not equal to the target
17 withholding amount, the department shall adjust the
18 withholding factors listed in subsection 4 as necessary to
19 achieve the withholding target amount. However, in making
20 such adjustments to the withholding factors, the department
21 shall strive to minimize changes to the withholding factors
22 for those ending balance percentage ranges that are lower than
23 others and shall not adjust the zero withholding factor
24 specified in subsection 4, paragraph "a".
25 6. A county must comply with both the requirements listed
26 in this subsection to be eligible to receive a funding
27 distribution under this section. The amount that would
28 otherwise be available for distribution to a county that fails
29 to so comply shall be proportionately distributed among the
30 eligible counties. Both of the following requirements are
31 applicable:
32 a. A county must comply with the December 1, 2003, filing
33 deadline for the county annual financial report in accordance
34 with section 331.403.
35 b. A county must levy the not less than 70 percent of the

1 maximum amount allowed for the county's mental health, mental
2 retardation, and developmental disabilities services fund
3 under section 331.424A for taxes due and payable in the fiscal
4 year beginning July 1, 2003.
5 7. The department of human services shall authorize the
6 issuance of warrants payable to the county treasurer for the
7 distribution amounts due the counties eligible under this
8 section and notwithstanding prior practice for the MH/DD
9 community services fund, the warrants shall be issued in
10 January 2004.
11 Sec. 39. 2002 Iowa Acts, Second Extraordinary Session,
12 chapter 1003, section 126, subsection 3, paragraph d, is
13 amended to read as follows:
14 d. Notwithstanding section 8.33, ~~up to $500,000 of~~ a state
15 resource center's revenues that remain unencumbered or
16 unobligated at the close of the fiscal year shall not revert
17 but shall remain available to be used in the succeeding fiscal
18 year.
19 Sec. 40. 2002 Iowa Acts, Second Extraordinary Session,
20 chapter 1003, section 131, is amended by adding the following
21 new unnumbered paragraph:
22 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
23 moneys appropriated in this section that remain unencumbered
24 or unobligated at the close of the fiscal year shall not
25 revert but shall remain available until the close of the
26 succeeding fiscal year to be used for payment of employee
27 relocation expenses associated with moving the program to
28 Cherokee.
29 Sec. 41. EMERGENCY RULES. If specifically authorized by a
30 provision of this Act, the department of human services or the
31 mental health and developmental disabilities commission may
32 adopt administrative rules under section 17A.4, subsection 2,
33 and section 17A.5, subsection 2, paragraph "b", to implement
34 the provisions and the rules shall become effective
35 immediately upon filing or on a later effective date specified

1 in the rules, unless the effective date is delayed by the
2 administrative rules review committee. Any rules adopted in
3 accordance with this section shall not take effect before the
4 rules are reviewed by the administrative rules review
5 committee. The delay authority provided to the administrative
6 rules review committee under section 17A.4, subsection 5, and
7 section 17A.8, subsection 9, shall be applicable to a delay
8 imposed under this section, notwithstanding a provision in
9 those sections making them inapplicable to section 17A.5,
10 subsection 2, paragraph "b". Any rules adopted in accordance
11 with the provisions of this section shall also be published as
12 notice of intended action as provided in section 17A.4.
13 Sec. 42. REPORTS.
14 1. Any reports or information required to be compiled and
15 submitted under this Act shall be submitted to the
16 chairpersons and ranking members of the joint appropriations
17 subcommittee on health and human services, the legislative
18 fiscal bureau, the legislative service bureau, and to the
19 legislative caucus staffs on or before the dates specified for
20 submission of the reports or information.
21 2. In order to reduce mailing and paper processing costs,
22 the department shall provide, to the extent feasible, reports,
23 notices, minutes, and other documents by electronic means to
24 those persons who have the capacity to access the documents in
25 that manner.
26 Sec. 43. LAW INAPPLICABLE FOR FISCAL YEAR 2003-2004.
27 1. The following provisions in Code or rule shall be
28 suspended for the period beginning July 1, 2003, and ending
29 June 30, 2004:
30 a. The requirements of section 239B.2A, relating to school
31 attendance by children participating in the family investment
32 program.
33 b. For a case permanency plan, as defined in section
34 232.2, the requirement for a six-month case permanency plan
35 review for an intact family.

1 c. The requirements of section 225C.42, relating to an
2 annual evaluation of the family support subsidy program.
3 2. The department may adopt emergency rules to implement
4 the provisions of this section.
5 Sec. 44. EFFECTIVE DATES. The following provisions of
6 this division of this Act, being deemed of immediate
7 importance, take effect upon enactment:
8 1. The provision under the appropriation for child and
9 family services, relating to requirements of section 232.143
10 for representatives of the department of human services and
11 juvenile court services to establish a plan for continuing
12 group foster care expenditures for the 2002-2003 fiscal year.
13 2. The provision under the appropriation for child and
14 family services, relating to the state court administrator
15 determining allocation of court-ordered services funding by
16 June 15, 2003.
17 3. The provision relating to unspent funds for food stamp
18 electronic benefit transfer remaining available from the
19 appropriation made in 2002 Iowa Acts, Second Extraordinary
20 Session, chapter 1003, section 112, for the 2003-2004 fiscal
21 year.
22 4. The provisions amending 2002 Iowa Acts, Second
23 Extraordinary Session, chapter 1003, sections 126 and 131,
24 relating to nonreversion of moneys appropriated in fiscal year
25 2002-2003 for the state resource centers and for the sexually
26 violent predator program.
27 DIVISION IV
28 SENIOR LIVING TRUST FUND
29 Sec. 45. DEPARTMENT OF ELDER AFFAIRS. There is
30 appropriated from the senior living trust fund created in
31 section 249H.4 to the department of elder affairs for the
32 fiscal year beginning July 1, 2003, and ending June 30, 2004,
33 the following amount, or so much thereof as is necessary, to
34 be used for the purpose designated:
35 For the development and implementation of a comprehensive

1 senior living program, including program administration and
2 costs associated with implementation, salaries, support,
3 maintenance, and miscellaneous purposes:
4 ..... $ 7,180,814
5 It is the intent of the general assembly that the
6 department not transfer moneys appropriated to the department
7 for purposes of the assisted living program and adult day care
8 for the fiscal year beginning July 1, 2003.
9 Sec. 46. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
10 appropriated from the senior living trust fund created in
11 section 249H.4 to the department of inspections and appeals
12 for the fiscal year beginning July 1, 2003, and ending June
13 30, 2004, the following amount, or so much thereof as is
14 necessary, to be used for the purpose designated:
15 For the inspection and certification of assisted living
16 facilities and adult day care services, including program
17 administration and costs associated with implementation,
18 salaries, support, maintenance, and miscellaneous purposes and
19 for not more than the following full-time equivalent
20 positions:
21 ..... $ 800,000
22 ..... FTEs 6.00
23 Sec. 47. DEPARTMENT OF HUMAN SERVICES. There is
24 appropriated from the senior living trust fund created in
25 section 249H.4 to the department of human services for the
26 fiscal year beginning July 1, 2003, and ending June 30, 2004,
27 the following amounts, or so much thereof as is necessary, to
28 be used for the purposes designated:
29 1. To provide grants to nursing facilities for conversion
30 to assisted living programs or to provide long-term care
31 alternatives and to provide grants to ICF/MR for conversion to
32 assisted living programs or home and community-based services
33 and to provide grants to long-term care providers for
34 development of long-term care alternatives:
35 ..... $ 20,000,000

1 Up to 25 percent of this amount may be used for development
2 of less restrictive community-based services with a
3 significant focus on reducing the numbers of persons served in
4 state resource centers and other intermediate care facilities
5 for persons with mental retardation as well as for activities
6 designed to facilitate the planning for or placement of such
7 services and persons.
8 2. To supplement the medical assistance appropriation,
9 including program administration and costs associated with
10 implementation, salaries, support, maintenance, and
11 miscellaneous purposes, and for not more than the following
12 full-time equivalent positions:
13 ..... $101,600,000
14 ..... FTEs 5.00
15 3. To provide reimbursement for health care services and
16 rent expenses to eligible persons through the home and
17 community-based services waiver and the state supplementary
18 assistance program, including program administration and data
19 system costs associated with implementation, salaries,
20 support, maintenance, and miscellaneous purposes:
21 ..... $ 1,733,406
22 Participation in the rent subsidy program shall be limited
23 to only those persons who are at risk for nursing facility
24 care. The department shall adopt emergency rules to implement
25 this provision.
26 4. To implement nursing facility provider reimbursements
27 as provided in 2001 Iowa Acts, chapter 192, section 4,
28 subsection 2, paragraph "c":
29 ..... $ 29,950,000
30 In order to carry out the purposes of this section, the
31 department shall transfer funds appropriated in this section
32 to supplement other appropriations made to the department of
33 human services.
34 5. Notwithstanding sections 249H.4 and 249H.5, the
35 department of human services may use moneys from the senior

1 living trust fund for cash flow purposes to make payments
2 under the nursing facility or hospital upper payment limit
3 methodology. The amount of any moneys so used shall be
4 refunded to the senior living trust fund within the same
5 fiscal year and in a prompt manner.
6 6. Notwithstanding section 8.33, moneys committed to
7 grantees under contract to provide for conversion to assisted
8 living programs or for development of long-term care
9 alternatives that remain unexpended at the close of the fiscal
10 year shall not revert to any fund but shall remain available
11 for expenditure for purposes of the contract.
12 Sec. 48. CONVERSION GRANT PROJECTS -- RULES.
13 1. For the fiscal year beginning July 1, 2003, and ending
14 June 30, 2004, the department of human services shall continue
15 to give greater weight in the scoring methodology to nursing
16 facility conversion projects that are primarily for the
17 renovation and remodeling of the existing nursing facility
18 structure and give less weight to conversion projects that are
19 primarily for new construction. The department of human
20 services shall encourage cooperative efforts between the
21 department of inspections and appeals, the state fire marshal,
22 and the grant applicant to promote the acceptance of nursing
23 facility conversion projects that are primarily renovation and
24 remodeling of the existing nursing facility structure.
25 2. For the fiscal year beginning July 1, 2003, and ending
26 June 30, 2004, the department of inspections and appeals shall
27 certify all assisted living programs established through
28 nursing facility conversion grants. The department of
29 inspections and appeals shall consult with conversion grant
30 applicants and recipients to establish and monitor occupancy
31 agreements and assisted living program residents shall be
32 allowed access to third-party payors.
33 DIVISION V
34 HOSPITAL TRUST FUND
35 Sec. 49. DEPARTMENT OF HUMAN SERVICES APPROPRIATION.

1 There is appropriated from the hospital trust fund created in
2 section 249I.4 to the department of human services for the
3 fiscal year beginning July 1, 2003, and ending June 30, 2004,
4 the following amount, or so much thereof as is necessary, to
5 be used for the purpose designated:
6 To supplement the medical assistance appropriation:
7 ..... $ 15,000,000
8 DIVISION VI
9 COMMISSION OF VETERANS AFFAIRS
10 Sec. 50. COMMISSION OF VETERANS AFFAIRS. There is
11 appropriated from the general fund of the state to the
12 commission of veterans affairs for the fiscal year beginning
13 July 1, 2003, and ending June 30, 2004, the following amounts,
14 or so much thereof as is necessary, to be used for the
15 purposes designated:
16 1. COMMISSION OF VETERANS AFFAIRS ADMINISTRATION
17 For salaries, support, maintenance, miscellaneous purposes,
18 including the war orphan educational fund established pursuant
19 to chapter 35, and for not more than the following full-time
20 equivalent positions:
21 ..... $ 288,193
22 ..... FTEs 4.00
23 The commission of veterans affairs may use the gifts
24 accepted by the chairperson of the commission of veterans
25 affairs, or designee, and other resources available to the
26 commission for use at its Camp Dodge office. The commission
27 shall report annually to the governor and the general assembly
28 on monetary gifts received by the commission for the Camp
29 Dodge office.
30 2. IOWA VETERANS HOME
31 For salaries, support, maintenance, miscellaneous purposes,
32 and for not more than the following full-time equivalent
33 positions:
34 ..... $ 14,205,741
35 ..... FTEs 843.50

1 a. The Iowa veterans home may use the gifts accepted by
2 the chairperson of the commission of veterans affairs and
3 other resources available to the commission for use at the
4 Iowa veterans home.
5 b. Any Iowa veterans home successor contractor shall not
6 consider employees of a state institution or facility to be
7 new employees for purposes of employee wages, health
8 insurance, or retirement benefits.
9 c. The chairpersons and ranking members of the joint
10 appropriations subcommittee on health and human rights or
11 successor subcommittee shall be notified by January 15 of any
12 calendar year during which a request for proposals is
13 anticipated to be issued regarding any Iowa veterans home
14 contract involving employment, for purposes of providing
15 legislative review and oversight.
16 d. The Iowa veterans home shall operate with a net state
17 general fund appropriation. The amount appropriated in this
18 subsection is the net amount of state moneys projected to be
19 needed for the Iowa veterans home. The purposes of operating
20 with a net state general fund appropriation are to encourage
21 the Iowa veterans home to operate with increased self-
22 sufficiency, to improve quality and efficiency, and to support
23 collaborative efforts among all funders of services available
24 from the Iowa veterans home. Moneys appropriated in this
25 subsection may be used throughout the fiscal year in the
26 manner necessary for purposes of cash flow management, and for
27 purposes of cash flow management the Iowa veterans home may
28 temporarily draw more than the amount appropriated, provided
29 the amount appropriated is not exceeded at the close of the
30 fiscal year.
31 e. Revenues attributable to the Iowa veterans home for the
32 fiscal year beginning July 1, 2003, shall be deposited into
33 the Iowa veterans home account and shall be treated as
34 repayment receipts, including but not limited to all of the
35 following:

1 (1) Federal veterans administration payments.
2 (2) Medical assistance revenue received under chapter
3 249A.
4 (3) Federal Medicare program payments.
5 (4) Moneys received from client financial participation.
6 (5) Other revenues generated from current, new, or
7 expanded services which the Iowa veterans home is authorized
8 to provide.
9 f. For the purposes of allocating the salary adjustment
10 fund moneys appropriated in another Act, the Iowa veterans
11 home shall be considered to be funded entirely with state
12 moneys.
13 g. Notwithstanding section 8.33, up to $500,000 of the
14 Iowa veterans home revenues that remain unencumbered or
15 unobligated at the close of the fiscal year shall not revert
16 but shall remain available to be used in the succeeding fiscal
17 year.
18 Sec. 51. 2002 Iowa Acts, Second Extraordinary Session,
19 chapter 1003, section 102, subsection 2, paragraph g, is
20 amended to read as follows:
21 g. Notwithstanding section 8.33, up to ~~$500,000~~ $1,000,000
22 of the Iowa veterans home revenues that remain unencumbered or
23 unobligated at the close of the fiscal year shall not revert
24 but shall remain available to be used in the succeeding fiscal
25 year.
26 Sec. 52. EFFECTIVE DATE. The section of this division of
27 this Act amending 2002 Iowa Acts, Second Extraordinary
28 Session, chapter 1003, section 102, being deemed of immediate
29 importance, takes effect upon enactment.
30 EXPLANATION
31 This bill relates to and makes appropriations for health
32 and human services for fiscal year 2003-2004 to the state
33 commission of veterans affairs, the Iowa veterans home, the
34 department of elder affairs, the Iowa department of public
35 health, the department of inspections and appeals, and the

1 department of human services.
2 Division I appropriates funding from the general fund of
3 the state for the department of elder affairs.
4 Division I includes a restriction of 7.5 percent on the
5 amount of allocated funds for aging programs that may be used
6 for administrative purposes by the area agencies on aging.
7 Division II appropriates funding from the general fund of
8 the state to the Iowa department of public health.
9 Division II includes authority for the Iowa department of
10 public health to retain and expend certain professional
11 licensing fees and licensing fee increases, and to retain and
12 expend fees from certification of lead inspectors and lead
13 abaters.
14 Division II directs the director of public health to
15 establish a health care access partnership pilot project in
16 one county for a two-year period. The purpose of the project
17 is to implement systems of health care services for persons
18 with low income or without health insurance coverage by
19 enhancing collaboration between providers of charity care or
20 medical assistance (Medicaid) services.
21 Division II appropriates funds from the gambling treatment
22 fund for addictive disorders and provides for use of the funds
23 remaining in the fund.
24 Division II extends the vital records modernization project
25 to June 30, 2004, and the scope of practice review project to
26 June 30, 2004.
27 Division III appropriates funding from the general fund of
28 the state and the federal temporary assistance for needy
29 families block grant to the department of human services.
30 Division III provides for fiscal year 2003-2004 that the
31 superintendent of the state training school at Eldora shall
32 also be the superintendent of the Iowa juvenile home at
33 Toledo.
34 Division III includes contingency language in the
35 appropriation for child and family services providing for a

1 reduction in certain allocations and for appropriation
2 transfers in the event that House File 568, relating to
3 provision of school aid for children placed in the department
4 of human services' institutions, is not enacted.
5 Division III provides that if a foster parent is unable to
6 complete the six hours of annual training requirement because
7 the foster parent is engaged in active duty in the military,
8 the foster parent is considered to have completed the
9 requirement.
10 Division III includes authority for the department to
11 contract with other states to provide care and treatment of
12 persons from the other states in Iowa's unit for sexually
13 violent predators, provided the charges recover all direct and
14 indirect costs. The department may retain a portion of the
15 charges.
16 Division III allows the department to utilize a portion of
17 moneys received in settlement of an overpayment to a child
18 development center or other large overpayment settlement as
19 additional funding for general administration positions.
20 Division III includes new Code section 217A.1, requiring
21 the department of human services to convene a group of state
22 agencies and other stakeholders to develop a comprehensive
23 approach for services to assist both mothers and fathers in
24 parenting their children.
25 Division III amends Code section 234.35, relating to state
26 payment for various child welfare services, to allow payment
27 for voluntary foster care services for a 90-day period rather
28 than a 30-day period.
29 Division III revises language in a 2002 enactment relating
30 to requirements for children's rehabilitative treatment
31 services reimbursed under Medicaid in order to change
32 documentation provisions.
33 Division III revises a funding amount used in the formula
34 for distribution of mental health, mental retardation, and
35 developmental disabilities allowed growth funding for fiscal

1 year 2003-2004.
2 Division III allows for carryover of unexpended fiscal year
3 2002-2003 appropriations for electronic benefit transfer
4 implementation, the sexually violent offender unit, and the
5 Glenwood and Woodward state resource centers. These
6 provisions take effect upon enactment.
7 Division III repeats for fiscal year 2003-2004 provisions
8 suspending the applicability of the following laws: school
9 attendance requirements for children participating in the
10 family investment program, six-month case permanency plan
11 reviews required for children in an intact family, and annual
12 evaluation required for the family support subsidy program.
13 Provisions in division III related to issuance of funding
14 plans by representatives of the department of human services
15 and the judicial branch take effect upon enactment.
16 Division IV makes appropriations for the 2003-2004 fiscal
17 year from the senior living trust fund to the department of
18 elder affairs, the department of human services, and the
19 department of inspections and appeals.
20 Division V makes an appropriation from the hospital trust
21 fund to the department of human services to supplement the
22 medical assistance appropriation.
23 Division VI appropriates funding from the general fund of
24 the state to the commission of veterans affairs. Division VI
25 further provides that the Iowa veterans home shall operate
26 with a net state general fund appropriation, and that general
27 fund moneys may be used for cash flow management purposes.
28 Division VI includes authority for the veterans home to
29 carry forward additional unspent moneys from fiscal year 2002-
30 2003. This provision takes effect upon enactment.
31
32
33
34
35

HOUSE FILE 667

AN ACT

RELATING TO AND MAKING APPROPRIATIONS FOR HEALTH AND HUMAN SERVICES TO THE DEPARTMENT OF ELDER AFFAIRS, THE IOWA DEPARTMENT OF PUBLIC HEALTH, THE DEPARTMENT OF INSPECTIONS AND APPEALS, THE DEPARTMENT OF HUMAN SERVICES, AND THE COMMISSION OF VETERANS AFFAIRS, AND PROVIDING EFFECTIVE DATES.

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

DIVISION I

ELDER AFFAIRS

Section 1. 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, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For aging programs for the department of elder affairs and area agencies on aging to provide citizens of Iowa who are 60 years of age and older with case management for the frail elderly, the retired and senior volunteer program, resident advocate committee coordination, employment, and other services which may include, but are not limited to, adult day services, 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:

..... $ 2,653,222
..... FTEs 25.50

1. Funds appropriated in this section may be used to supplement federal funds under federal regulations. To receive funds appropriated in this section, 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 section may be used for elderly services not specifically enumerated in this section only if approved by an area agency on aging for provision of the service within the area.

2. Of the funds allocated under this section and any other state funds allocated for aging programs of the area agencies on aging not more than 7.5 percent of the total amount allocated shall be used for area agencies on aging administrative purposes.

3. 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.

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

DIVISION II

PUBLIC HEALTH

Sec. 2. 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, 2003, and ending June 30, 2004, 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:

..... $ 1,277,947

..... FTEs 13.75

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.

c. The department and any grantee or subgrantee of the department shall not discriminate against a nongovernmental organization that provides substance abuse treatment and prevention services or applies for funding to provide those services on the basis that the organization has a religious character. The department shall report to the governor and the general assembly on or before February 1, 2004, regarding the number of religious or other nongovernmental organizations that applied for funds in the preceding fiscal year, the amounts awarded to those organizations, and the basis for any refusal by the department or grantee or subgrantee of the department to award funds to any of those organizations that applied.

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:

..... $ 260,582

..... FTEs 23.85

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:

..... $ 835,959

..... FTEs 44.15

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:

..... $ 1,036,805

..... FTEs 11.15

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:

..... $ 1,287,158

..... FTEs 25.10

Of the funds appropriated in this subsection, $100,000 is allocated for a child vision screening program implemented through the university of Iowa hospitals and clinics in collaboration with community empowerment areas.

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:

..... $ 9,470,754

..... FTEs 4.35

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:

..... $ 349,547

..... FTEs 8.50

8. INFECTIOUS DISEASES

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

..... $ 977,340

..... FTEs 36.90

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:

..... $ 1,412,918

..... FTEs 7.75

Of the funds appropriated in this subsection, $660,000 shall be credited to the emergency medical services fund created in section 135.25.

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:

..... $ 6,510,871

..... FTEs 149.10

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's 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 for 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, 2003, shall not exceed 5 percent of the average annual fees generated by the boards for the previous two fiscal years. The funds

authorized for expenditure pursuant to this lettered paragraph are appropriated to the department for the purposes described in this paragraph.

b. For the fiscal year beginning July 1, 2003, 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. Fees retained by the department pursuant to this lettered paragraph are appropriated to the department for the purposes described in this lettered paragraph.

c. The department may retain and expend not more than $297,961 for lease and maintenance expenses 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 in the fiscal year beginning July 1, 2003, and ending June 30, 2004. 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, 2003, and ending June 30, 2004. 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 funds appropriated in 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 $148,060 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 board of medical examiners, the board of pharmacy examiners, the board of dental examiners, and the board of nursing 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 board of medical examiners, the board of pharmacy examiners, the board of dental examiners, and the board of nursing 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 fiscal year beginning July 1, 2003, the board of nursing may retain and expend 90 percent of the revenues

generated from any increase in licensing fees pursuant to section 147.80 for purposes related to the state board's duties, including but not limited to addition of full-time equivalent positions. Fees retained by the board pursuant to this lettered paragraph are appropriated to the board of nursing for the purposes described in this paragraph.

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:

..... $ 666,717

..... FTEs 53.15

12. The 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.

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. 3. 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, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

a. Addictive disorders

To be utilized for the benefit of persons with addictions:
..... $ 1,690,000

b. It is the intent of the general assembly that from the moneys appropriated in this section, persons with a dual diagnosis of substance abuse and gambling addictions shall be given priority in treatment services.

c. Gambling treatment program

The funds remaining in the gambling treatment fund after the appropriation in paragraph "a" is 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, 2003, and ending June 30, 2004, 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. 4. 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, 2001 Iowa Acts, chapter 182, section 13, and 2002 Iowa Acts, Second Extraordinary Session, chapter 1003, section 104, shall be extended until June 30, 2004, 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, 2004.

Sec. 5. SCOPE OF PRACTICE REVIEW PROJECT. The scope of practice review committee pilot project as enacted in 1997 Iowa Acts, chapter 203, section 6, and as continued by 2002 Iowa Acts, Second Extraordinary Session, chapter 1003, section 107, shall be extended until June 30, 2004. The Iowa department of public health shall submit an annual progress report to the governor and the general assembly by January 15 and shall include any recommendations for legislative action as a result of review committee activities. The department may contract with a school or college of public health in Iowa to assist in implementing the project.

Sec. 6. HEALTH CARE ACCESS PARTNERSHIP PILOT PROJECT.

1. The director of public health shall establish a health care access partnership pilot project in a county with a population of more than 250,000 for a two-year period. The director shall adopt rules as necessary to establish and administer the pilot project. In adopting rules, the director shall consult with persons and agencies who may be involved with a health care access partnership and with the department of human services.

2. The purpose of the health care access partnership pilot project is to implement systems of health care services for low-income persons or persons without health insurance coverage, and others, by enhancing collaboration between persons and agencies providing charity care or services under the medical assistance program.

3. The elements of the partnership pilot project shall include but are not limited to all of the following:

a. A person participating in the partnership may be a public, private, for-profit, or nonprofit entity.

b. Participation provisions shall be outlined in a written agreement between those participating. If authorized under chapter 28E, a chapter 28E agreement may be utilized for all or a portion of the participant provisions.

c. If a participant in the partnership is a medical assistance program provider, the participant must be a medical assistance program provider in good standing and must accept medical assistance reimbursement as full payment for any service provided. Unless expressly prohibited by the federal government, a medical assistance program provider offering services in the area served by the partnership shall be required to participate in the partnership as a condition of participation in the medical assistance program.

d. Participants shall be authorized to share confidential information if the sharing is in the best interests of a client and the client has provided written authorization for the information sharing. If it is determined that the optimal approach for the information sharing is for the participants to establish a multidisciplinary community services team under section 331.909, notwithstanding section 331.909, subsection 4, the participants may disclose information other than oral information with one another.

e. A referral process among the participants shall be established.

f. The geographic area to be served by those participating in the agreement shall be identified in the agreement and may encompass the entire county.

g. Provision shall be made for receipt and expenditure of funding for the joint purposes of those participating or for clients of those participating and for receiving and expending funding received from foundations, grants, or other revenue sources.

h. Provision to allow the partnership to form any governance structure that is appropriate to the purposes of the partnership and that meets all federal or state statutory requirements for the specific elements of the partnership's charter.

4. If administrative rules are necessary to implement the provisions of this section, the initial rules shall be adopted on or before September 1, 2003. The director of public health may adopt the initial rules as emergency rules under section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph "b", and the rules shall be effective immediately upon filing unless the effective date is delayed by the administrative rules review committee, notwithstanding section 17A.4, subsection 5, and section 17A.8, subsection 9, or a later date is specified in the rules. Any rules adopted in accordance with this subsection shall not take effect before the administrative rules review committee reviews the rules. Any rules adopted in accordance with this subsection shall also be published as a notice of intended action as provided in section 17A.4.

DIVISION III

HUMAN SERVICES

Sec. 7. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT. There is appropriated from the fund created in section 8.41 to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, from moneys received under the federal temporary assistance for needy families block grant pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193 and successor legislation, which are federally appropriated for the federal fiscal years beginning October 1, 2002, and ending September 30, 2003, and beginning October 1, 2003, and ending September 30, 2004, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

If the federal government appropriation received for Iowa's portion of the federal temporary assistance for needy families block grant amounts for the federal fiscal years beginning October 1, 2002, and ending September 30, 2003, and beginning October 1, 2003, and ending September 30, 2004, are less than $131,524,959, it is the intent of the general assembly to act expeditiously during the 2004 legislative session to adjust appropriations or take other actions to address the reduced amount. Moneys appropriated in this section shall be used in accordance with the federal law making the funds available, applicable Iowa law, appropriations made from the general fund of the state in this Act for the purpose designated, and administrative rules adopted to implement the federal and Iowa law:

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

..... $ 51,492,790

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

..... $ 13,412,794

3. For field operations:

..... $ 14,152,174

4. For general administration:

..... $ 3,238,614

5. For local administrative costs:

..... $ 2,122,982

6. For state child care assistance:

..... $ 21,145,765

a. Of the funds appropriated in this subsection, $200,000 shall be used for provision of educational opportunities to registered child care home providers in order to improve services and programs offered by this category of providers

and to increase the number of providers. The department may contract with institutions of higher education or child care resource and referral centers to provide the educational opportunities. Allowable administrative costs under the contracts shall not exceed 5 percent. The application for a grant shall not exceed two pages in length.

b. Of the funds appropriated in this subsection, the maximum amount allowed under Pub. L. No. 104-193 and successor legislation shall be transferred to the child care and development block grant appropriation. Funds appropriated in this subsection that remain following the transfer shall be used to provide direct spending for the child care needs of working parents in families eligible for the family investment program.

7. For the parental involvement program established in section 217A.1, if enacted by this Act:

..... $ 35,000

8. For mental health and developmental disabilities community services:

..... $ 4,349,266

9. For child and family services:

..... $ 25,256,571

10. For child abuse prevention grants:

..... $ 250,000

11. For pregnancy prevention grants on the condition that family planning services are funded:

..... $ 2,514,413

a. Pregnancy prevention grants shall be awarded to programs in existence on or before July 1, 2003, if the programs are comprehensive in scope and have demonstrated positive outcomes. Grants shall be awarded to pregnancy prevention programs which are developed after July 1, 2003, if the programs are comprehensive in scope and are based on existing models that have demonstrated positive outcomes. Grants shall comply with the requirements provided in 1997

Iowa Acts, chapter 208, section 14, subsections 1 and 2, including the requirement that grant programs must emphasize sexual abstinence. Priority in the awarding of grants shall be given to programs that serve areas of the state which demonstrate the highest percentage of unplanned pregnancies of females age 13 or older but younger than age 18 within the geographic area to be served by the grant.

b. In addition to the full-time equivalent positions funded in this Act, the department may use a portion of the funds appropriated in this subsection to employ an employee in up to 1.00 FTE for the administration of programs specified in this subsection.

12. For technology needs and other resources necessary to meet federal welfare reform reporting, tracking, and case management requirements:

..... $ 1,037,186

13. For volunteers:

..... $ 42,663

14. For the healthy opportunities for parents to experience success (HOPES) program administered by the Iowa department of public health to target child abuse prevention:

..... $ 200,000

15. To be credited to the Iowa marriage initiative grant fund created in section 234.45:

..... $ 85,000

a. Moneys credited to the Iowa marriage initiative grant fund under this subsection are appropriated to the department for the fiscal year beginning July 1, 2003, and ending June 30, 2004, to be used in accordance with this section.

b. The department shall establish an Iowa fatherhood and family initiative grant program utilizing funds credited to the Iowa marriage initiative grant fund created in section 234.45 to fund services to support fatherhood and to encourage the formation and maintenance of two-parent families that are secure and nurturing. The department of human services shall

adopt rules pursuant to chapter 17A to administer the grant fund and to establish procedures for awarding of grants.

c. The program shall require that a grantee be a nonprofit organization incorporated in this state with demonstrated successful experience in facilitating fatherhood promotion activities, marriage and family promotion activities, in using media resources to promote fatherhood and marriage and family formation, in making presentations to service or faith-based organizations, and in raising private funding for activities that support fatherhood, marriage, and families.

d. Preference in awarding grants may be given to those nonprofit organizations working with faith-based groups and those groups targeting young fathers.

e. The program activities funded by a grant shall include but are not limited to all of the following:

(1) Working with individuals who have a demonstrated ability in working with at-risk fathers or working with those who may solemnize marriages pursuant to section 598.10 to utilize premarital diagnostic tools, to implement marriage agreements developed by the individuals who may solemnize marriages pursuant to section 595.10 that provide for an appropriate engagement period and premarital and postmarital counseling, and to use volunteer mentors in program activities.

(2) Provision of a series of meetings sharing best practices that encourage young fathers to fulfill their responsibilities to the expectant mother of the child during the pregnancy, and to the mother of the child following the birth of the child, that promote happy and healthy marriages, and that offer counseling to determine the father's level of commitment to the child and the child's mother.

f. The program activities funded by a grant shall be privately funded at no less than fifty percent of the grant amount.

g. Grants shall be awarded in a manner that results in provision of services throughout the state in an equal number of urban and rural geographic areas.

h. The department shall implement the grant program so that the initial request for proposals is issued on or before October 1, 2003, and so that any grants are awarded on or before January 1, 2004.

i. A grantee shall submit a quarterly financial report to the department and to the legislative fiscal bureau and shall be subject to an annual independent evaluation to assess accomplishment of the purposes of the program.

j. The department shall provide a copy of the request for proposals and shall submit a report concerning the proposals received and grants awarded to those persons designated by this division of this Act to receive reports.

k. The department may adopt emergency rules to implement the provisions of this subsection.

16. To be credited to the state child care assistance appropriation made in this section to be used for funding of community-based early childhood programs targeted to children from birth through five years of age, developed by community empowerment areas as provided in this subsection:

..... $ 7,350,000

a. The department may transfer federal temporary assistance for needy families block grant funding appropriated and allocated in this subsection to the child care and development block grant appropriation in accordance with federal law as necessary to comply with the provisions of this subsection. The funding shall then be provided to community empowerment areas for the fiscal year beginning July 1, 2003, in accordance with all of the following:

(1) The area must be approved as a designated community empowerment area by the Iowa empowerment board.

(2) The maximum funding amount a community empowerment area is eligible to receive shall be determined by applying

the area's percentage of the state's average monthly family investment program population in the preceding fiscal year to the total amount appropriated for fiscal year 2003-2004 from the TANF block grant to fund community-based programs targeted to children from birth through five years of age developed by community empowerment areas.

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

(4) The availability of funding provided under this subsection is subject to changes in federal requirements and amendments to Iowa law.

b. The moneys distributed in accordance with this subsection shall be used by communities for the purposes of enhancing quality child care capacity in support of parent capability to obtain or retain employment. The moneys shall be used with a primary emphasis on low-income families and children from birth to five years of age. Moneys shall be provided in a flexible manner to communities, and shall be used to implement strategies identified by the communities to achieve such purposes. In addition to the full-time equivalent positions funded in this division of this Act, 1.00 FTE position is authorized and the department may use funding appropriated in this subsection for provision of technical assistance and other support to communities developing and implementing strategies with moneys distributed in accordance with this subsection.

c. Moneys that are subject to this subsection which are not distributed to a community empowerment area or otherwise remain unobligated or unexpended at the end of the fiscal year shall revert to the fund created in section 8.41 to be available for appropriation by the general assembly in a subsequent fiscal year.

Of the amounts appropriated in this section, $11,612,112 for the fiscal year beginning July 1, 2003, shall be transferred to the appropriation of the federal social services block grant for that fiscal year. If the federal government revises requirements to reduce the amount that may be transferred to the federal social services block grant, it is the intent of the general assembly to act expeditiously during the 2004 legislative session to adjust appropriations or the transfer amount or take other actions to address the reduced amount.

Eligible funding available under the federal temporary assistance for needy families block grant that is not appropriated or not otherwise expended shall be considered reserved for economic downturns and welfare reform purposes and is subject to further state appropriation to support families in their movement toward self-sufficiency.

Federal funding received that is designated for activities supporting marriage or two-parent families is appropriated to the Iowa marriage initiative grant fund created in section 234.45.

Sec. 8. FAMILY INVESTMENT PROGRAM ACCOUNT.

1. Moneys credited to the family investment program (FIP) account for the fiscal year beginning July 1, 2003, and ending June 30, 2004, shall be used in accordance with the following requirements:

a. The department of human services shall provide assistance in accordance with chapter 239B.

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

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

d. The department shall continue expansion of the electronic benefit transfer program as necessary to comply with federal food stamp benefit requirements. The target date

for statewide implementation of the program is October 1, 2003.

2. The department may use a portion of the moneys credited to the family investment program account under this section, as necessary for salaries, support, maintenance, and miscellaneous purposes for not more than the following full-time equivalent positions which are in addition to any other full-time equivalent positions authorized by this Act:

..... FTEs 8.00

3. The department may transfer funds in accordance with section 8.39, either federal or state, to or from the child care appropriations made for the fiscal year beginning July 1, 2003, if the department deems this would be a more effective method of paying for JOBS program child care, to maximize federal funding, or to meet federal maintenance of effort requirements.

4. Moneys appropriated in this Act and credited to the family investment program account for the fiscal year beginning July 1, 2003, and ending June 30, 2004, are allocated as follows:

a. For the family development and self-sufficiency grant program as provided under section 217.12:

..... $ 5,133,042

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

(2) Based upon the annual evaluation report concerning each grantee funded by previously appropriated funds and through the solicitation of additional grant proposals, the family development and self-sufficiency council may use the allocated funds to renew or expand existing grants or award new grants. In utilizing the funding allocated in this lettered paragraph, the council shall give consideration, in addition to other criteria established by the council, to a

grantee's intended use of local funds with a grant and to whether approval of a grant proposal would expand the availability of the program's services.

(3) The department may continue to implement the family development and self-sufficiency grant program statewide during FY 2003-2004.

b. For the diversion subaccount of the family investment program account:

..... $ 2,814,000

(1) Moneys allocated to the diversion subaccount shall be used to implement FIP diversion statewide while continuing the local flexibility in program design. A family that meets income eligibility requirements for the family investment program may receive a one-time payment to remedy an immediate need in order to permit the family to maintain self-sufficiency without providing ongoing cash assistance. A FIP participant family may receive diversion assistance to overcome barriers to obtaining employment and to assist in stabilizing employment in order to increase the likelihood of the family leaving FIP more quickly. The department shall assess and screen individuals who would most likely benefit from the assistance. In addition to the full-time equivalent positions authorized in this Act, 1.00 FTE is authorized for purposes of diversion. The department may adopt additional eligibility criteria as necessary for compliance with federal law and for screening those families who would be most likely to become eligible for FIP if diversion incentives would not be provided.

(2) A portion of the moneys allocated for the subaccount may be used for field operations salaries, data management system development, and implementation costs and support deemed necessary by the director of human services in order to administer the FIP diversion program.

(3) Of the funds allocated in this lettered paragraph, not more than $250,000 shall be used to develop or continue

community-level parental obligation pilot projects. The requirements established under 2001 Iowa Acts, chapter 191, section 3, subsection 5, paragraph "c", subparagraph (3), shall remain applicable to the parental obligation pilot projects for fiscal year 2003-2004.

c. For the food stamp employment and training program:
..... $ 63,000

5. Of the child support collections assigned under the family investment program, an amount equal to the federal share of support collections shall be credited to the child support recovery appropriation. Of the remainder of the assigned child support collections received by the child support recovery unit, a portion shall be credited to the family investment program account and a portion may be used to increase recoveries.

6. For the fiscal year beginning July 1, 2003, the department shall continue the process for the state to receive refunds of utility and rent deposits, including any accrued interest, for emergency assistance program recipients which were paid by persons other than the state. The department shall also receive refunds, including any accrued interest, of assistance paid with funding available under this program. The refunds received by the department shall be credited to the family investment program (FIP) account to offset FIP cash grants expended in the same year. Notwithstanding section 8.33, moneys received by the department under this subsection which remain after the emergency assistance program is terminated and state or federal moneys in the emergency assistance account which remain unobligated or unexpended at the close of the fiscal year beginning July 1, 2003, shall not revert to any other fund but shall be credited to the family investment program account.

7. The department may adopt emergency administrative rules for the family investment, food stamp, and medical assistance programs, if necessary, to comply with federal requirements.

8. The department may continue the initiative to streamline and simplify the employer verification process for applicants, participants, and employers in the administration of the department's programs. The department may contract with companies collecting data from employers when the information is needed in the administration of these programs. The department may limit the availability of the initiative on the basis of geographic area or number of individuals.

Sec. 9. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

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

..... $ 36,187,879

1. The department of workforce development, in consultation with the department of human services, shall continue to utilize recruitment and employment practices to include former and current family investment program recipients.

2. The department of human services shall continue to work with the department of workforce development and local community collaborative efforts to provide support services for family investment program participants. The support services shall be directed to those participant families who would benefit from the support services and are likely to have success in achieving economic independence.

3. Of the funds appropriated in this section, $9,274,143 is allocated for the JOBS program.

4. The department shall continue to work with religious organizations and other charitable institutions to increase the availability of host homes, referred to as second chance

homes or other living arrangements under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, § 103. The purpose of the homes or arrangements is to provide a supportive and supervised living arrangement for minor parents receiving assistance under the family investment program who, under chapter 239B, may receive assistance while living in an alternative setting other than with their parent or legal guardian.

Sec. 10. CHILD SUPPORT RECOVERY. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... $ 5,482,793

..... FTEs 405.00

1. The director of human services, within the limitations of the moneys appropriated in this section, or moneys transferred from the family investment program account for this purpose, shall establish new positions and add employees to the child support recovery unit if the director determines that both the current and additional employees together can reasonably be expected to maintain or increase net state revenue at or beyond the budgeted level.

2. Nonpublic assistance application fees and other user fees received by the child support recovery unit are appropriated and shall be used for the purposes of the child support recovery program. The director of human services may add positions within the limitations of the amount appropriated for salaries and support for the positions.

3. The director of human services, in consultation with the department of management and the legislative fiscal committee, is authorized to receive and deposit state child

support incentive earnings in the manner specified under applicable federal requirements.

4. a. The director of human services may establish new positions and add state employees to the child support recovery unit or contract for delivery of services if the director determines the employees are necessary to replace county-funded positions eliminated due to termination, reduction, or nonrenewal of a chapter 28E contract. However, the director must also determine that the resulting increase in the state share of child support recovery incentives exceeds the cost of the positions or contract, the positions or contract are necessary to ensure continued federal funding of the program, or the new positions or contract can reasonably be expected to recover at least twice the amount of money necessary to pay the salaries and support for the new positions or the contract will generate at least 200 percent of the cost of the contract.

b. Employees in full-time positions that transition from county government to state government employment under this subsection are exempt from testing, selection, and appointment provisions of chapter 19A and from the provisions of collective bargaining agreements relating to the filling of vacant positions.

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

6. The department shall expend up to $31,000, including federal financial participation, for the fiscal year beginning July 1, 2003, for a child support public awareness campaign. The department and the office of the attorney general shall cooperate in continuation of the campaign. The public awareness campaign shall emphasize, through a variety of media activities, the importance of maximum involvement of both

parents in the lives of their children as well as the importance of payment of child support obligations.

7. Federal access and visitation grant moneys shall be issued directly to private not-for-profit agencies that provide services designed to increase compliance with the child access provisions of court orders, including but not limited to neutral visitation site and mediation services.

Sec. 11. MEDICAL ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For medical assistance reimbursement and associated costs as specifically provided in the reimbursement methodologies in effect on June 30, 2003, except as otherwise expressly authorized by law, including reimbursement for abortion services, which shall be available under the medical assistance program only for those abortions which are medically necessary:

..... $357,486,073

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

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

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

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

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

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

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

3. a. The county of legal settlement shall be billed for 50 percent of the nonfederal share of the cost of case management provided for adults, day treatment, and partial hospitalization in accordance with sections 249A.26 and 249A.27, and 100 percent of the nonfederal share of the cost of care for adults which is reimbursed under a federally approved home and community-based waiver that would otherwise be approved for provision in an intermediate care facility for persons with mental retardation, provided under the medical assistance program. The state shall have responsibility for the remaining 50 percent of the nonfederal share of the cost of case management provided for adults, day treatment, and partial hospitalization. For persons without a county of legal settlement, the state shall have responsibility for 100 percent of the nonfederal share of the costs of case management provided for adults, day treatment, partial hospitalization, and the home and community-based waiver services. The case management services specified in this subsection shall be billed to a county only if the services are provided outside of a managed care contract.

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

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

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

e. Unless a county has paid or is paying for the nonfederal share of the cost of a person's home and community-based waiver services or ICFMR placement under the county's mental health, mental retardation, and developmental disabilities services fund, or unless a county of legal settlement would become liable for the costs of services at the ICFMR level of care for a person due to the person reaching the age of majority, the state shall pay the nonfederal share of the costs of an eligible person's services under the home and community-based waiver for persons with brain injury.

4. The department shall utilize not more than $60,000 of the funds appropriated in this section to continue the AIDS/HIV health insurance premium payment program as established in 1992 Iowa Acts, Second Extraordinary Session,

chapter 1001, section 409, subsection 6. Of the funds allocated in this subsection, not more than $5,000 may be expended for administrative purposes.

5. Of the funds appropriated to the Iowa department of public health for substance abuse grants, $950,000 for the fiscal year beginning July 1, 2003, shall be transferred to the department of human services for an integrated substance abuse managed care system.

6. In administering the medical assistance home and community-based waivers, the total number of openings at any one time shall be limited to the number approved for a waiver by the secretary of the United States department of health and human services. The openings shall be available on a first-come, first-served basis.

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

8. The department shall continue working with county representatives in aggressively implementing the rehabilitation option for services to persons with chronic mental illness under the medical assistance program, and county funding shall be used to provide the match for the federal funding, except for individuals with state case status, for whom state funding shall provide the match.

9. If the federal centers for Medicare and Medicaid services approves a waiver request from the department, the department shall provide a period of 24 months of guaranteed eligibility for medical assistance family planning services,

regardless of the change in circumstances of a woman who was a medical assistance recipient when a pregnancy ended.

10. The department shall aggressively pursue options for providing medical assistance or other assistance to individuals with special needs who become ineligible to continue receiving services under the early and periodic, screening, diagnosis, and treatment program under the medical assistance program due to becoming 21 years of age, who have been approved for additional assistance through the department's exception to policy provisions, but who have health care needs in excess of the funding available through the exception to policy process.

11. The drug utilization review commission shall submit copies of the board's annual review, including facts and findings, of the drugs on the department's prior authorization list to the department and to the members of the joint appropriations subcommittee on health and human services.

12. The department shall expend the anticipated savings for operation of the state maximum allowable cost program for pharmaceuticals as additional funding for the medical assistance program.

13. The department shall implement the elimination of hospital crossover claims for dually eligible federal Medicare and medical assistance program beneficiaries for hospitals licensed under chapter 135B, only if approval of a medical assistance state plan amendment is received from the centers for Medicare and Medicaid services of the United States department of health and human services that protects hospitals from financial losses specifically due to the hospital crossover claims process under the medical assistance program or the Medicare cost reports.

Sec. 12. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount,

or so much thereof as is necessary, to be used for the purpose designated:

For administration of the health insurance premium payment program, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... $ 573,968

..... FTEs 21.00

Sec. 13. MEDICAL CONTRACTS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For medical contracts:

..... $ 8,990,035

1. In any managed care contract for mental health or substance abuse services entered into or extended by the department on or after July 1, 2003, the request for proposals shall provide for coverage of dual diagnosis mental health and substance abuse treatment provided at the state mental health institute at Mount Pleasant. To the extent possible, the department shall also amend any such contract existing on July 1, 2003, to provide for such coverage.

2. The department may either continue or reprocure the contract existing on June 30, 2003, with the department's fiscal agent.

Sec. 14. STATE SUPPLEMENTARY ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For state supplementary assistance and the medical assistance home and community-based services waiver rent subsidy program:

..... $ 19,198,735

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

2. If during the fiscal year beginning July 1, 2003, the department projects that state supplementary assistance expenditures for a calendar year will not meet the federal pass-along requirement specified in Title XVI of the federal Social Security Act, section 1618, as codified in 42 U.S.C. § 1382g, the department may take actions including but not limited to increasing the personal needs allowance for residential care facility residents and making programmatic adjustments or upward adjustments of the residential care facility or in-home health-related care reimbursement rates prescribed in this Act to ensure that federal requirements are met. In addition, the department may make other programmatic and rate adjustments necessary to remain within the amount appropriated in this section while ensuring compliance with federal requirements. The department may adopt emergency rules to implement the provisions of this subsection.

Sec. 15. CHILDREN'S HEALTH INSURANCE PROGRAM. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For maintenance of the healthy and well kids in Iowa (hawk-i) program pursuant to chapter 514I for receipt of federal financial participation under Title XXI of the federal Social Security Act, which creates the state children's health insurance program:

..... $ 11,118,275

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

2. Moneys in the hawk-i trust fund are appropriated to the department of human services and shall be used to offset any program costs for the fiscal year beginning July 1, 2003, and ending June 30, 2004.

Sec. 16. CHILD CARE ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For child care programs:

..... $ 5,050,752

1. a. Of the funds appropriated in this section, $4,525,228 shall be used for state child care assistance in accordance with section 237A.13.

b. During the 2003-2004 fiscal year, the moneys deposited in the child care credit fund created in section 237A.28 are appropriated to the department to be used for state child care assistance in accordance with section 237A.13, in addition to the moneys allocated for that purpose in paragraph "a".

2. Nothing in this section shall be construed or is intended as, or shall imply, a grant of entitlement for services to persons who are eligible for assistance due to an income level consistent with the waiting list requirements of section 237A.13. Any state obligation to provide services pursuant to this section is limited to the extent of the funds appropriated in this section.

3. Of the funds appropriated in this section, $525,524 is allocated for the statewide program for child care resource and referral services under section 237A.26.

4. The department may use any of the funds appropriated in this section as a match to obtain federal funds for use in expanding child care assistance and related programs. For the purpose of expenditures of state and federal child care funding, funds shall be considered obligated at the time expenditures are projected or are allocated to the department's service areas. Projections shall be based on current and projected caseload growth, current and projected provider rates, staffing requirements for eligibility determination and management of program requirements including data systems management, staffing requirements for administration of the program, contractual and grant obligations and any transfers to other state agencies, and obligations for decategorization or innovation projects.

5. If the federal government appropriates additional funding under the federal child care and development block grant than was anticipated would be received for the state fiscal year beginning July 1, 2003, in addition to the notification requirements for expenditure requirements for additional federal funds under 2002 Iowa Acts, chapter 1170, the department shall consult with the chairpersons and ranking members of the joint appropriations subcommittee on health and human services at least thirty days in advance of committing to expenditure of the additional funding.

6. A portion of the state match for the federal child care and development block grant shall be provided through the state general fund appropriation for child development grants and other programs for at-risk children in section 279.51.

7. a. The department shall develop consumer information material to assist parents in selecting a child care provider. In developing the material, the department shall consult with department of human services staff, department of education staff, the state child care advisory council, the Iowa empowerment board, and child care resource and referral services. In addition, the department may consult with other entities at the local, state, and national level.

b. The consumer information material developed by the department for parents and other consumers of child care services shall include but is not limited to all of the following:

(1) A pamphlet or other printed material containing consumer-oriented information on locating a quality child care provider.

(2) Information explaining important considerations a consumer should take into account in selecting a licensed or registered child care provider.

(3) Information explaining how a consumer can identify quality services, including what questions to ask of providers and what a consumer might expect or demand to know before selecting a provider.

(4) An explanation of the applicable laws and regulations written in layperson's terms.

(5) An explanation of what it means for a provider to be licensed, registered, or unregistered.

(6) An explanation of the information considered in registry and record background checks.

(7) Other information deemed relevant to consumers.

c. The department shall implement and publicize an internet page or site that provides all of the following:

(1) The written information developed pursuant to paragraphs "a" and "b".

(2) Regular informational updates, including when a child care provider was last subject to a state quality review or inspection and, based upon a final score or review, the results indicating whether the provider passed or failed the review or inspection.

(3) Capability for a consumer to be able to access information concerning child care providers, such as informational updates, identification of provider location, name, and capacity, and identification of providers participating in the state child care assistance program and

those participating in the child care food program, by sorting the information or employing other means that provide the information in a manner that is useful to the consumer. Information regarding provider location shall identify providers located in the vicinity of an address selected by a consumer and provide contact information without listing the specific addresses of the providers.

(4) Other information deemed appropriate by the department.

8. If the department receives additional funding from the federal government designated for purposes of improving child care quality, the funding shall be used for additional child care consultant positions within the department's field operations.

Sec. 17. JUVENILE INSTITUTIONS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For operation of the Iowa juvenile home at Toledo and for salaries, support, maintenance, and for not more than the following full-time equivalent positions:

..... $ 6,160,878

..... FTEs 130.54

2. For operation of the state training school at Eldora and for salaries, support, maintenance, and for not more than the following full-time equivalent positions:

..... $ 10,285,696

..... FTEs 218.53

3. During the fiscal year beginning July 1, 2003, the population levels at the state juvenile institutions shall not exceed the population guidelines established under 1990 Iowa Acts, chapter 1239, section 21, as adjusted for subsequent changes in capacity at the institutions.

4. A portion of the moneys appropriated in this section shall be used by the state training school and by the Iowa juvenile home for grants for adolescent pregnancy prevention activities at the institutions in the fiscal year beginning July 1, 2003.

5. Within the amounts appropriated in this section, the department may transfer funds as necessary to best fulfill the needs of the institutions provided for in the appropriation.

Sec. 18. CHILD AND FAMILY SERVICES.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For child and family services:

..... $107,091,253

2. The department may transfer funds appropriated in this section as necessary to pay the nonfederal costs of services reimbursed under medical assistance or the family investment program which are provided to children who would otherwise receive services paid under the appropriation in this section. The department may transfer funds appropriated in this section to the appropriations in this Act for general administration and for field operations for resources necessary to implement and operate the services funded in this section.

3. a. Of the funds appropriated in this section, up to $30,154,516 is allocated as the statewide expenditure target under section 232.143 for group foster care maintenance and services.

b. If at any time after September 30, 2003, annualization of a service area's current expenditures indicates a service area is at risk of exceeding its group foster care expenditure target under section 232.143 by more than 5 percent, the department and juvenile court services shall examine all group foster care placements in that service area in order to

identify those which might be appropriate for termination. In addition, any aftercare services believed to be needed for the children whose placements may be terminated shall be identified. The department and juvenile court services shall initiate action to set dispositional review hearings for the placements identified. In such a dispositional review hearing, the juvenile court shall determine whether needed aftercare services are available and whether termination of the placement is in the best interest of the child and the community.

c. (1) Of the funds appropriated in this section, not more than $6,355,170 is allocated as the state match funding for psychiatric medical institutions for children.

(2) The department may transfer all or a portion of the amount allocated in this lettered paragraph for psychiatric medical institutions for children (PMICs) to the appropriation in this Act for medical assistance.

d. Of the funds allocated in this subsection, $1,419,988 is allocated as the state match funding for 50 highly structured juvenile program beds. If the number of beds provided for in this lettered paragraph is not utilized, the remaining funds allocated may be used for group foster care.

e. For the fiscal year beginning July 1, 2003, the requirements of section 232.143 applicable to the juvenile court and to representatives of the juvenile court shall be applicable instead to juvenile court services and to representatives of juvenile court services. The representatives appointed by the department of human services and by juvenile court services to establish the plan to contain expenditures for children placed in group foster care ordered by the court within the budget target allocated to the service area shall establish the plan in a manner so as to ensure the moneys allocated to the service area under section 232.143 shall last the entire fiscal year. Funds for a child placed in group foster care shall be considered encumbered for

the duration of the child's projected or actual length of stay, whichever is applicable.

4. Of the funds appropriated in this section, $3,000,000 is allocated specifically for expenditure through the decategorization of child welfare funding pools and governance boards established pursuant to section 232.188. Notwithstanding section 8.33, moneys allocated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

5. Of the funds appropriated in this section, up to $915,892 is allocated for additional funding of the family preservation program.

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

7. In accordance with the provisions of section 232.188, the department shall continue the program to decategorize child welfare services funding in additional counties or clusters of counties.

8. A portion of the funding appropriated in this section may be used for emergency family assistance to provide other resources required for a family participating in a family preservation or reunification project to stay together or to be reunified.

9. Notwithstanding section 234.35, subsection 1, for the fiscal year beginning July 1, 2003, state funding for shelter care paid pursuant to section 234.35, subsection 1, paragraph "h", shall be limited to $6,922,509.

10. The department shall continue to make adoption presubsidy and adoption subsidy payments to adoptive parents at the beginning of the month for the current month.

11. Federal funds received by the state during the fiscal year beginning July 1, 2003, as the result of the expenditure of state funds appropriated during a previous state fiscal year for a service or activity funded under this section, are appropriated to the department to be used as additional funding for services and purposes provided for under this section. Notwithstanding section 8.33, moneys received in accordance with this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert to any fund but shall remain available for the purposes designated until the close of the succeeding fiscal year.

12. The department and juvenile court services shall continue to develop criteria for the department service area administrator and chief juvenile court officer to grant exceptions to extend eligibility, within the funds allocated, for intensive tracking and supervision and for supervised community treatment to delinquent youth beyond age 18 who are subject to release from the state training school, a highly structured juvenile program, or group foster care.

13. Of the moneys appropriated in this section, not more than $442,100 is allocated to provide clinical assessment services as necessary to continue funding of children's rehabilitation services under medical assistance in accordance with federal law and requirements. The funding allocated is the amount projected to be necessary for providing the clinical assessment services.

14. Of the funding appropriated in this section, $3,696,285 shall be used for protective child care assistance.

15. Of the moneys appropriated in this section, up to $2,859,851 is allocated for the payment of the expenses of court-ordered services provided to juveniles which are a charge upon the state pursuant to section 232.141, subsection 4.

a. Notwithstanding section 232.141 or any other provision of law to the contrary, the amount allocated in this

subsection shall be distributed to the judicial districts as determined by the state court administrator. The state court administrator shall make the determination of the distribution amounts on or before June 15, 2003.

b. Notwithstanding chapter 232 or any other provision of law to the contrary, a district or juvenile court shall not order any service which is a charge upon the state pursuant to section 232.141 if there are insufficient court-ordered services funds available in the district court distribution amount to pay for the service. The chief juvenile court officer shall encourage use of the funds allocated in this subsection such that there are sufficient funds to pay for all court-related services during the entire year. The chief juvenile court officers shall attempt to anticipate potential surpluses and shortfalls in the distribution amounts and shall cooperatively request the state court administrator to transfer funds between the districts' distribution amounts as prudent.

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

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

16. a. Of the funding appropriated in this section, $3,062,193 is allocated to provide school-based supervision of children adjudicated under chapter 232, including not more than $1,431,597 from the allocation in this section for court-ordered services. Not more than $15,000 of the funding allocated in this subsection may be used for the purpose of training.

b. A portion of the cost of each school-based liaison officer shall be paid by the school district or other funding source as approved by the chief juvenile court officer.

17. The department shall maximize the capacity to draw federal funding under Title IV-E of the federal Social Security Act.

18. Any unanticipated federal funding that is received during the fiscal year due to improvements in the hours counted by the judicial branch under the claiming process for federal Title IV-E funding are appropriated to the department to be used for additional or expanded services and support for court-ordered services pursuant to section 232.141. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

19. Notwithstanding section 234.39, subsection 5, and 2000 Iowa Acts, chapter 1228, section 43, the department may operate a subsidized guardianship program if the United States department of health and human services approves a waiver under Title IV-E of the federal Social Security Act or the federal Social Security Act is amended to allow Title IV-E funding to be used for subsidized guardianship, and the subsidized guardianship program can be operated without loss of Title IV-E funds.

20. It is the intent of the general assembly that the department continue its practice of providing strong support for Iowa's nationally recognized initiative of decategorization of child welfare funding.

21. The department shall develop a plan for privatizing the administration of the foster care and adoption programs. The plan shall be submitted to the governor and the general assembly on or before December 15, 2003.

22. Notwithstanding section 237.5A, a foster parent who is unable to complete six hours of foster parent training prior to annual licensure renewal because the foster parent is engaged in active duty in the military service shall be considered to be in compliance with the training requirement for annual licensure renewal.

Sec. 19. JUVENILE DETENTION HOME FUND. Moneys deposited in the juvenile detention home fund created in section 232.142 during the fiscal year beginning July 1, 2003, and ending June 30, 2004, are appropriated to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, for distribution as follows:

1. An amount equal to ten percent of the costs of the establishment, improvement, operation, and maintenance of county or multicounty juvenile detention homes in the fiscal year beginning July 1, 2002. Moneys appropriated for distribution in accordance with this subsection shall be allocated among eligible detention homes, prorated on the basis of an eligible detention home's proportion of the costs of all eligible detention homes in the fiscal year beginning July 1, 2002. Notwithstanding section 232.142, subsection 3, the financial aid payable by the state under that provision for the fiscal year beginning July 1, 2003, shall be limited to the amount appropriated for the purposes of this subsection.

2. For renewal of a grant to a county with a population between 189,000 and 196,000 for implementation of the county's runaway treatment plan under section 232.195:

..... $ 80,000

3. For continuation and expansion of the community partnership for child protection sites:

..... $ 159,000

4. For grants to counties implementing a runaway treatment plan under section 232.195.

5. The remainder for additional allocations to county or multicounty juvenile detention homes, in accordance with the distribution requirements of subsection 1.

Sec. 20. FAMILY SUPPORT SUBSIDY PROGRAM. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the family support subsidy program:

..... $ 1,936,434

1. The department may use up to $333,312 of the moneys appropriated in this section to continue the children-at-home program in current counties, of which not more than $20,000 shall be used for administrative costs.

2. Notwithstanding section 225C.38, subsection 1, the monthly family support payment amount for the fiscal year beginning July 1, 2003, shall remain the same as the payment amount in effect on June 30, 2003.

Sec. 21. CONNER DECREE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For building community capacity through the coordination and provision of training opportunities in accordance with the consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):

..... $ 42,623

Sec. 22. MENTAL HEALTH INSTITUTES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the state mental health institute at Cherokee for salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:

..... $ 12,401,246

..... FTEs 227.65

2. For the state mental health institute at Clarinda for salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:

..... $ 7,065,672

..... FTEs 118.15

3. For the state mental health institute at Independence for salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:

..... $ 16,912,302

..... FTEs 317.80

The state mental health institute at Independence shall continue the 30 psychiatric medical institution for children (PMIC) beds authorized in section 135H.6, in a manner which results in no net state expenditure amount in excess of the amount appropriated in this subsection. Counties are not responsible for the costs of PMIC services described in this subsection. Subject to the approval of the department, with the exception of revenues required under section 249A.11 to be credited to the appropriation in this Act for medical assistance, revenues attributable to the PMIC beds described in this subsection for the fiscal year beginning July 1, 2003, and ending June 30, 2004, shall be deposited in the institute's account, including but not limited to any of the following revenues:

a. The federal share of medical assistance revenue received under chapter 249A.

b. Moneys received through client participation.

c. Any other revenues directly attributable to the PMIC beds.

4. For the state mental health institute at Mount Pleasant for salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:

..... $ 5,830,810

..... FTEs 100.44

a. Funding is provided in this subsection for the state mental health institute at Mount Pleasant to continue the dual diagnosis mental health and substance abuse program on a net budgeting basis in which 50 percent of the actual per diem and ancillary services costs are chargeable to the patient's county of legal settlement or as a state case, as appropriate. Subject to the approval of the department, revenues attributable to the dual diagnosis program for the fiscal year beginning July 1, 2003, and ending June 30, 2004, shall be deposited in the institute's account, including but not limited to all of the following revenues:

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

(2) Moneys received from billings to the Medicare program.

(3) Moneys received from a managed care contractor providing services under contract with the department or any private third-party payor.

(4) Moneys received through client participation.

(5) Any other revenues directly attributable to the dual diagnosis program.

b. The following additional provisions are applicable in regard to the dual diagnosis program:

(1) A county may split the charges between the county's mental health, mental retardation, and developmental disabilities services fund and the county's budget for substance abuse expenditures.

(2) If an individual is committed to the custody of the department of corrections at the time the individual is referred for dual diagnosis treatment, the department of corrections shall be charged for the costs of treatment.

(3) Prior to an individual's admission for dual diagnosis treatment, the individual shall have been screened through a county's single entry point process to determine the appropriateness of the treatment.

(4) A county shall not be chargeable for the costs of treatment for an individual enrolled in and authorized by or decertified by a managed behavioral care plan under the medical assistance program.

(5) Notwithstanding section 8.33, state mental health institute revenues related to the dual diagnosis program that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available up to the amount which would allow the state mental health institute to meet credit obligations owed to counties as a result of year-end per diem adjustments for the dual diagnosis program.

5. Within the funds appropriated in this section, the department may transfer funds as necessary to best fulfill the needs of the institutes provided for in the appropriation.

6. As part of the discharge planning process at the state mental health institutes, the department shall provide assistance in obtaining eligibility for federal supplemental security income (SSI) to those individuals whose care at a state mental health institute is the financial responsibility of the state or a county.

Sec. 23. STATE RESOURCE CENTERS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the state resource center at Glenwood for salaries, support, maintenance, and miscellaneous purposes:
..... $ 4,399,479

2. For the state resource center at Woodward for salaries, support, maintenance, and miscellaneous purposes:
..... $ 2,660,237

3. a. The department shall continue operating the state resource centers at Glenwood and Woodward with a net general fund appropriation. The amounts allocated in this section are the net amounts of state moneys projected to be needed for the state resource centers. The purposes of operating with a net general fund appropriation are to encourage the state resource centers to operate with increased self-sufficiency, to improve quality and efficiency, and to support collaborative efforts between the state resource centers and counties and other funders of services available from the state resource centers. The state resource centers shall not be operated under the net appropriation in a manner which results in a cost increase to the state or cost shifting between the state, the medical assistance program, counties, or other sources of funding for the state resource centers. Moneys appropriated in this section may be used throughout the fiscal year in the manner necessary for purposes of cash flow management, and for purposes of cash flow management the state resource centers may temporarily draw more than the amounts appropriated, provided the amounts appropriated are not exceeded at the close of the fiscal year.

b. Subject to the approval of the department, except for revenues under section 249A.11, revenues attributable to the state resource centers for the fiscal year beginning July 1, 2003, shall be deposited into each state resource center's account, including but not limited to all of the following:

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

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

(3) Federal Medicare program payments.

(4) Moneys received from client financial participation.

(5) Other revenues generated from current, new, or expanded services which the state resource center is authorized to provide.

c. For the purposes of allocating the salary adjustment fund moneys appropriated in another Act, the state resource centers shall be considered to be funded entirely with state moneys.

d. Notwithstanding section 8.33, up to $500,000 of a state resource center's revenues that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used in the succeeding fiscal year.

4. Within the funds appropriated in this section, the department may transfer funds as necessary to best fulfill the needs of the institutions provided for in the appropriation.

5. The department may continue to bill for state resource center services utilizing a scope of services approach used for private providers of ICFMR services, in a manner which does not shift costs between the medical assistance program, counties, or other sources of funding for the state resource centers.

6. The state resource centers may expand the time limited assessment and respite services during the fiscal year.

7. If the department's administration and the department of management concur with a finding by a state resource center's superintendent that projected revenues can reasonably be expected to pay the salary and support costs for a new employee position, or that such costs for adding a particular number of new positions for the fiscal year would be less than the overtime costs if new positions would not be added, the superintendent may add the new position or positions. If the

vacant positions available to a resource center do not include the position classification desired to be filled, the state resource center's superintendent may reclassify any vacant position as necessary to fill the desired position. The superintendents of the state resource centers may, by mutual agreement, pool vacant positions and position classifications during the course of the fiscal year in order to assist one another in filling necessary positions.

8. If existing capacity limitations are reached in operating units, a waiting list is in effect for a service or a special need for which a payment source or other funding is available for the service or to address the special need, and facilities for the service or to address the special need can be provided within the available payment source or other funding, the superintendent of a state resource center may authorize opening not more than two units or other facilities and to begin implementing the service or addressing the special need during fiscal year 2003-2004.

9. The state resource centers shall develop a proposal providing options for addressing the service needs of persons with developmental disabilities who behave in a manner that presents a danger to themselves or to others. The proposal shall be submitted to the governor and general assembly on or before December 15, 2003.

Sec. 24. MI/MR/DD STATE CASES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

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

..... $ 11,014,619

The general assembly encourages the department to continue discussions with the Iowa state association of counties and administrators of county central point of coordination offices regarding proposals for moving state cases to county budgets.

Sec. 25. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES -- COMMUNITY SERVICES FUND. There is appropriated from the general fund of the state to the mental health and developmental disabilities community services fund created in section 225C.7 for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For mental health and developmental disabilities community services in accordance with this Act:

..... $ 17,757,890

1. Of the funds appropriated in this section, $17,727,890 shall be allocated to counties for funding of community-based mental health and developmental disabilities services. The moneys shall be allocated to a county as follows:

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

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

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

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

3. Of the funds appropriated in this section, $30,000 shall be used to support the Iowa compass program providing

computerized information and referral services for Iowans with disabilities and their families.

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

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

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

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

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

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

Sec. 26. PERSONAL ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For continuation of a pilot project for the personal assistance services program in accordance with this section:
..... $ 205,748

1. The funds appropriated in this section shall be used to continue the pilot project for the personal assistance services program under section 225C.46 in an urban and a rural

area. Not more than 10 percent of the amount appropriated shall be used for administrative costs. The pilot project shall not be implemented in a manner which would require additional county or state costs for assistance provided to an individual served under the pilot project.

2. In accordance with 2001 Iowa Acts, chapter 191, section 25, subsection 2, new applicants shall not be accepted into the pilot project. An individual receiving services under the pilot project as of June 30, 2003, shall continue receiving services until the individual voluntarily leaves the project or until another program with similar services exists.

Sec. 27. SEXUALLY VIOLENT PREDATORS.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For costs associated with the commitment and treatment of sexually violent predators in the unit located at the state mental health institute at Cherokee, including costs of legal services and other associated costs, including salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:

..... $ 2,675,179

..... FTEs 46.00

2. Unless specifically prohibited by law, if the amount charged provides for recoupment of at least the entire amount of direct and indirect costs, the department of human services may contract with other states to provide care and treatment of persons placed by the other states at the unit for sexually violent predators at Cherokee. The moneys received under such a contract shall be considered to be repayment receipts and used for the purposes of the appropriation made in this section.

Sec. 28. FIELD OPERATIONS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... $ 50,657,828

..... FTEs 1,800.00

Priority in filling full-time equivalent positions shall be given to those positions related to child protection services.

2. In operating the service area system established pursuant to 2001 Iowa Acts, Second Extraordinary Session, chapter 4, for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the department shall utilize the service areas and service area administrators in lieu of regions and regional administrators, notwithstanding the references to department regions or regional administrators in sections 232.2, 232.52, 232.68, 232.72, 232.102, 232.117, 232.127, 232.143, 232.188, and 234.35, or other provision in law. The department shall submit proposed legislation under section 2.16 for consideration by the Eightieth General Assembly, 2004 Session, to correct the references in the necessary Code sections.

Sec. 29. GENERAL ADMINISTRATION. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

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

..... $ 10,803,626

..... FTEs 286.00

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

2. Up to $500,000 of the moneys received in any settlement of overpayments made to a child development center or to any other provider that results in a settlement in excess of $150,000 shall be considered as repayment receipts and shall only be used for the costs of filling full-time equivalent positions authorized but not funded by the appropriations made for the purposes of this section.

Sec. 30. VOLUNTEERS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For development and coordination of volunteer services:
..... $ 109,568

Sec. 31. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE DEPARTMENT OF HUMAN SERVICES.

1. a. For the fiscal year beginning July 1, 2003, nursing facilities shall be reimbursed at 100 percent of the modified price-based case-mix reimbursement rate. Nursing facilities reimbursed under the medical assistance program shall submit annual cost reports and additional documentation as required by rules adopted by the department.

b. For the fiscal year beginning July 1, 2003, the department shall reimburse pharmacy dispensing fees using a single rate of $4.26 per prescription or the pharmacy's usual and customary fee, whichever is lower.

c. For the fiscal year beginning July 1, 2003, reimbursement rates for inpatient and outpatient hospital services shall remain at the rates in effect on June 30, 2003. The department shall continue the outpatient hospital reimbursement system based upon ambulatory patient groups

implemented pursuant to 1994 Iowa Acts, chapter 1186, section 25, subsection 1, paragraph "f". In addition, the department shall continue the revised medical assistance payment policy implemented pursuant to that paragraph to provide reimbursement for costs of screening and treatment provided in the hospital emergency room if made pursuant to the prospective payment methodology developed by the department for the payment of outpatient services provided under the medical assistance program. Any rebasing of hospital inpatient or outpatient rates shall not increase total payments for inpatient and outpatient services.

d. For the fiscal year beginning July 1, 2003, reimbursement rates for rural health clinics, hospices, independent laboratories, and acute mental hospitals shall be increased in accordance with increases under the federal Medicare program or as supported by their Medicare audited costs.

e. For the fiscal year beginning July 1, 2003, reimbursement rates for home health agencies shall remain at the rates in effect on June 30, 2003.

f. For the fiscal year beginning July 1, 2003, federally qualified health centers shall receive cost-based reimbursement for 100 percent of the reasonable costs for the provision of services to recipients of medical assistance.

g. Beginning July 1, 2003, the reimbursement rates for dental services shall remain at the rates in effect on June 30, 2003.

h. Beginning July 1, 2003, the reimbursement rates for community mental health centers shall remain at the rates in effect on June 30, 2003.

i. For the fiscal year beginning July 1, 2003, the maximum reimbursement rate for psychiatric medical institutions for children shall remain at the rate in effect on June 30, 2003, based on per day rates for actual costs.

j. For the fiscal year beginning July 1, 2003, unless otherwise specified in this Act, all noninstitutional medical assistance provider reimbursement rates shall remain at the rates in effect on June 30, 2003, except for area education agencies, local education agencies, infant and toddler services providers, and those providers whose rates are required to be determined pursuant to section 249A.20.

k. Notwithstanding section 249A.20, the average reimbursement rates for health care providers eligible for use of the reimbursement methodology under that section shall remain at the rate in effect on June 30, 2003; however, this rate shall not exceed the maximum level authorized by the federal government.

2. For the fiscal year beginning July 1, 2003, the reimbursement rate for residential care facilities shall not be less than the minimum payment level as established by the federal government to meet the federally mandated maintenance of effort requirement. The flat reimbursement rate for facilities electing not to file semiannual cost reports shall not be less than the minimum payment level as established by the federal government to meet the federally mandated maintenance of effort requirement.

3. For the fiscal year beginning July 1, 2003, the reimbursement rate for providers reimbursed under the in-home-related care program shall not be less than the minimum payment level as established by the federal government to meet the federally mandated maintenance of effort requirement.

4. Unless otherwise directed in this section, when the department's reimbursement methodology for any provider reimbursed in accordance with this section includes an inflation factor, this factor shall not exceed the amount by which the consumer price index for all urban consumers increased during the calendar year ending December 31, 2002.

5. Notwithstanding section 234.38, in the fiscal year beginning July 1, 2003, the foster family basic daily

maintenance rate and the maximum adoption subsidy rate for children ages 0 through 5 years shall be $14.28, the rate for children ages 6 through 11 years shall be $15.07, the rate for children ages 12 through 15 years shall be $16.83, and the rate for children ages 16 and older shall be $16.83.

6. For the fiscal year beginning July 1, 2003, the maximum reimbursement rates for social service providers shall remain at the rates in effect on June 30, 2003. However, the rates may be adjusted under any of the following circumstances:

a. If a new service was added after June 30, 2003, the initial reimbursement rate for the service shall be based upon actual and allowable costs.

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

7. The group foster care reimbursement rates paid for placement of children out of state shall be calculated according to the same rate-setting principles as those used for in-state providers unless the director of human services or the director's designee determines that appropriate care cannot be provided within the state. The payment of the daily rate shall be based on the number of days in the calendar month in which service is provided.

8. For the fiscal year beginning July 1, 2003, the reimbursement rates for rehabilitative treatment and support services providers shall remain at the rates in effect on June 30, 2003.

9. For the fiscal year beginning July 1, 2003, the combined service and maintenance components of the reimbursement rate paid to a shelter care provider shall be based on the cost report submitted to the department. The maximum reimbursement rate shall be $83.69 per day. The

department shall reimburse a shelter care provider at the provider's actual and allowable unit cost, plus inflation, not to exceed the maximum reimbursement rate.

10. For the fiscal year beginning July 1, 2003, the department shall calculate reimbursement rates for intermediate care facilities for persons with mental retardation at the 80th percentile.

11. For the fiscal year beginning July 1, 2003, for child care providers, the department shall set provider reimbursement rates based on the rate reimbursement survey completed in December 1998. The department shall set rates in a manner so as to provide incentives for a nonregistered provider to become registered.

12. For the fiscal year beginning July 1, 2003, reimbursements for providers reimbursed by the department of human services may be modified if appropriated funding is allocated for that purpose from the senior living trust fund created in section 249H.4, or as specified in appropriations from the healthy Iowans tobacco trust created in section 12.65.

13. The department may adopt emergency rules to implement the hospital crossover claims process.

14. The department may adopt emergency rules to implement this section.

Sec. 32. TRANSFER AUTHORITY. Subject to the provisions of section 8.39, for the fiscal year beginning July 1, 2003, if necessary to meet federal maintenance of effort requirements or to transfer federal temporary assistance for needy families block grant funding to be used for purposes of the federal social services block grant or to meet cash flow needs resulting from delays in receiving federal funding or to implement, in accordance with this Act, targeted case management for child protection and for activities currently funded with juvenile court services, county, or community moneys and state moneys used in combination with such moneys,

the department of human services may transfer within or between any of the appropriations made in this Act and appropriations in law for the federal social services block grant to the department for the following purposes, provided that the combined amount of state and federal temporary assistance for needy families block grant funding for each appropriation remains the same before and after the transfer:

1. For the family investment program.
2. For child care assistance.
3. For child and family services.
4. For field operations.
5. For general administration.
6. MH/MR/DD/BI community services (local purchase).

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

Sec. 33. FRAUD AND RECOUPMENT ACTIVITIES. During the fiscal year beginning July 1, 2003, notwithstanding the restrictions in section 239B.14, recovered moneys generated through fraud and recoupment activities are appropriated to the department of human services to be used for additional fraud and recoupment activities performed by the department of human services or the department of inspections and appeals, and the department of human services may add not more than five full-time equivalent positions, in addition to those funded in this Act, subject to both of the following conditions:

1. The director of human services determines that the investment can reasonably be expected to increase recovery of assistance paid in error, due to fraudulent or nonfraudulent actions, in excess of the amount recovered in the fiscal year beginning July 1, 1997.

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

Sec. 34. ELECTRONIC BENEFIT TRANSFER IMPLEMENTATION NONREVERSION. Unspent funds appropriated in 2002 Iowa Acts, Second Extraordinary Session, chapter 1003, section 112, and allocated by the department of human services for the purpose of meeting federal food stamp electronic benefit transfer requirements shall not revert but shall remain available for the same purpose until the close of the succeeding fiscal year.

Sec. 35. VEHICLE DEPRECIATION. The following facilities and institutions administered by the department of human services are exempt from the depreciation requirement in section 18.120, subsection 1, and the appropriations for the facilities, institutions, and the department shall not be charged for vehicle depreciation otherwise attributable to the facilities and institutions during the fiscal year beginning July 1, 2003:

1. The state juvenile institutions.
2. The state resource centers.
3. The state mental health institutes.
4. The unit for commitment of sexually violent predators located at the state mental health institute at Cherokee.

Sec. 36. NEW SECTION. 217A.1 PARENTAL INVOLVEMENT PROGRAM.

1. The department of human services shall convene an advisory group that includes representatives of the Iowa department of public health, the department of education, the department of workforce development, the department of corrections, the Iowa empowerment board, other state agencies that provide services to families, and representatives of business and industry, parents, faith-based organizations, and state and local community leaders, to present a plan to the general assembly that provides a comprehensive approach to policy and service delivery at the state, county, and local level and provides a network of services to assist both mothers and fathers in parenting their children. While the

comprehensive approach shall address the needs of both parents, the focus shall be on creating a policy and service delivery system that provides a network of resources to assist fathers in becoming and remaining engaged in their children's lives. The plan shall be submitted on or before December 31, 2003.

2. The comprehensive approach to parental involvement shall provide for all of the following:

a. STRUCTURE AND POLICIES.

(1) Identification of practices that interfere with or fail to help fathers become or remain engaged in their children's lives.

(2) Development of flexible service delivery options within the state system, including the public assistance system, to address the varying needs of families which may include modifying traditional enforcement of program requirements, referral to services, or other options.

(3) Continuation of child support program efforts to assist fathers in providing for their children and remaining engaged in their children's lives while complying with federal requirements. The efforts may include continuing the fatherhood internet site, seeking additional federal access and visitation grants, and applying for other federal funds that become available, for the purpose of actively engaging fathers in the lives of their children.

(4) Integration of the state system and community level services to provide a social service network that is accessible to fathers as well as mothers.

(5) Creation of a systemwide approach for delivery of services to families that creates a family support network that does all of the following:

(a) Trains service workers to include both fathers and mothers as a family unit, rather than separately, in the delivery of services.

(b) Promotes a common awareness across disciplines, for workers providing services to parents and families, of the importance of both parents in children's lives.

(c) Systematically engages both parents and does not segment families in the provision of services.

(d) Improves communication across delivery systems.

(e) Provides for the partnering of various disciplines and levels of government in providing services to parents and families.

b. CONNECTING FATHERS WITH NECESSARY SERVICES.

(1) Utilization of the existing service system to connect fathers with local community-based services that help fathers develop the skills to become better parents and partners and more productive members of the workforce.

(2) Utilization of employment opportunities and training as catalysts to involve fathers with programs that help fathers develop skills to retain jobs and build healthy relationships.

c. PUBLIC AWARENESS.

(1) Promotion of public awareness of the importance of the emotional and financial involvement of both parents in their children's lives.

(2) Use of the media to encourage parents to discuss pregnancy prevention and parental responsibility with their children.

Sec. 37. Section 234.35, subsection 1, paragraph c, Code 2003, is amended to read as follows:

c. When the department has agreed to provide foster care services for the child for a period of not more than ~~thirty~~ <u>ninety</u> days on the basis of a signed placement agreement between the department and the child's parent or guardian ~~initiated on or after July 1, 1992~~.

Sec. 38. Section 514I.4, Code 2003, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. The director, with the approval of the board, may contract with participating insurers to provide dental only services.

Sec. 39. Section 514I.5, Code 2003, is amended by adding the following new subsection:

NEW SUBSECTION. 9. The hawk-i board may provide approval to the director to contract with participating insurers to provide dental only services. In determining whether to provide such approval to the director, the board shall take into consideration the impact on the overall program of single source contracting for dental services.

Sec. 40. 2002 Iowa Acts, chapter 1125, section 1, subsection 2, paragraphs b and d, are amended to read as follows:

b. Amending rules ~~to maintain the group care standard for a weekly average number of hours of therapy and counseling, but determine compliance by averaging the hours per week over the course of a month~~ for group care documentation and recoupment to streamline requirements relating to skills development by removing the requirements for billed services documentation and clarifying the requirements for meeting weekly average hours of therapy and counseling and the methodology for determining compliance and overpayments. ~~The recoupment for failure to comply shall be applied for a week at a time for noncompliance, not to exceed the number of days paid. This standard shall not be applied to a highly structured juvenile group care program.~~

~~d. Utilizing a weekly results summary for documentation of the group care requirement for daily provision of skills development.~~

Sec. 41. 2002 Iowa Acts, chapter 1175, section 104, is amended to read as follows:

SEC. 104. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND DEVELOPMENTAL DISABILITIES ALLOWED GROWTH FACTOR ADJUSTMENT AND ALLOCATIONS -- FISCAL YEAR 2003-2004. There is

appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For distribution to counties of the county mental health, mental retardation, and developmental disabilities allowed growth factor adjustment, as provided in this section in lieu of the provisions of section 331.438, subsection 2, and section 331.439, subsection 3, and chapter 426B:

..... $ 19,073,638

1. The funding appropriated in this section is the allowed growth factor adjustment for fiscal year 2003-2004, and is allocated as follows:

a. For distribution as provided in this section:

..... $ 17,073,638

b. For deposit in the risk pool created in the property tax relief fund and for distribution in accordance with section 426B.5, subsection 2:

..... $ 2,000,000

2. The following formula amounts shall be utilized only to calculate preliminary distribution amounts for fiscal year 2003-2004 under this section by applying the indicated formula provisions to the formula amounts and producing a preliminary distribution total for each county:

a. For calculation of an allowed growth factor adjustment amount for each county in accordance with the formula in section 331.438, subsection 2, paragraph "b":

..... $ 12,000,000

b. For calculation of a distribution amount for eligible counties from the per capita expenditure target pool created in the property tax relief fund in accordance with the requirements in section 426B.5, subsection 1:

..... $ 12,492,712

c. For calculation of a distribution amount for counties from the mental health and developmental disabilities (MH/DD) community services fund in accordance with the formula provided in ~~2002 Iowa Acts, Senate File 2326, section 119, subsection 1~~ the appropriation made for the MH/DD community services fund for the fiscal year beginning July 1, 2003:
..... $ ~~18,127,352~~
17,727,890

3. Notwithstanding any contrary provisions of sections 225C.7, 331.438, subsection 2, 331.439, subsection 3, and 426B.5, the moneys allocated for distribution in subsection 1, paragraph "b", and in any other Act of the Eightieth General Assembly, 2003 Session, for distribution to counties in the fiscal year beginning July 1, 2003, for purposes of the mental health and developmental disabilities (MH/DD) community services fund under section 225C.7, and for the allowed growth factor adjustment for services paid under a county's section 331.424A mental health, mental retardation, and developmental disabilities services fund and as calculated under subsection 2 to produce preliminary distribution amounts for counties shall be subject to withholding as provided in this section.

4. After applying the applicable statutory distribution formulas to the amounts indicated in subsection 2 for purposes to produce preliminary distribution totals, the department of human services shall apply a withholding factor to adjust an eligible individual county's preliminary distribution total. An ending balance percentage for each county shall be determined by expressing the county's ending balance on a modified accrual basis under generally accepted accounting principles for the fiscal year beginning July 1, 2002, in the county's mental health, mental retardation, and developmental disabilities services fund created under section 331.424A, as a percentage of the county's gross expenditures from that fund for that fiscal year. The withholding factor for a county shall be the following applicable percent:

a. For an ending balance percentage of less than 10 percent, a withholding factor of 0 percent.

b. For an ending balance percentage of 10 through 24 percent, a withholding factor of 25 percent.

c. For an ending balance percentage of 25 through 34 percent, a withholding factor of 60 percent.

d. For an ending balance percentage of 35 through 44 percent, a withholding factor of 85 percent.

e. For an ending balance percentage of 45 percent or more, a withholding factor of 100 percent.

5. The total withholding amounts applied pursuant to subsection 4 shall be equal to a withholding target amount of $7,419,074 and the appropriation enacted by the Eightieth General Assembly, 2003 Session, for the MH/DD community services fund shall be reduced by the amount necessary to attain the withholding target amount. If the department of human services determines that the amount to be withheld in accordance with subsection 4 is not equal to the target withholding amount, the department shall adjust the withholding factors listed in subsection 4 as necessary to achieve the withholding target amount. However, in making such adjustments to the withholding factors, the department shall strive to minimize changes to the withholding factors for those ending balance percentage ranges that are lower than others and shall not adjust the zero withholding factor specified in subsection 4, paragraph "a".

6. A county must comply with both the requirements listed in this subsection to be eligible to receive a funding distribution under this section. The amount that would otherwise be available for distribution to a county that fails to so comply shall be proportionately distributed among the eligible counties. Both of the following requirements are applicable:

a. A county must comply with the December 1, 2003, filing deadline for the county annual financial report in accordance with section 331.403.

b. A county must levy the not less than 70 percent of the maximum amount allowed for the county's mental health, mental retardation, and developmental disabilities services fund under section 331.424A for taxes due and payable in the fiscal year beginning July 1, 2003.

7. The department of human services shall authorize the issuance of warrants payable to the county treasurer for the distribution amounts due the counties eligible under this section and notwithstanding prior practice for the MH/DD community services fund, the warrants shall be issued in January 2004.

Sec. 42. 2002 Iowa Acts, Second Extraordinary Session, chapter 1003, section 126, subsection 3, paragraph d, is amended to read as follows:

d. Notwithstanding section 8.33, ~~up to $500,000 of~~ a state resource center's revenues that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used in the succeeding fiscal year.

Sec. 43. 2002 Iowa Acts, Second Extraordinary Session, chapter 1003, section 131, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available until the close of the succeeding fiscal year for the purposes designated under this section.

Sec. 44. EMERGENCY RULES. If specifically authorized by a provision of this Act, the department of human services or the mental health and developmental disabilities commission may adopt administrative rules under section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph "b", to implement the provisions and the rules shall become effective immediately upon filing or on a later effective date specified

in the rules, unless the effective date is delayed by the administrative rules review committee. Any rules adopted in accordance with this section shall not take effect before the rules are reviewed by the administrative rules review committee. The delay authority provided to the administrative rules review committee under section 17A.4, subsection 5, and section 17A.8, subsection 9, shall be applicable to a delay imposed under this section, notwithstanding a provision in those sections making them inapplicable to section 17A.5, subsection 2, paragraph "b". Any rules adopted in accordance with the provisions of this section shall also be published as notice of intended action as provided in section 17A.4.

Sec. 45. REPORTS.

1. Any reports or information required to be compiled and submitted under this Act shall be submitted to the chairpersons and ranking members of the joint appropriations subcommittee on health and human services, the legislative fiscal bureau, the legislative service bureau, and to the legislative caucus staffs on or before the dates specified for submission of the reports or information.

2. In order to reduce mailing and paper processing costs, the department shall provide, to the extent feasible, reports, notices, minutes, and other documents by electronic means to those persons who have the capacity to access the documents in that manner.

Sec. 46. LAW INAPPLICABLE FOR FISCAL YEAR 2003-2004.

1. The following provisions in Code or rule shall be suspended for the period beginning July 1, 2003, and ending June 30, 2004:

a. The requirements of section 239B.2A, relating to school attendance by children participating in the family investment program.

b. For a case permanency plan, as defined in section 232.2, the requirement for a six-month case permanency plan review for an intact family.

c. The requirements of section 225C.42, relating to an annual evaluation of the family support subsidy program.

2. The department may adopt emergency rules to implement the provisions of this section.

Sec. 47. EFFECTIVE DATES. The following provisions of this division of this Act, being deemed of immediate importance, take effect upon enactment:

1. The provision under the appropriation for child and family services, relating to requirements of section 232.143 for representatives of the department of human services and juvenile court services to establish a plan for continuing group foster care expenditures for the 2002-2003 fiscal year.

2. The provision under the appropriation for child and family services, relating to the state court administrator determining allocation of court-ordered services funding by June 15, 2003.

3. The provision under the appropriation for child and family services, relating to the requirements in section 237.5A involving a foster parent unable to complete annual training due to being engaged in active duty in the military service.

4. The provision relating to unspent funds for food stamp electronic benefit transfer remaining available from the appropriation made in 2002 Iowa Acts, Second Extraordinary Session, chapter 1003, section 112, for the 2003-2004 fiscal year.

5. The provisions amending 2002 Iowa Acts, Second Extraordinary Session, chapter 1003, sections 126 and 131, relating to nonreversion of moneys appropriated in fiscal year 2002-2003 for the state resource centers and for the sexually violent predator program.

DIVISION IV

SENIOR LIVING TRUST FUND

Sec. 48. DEPARTMENT OF ELDER AFFAIRS. There is appropriated from the senior living trust fund created in

section 249H.4 to the department of elder affairs for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the development and implementation of a comprehensive senior living program, including program administration and costs associated with implementation, salaries, support, maintenance, and miscellaneous purposes:

..... $ 7,480,814

1. It is the intent of the general assembly that the department not transfer moneys appropriated to the department for purposes of the assisted living program and adult day care for the fiscal year beginning July 1, 2003.

2. Notwithstanding section 249H.7, the department of elder affairs shall distribute up to $300,000 of the funds appropriated in this section in a manner that will supplement and maximize federal funds under the federal Older Americans Act and shall not use the amount distributed for any administrative purposes of either the department of elder affairs or the area agencies on aging.

Sec. 49. DEPARTMENT OF INSPECTIONS AND APPEALS. There is appropriated from the senior living trust fund created in section 249H.4 to the department of inspections and appeals for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the inspection and certification of assisted living facilities and adult day care services, including program administration and costs associated with implementation, salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:

..... $ 800,000

..... FTEs 6.00

Sec. 50. DEPARTMENT OF HUMAN SERVICES. There is appropriated from the senior living trust fund created in section 249H.4 to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. To provide grants to nursing facilities for conversion to assisted living programs or to provide long-term care alternatives and to provide grants to ICF/MR for conversion to assisted living programs or home and community-based services and to provide grants to long-term care providers for development of long-term care alternatives:

..... $ 20,000,000

Up to 25 percent of this amount may be used for development of less restrictive community-based services with a significant focus on reducing the numbers of persons served in state resource centers and other intermediate care facilities for persons with mental retardation as well as for activities designed to facilitate the planning for or placement of such services and persons.

2. To supplement the medical assistance appropriation, including program administration and costs associated with implementation, salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... $101,600,000

..... FTEs 5.00

3. To provide reimbursement for health care services and rent expenses to eligible persons through the home and community-based services waiver and the state supplementary assistance program, including program administration and data system costs associated with implementation, salaries, support, maintenance, and miscellaneous purposes:

..... $ 1,733,406

Participation in the rent subsidy program shall be limited to only those persons who are at risk for nursing facility care. The department shall adopt emergency rules to implement this provision.

4. To implement nursing facility provider reimbursements as provided in 2001 Iowa Acts, chapter 192, section 4, subsection 2, paragraph "c":

..... $ 29,950,000

In order to carry out the purposes of this section, the department shall transfer funds appropriated in this section to supplement other appropriations made to the department of human services.

5. Notwithstanding sections 249H.4 and 249H.5, the department of human services may use moneys from the senior living trust fund for cash flow purposes to make payments under the nursing facility or hospital upper payment limit methodology. The amount of any moneys so used shall be refunded to the senior living trust fund within the same fiscal year and in a prompt manner.

6. Notwithstanding section 8.33, moneys committed to grantees under contract to provide for conversion to assisted living programs or for development of long-term care alternatives that remain unexpended at the close of the fiscal year shall not revert to any fund but shall remain available for expenditure for purposes of the contract.

Sec. 51. CONVERSION GRANT PROJECTS -- RULES.

1. For the fiscal year beginning July 1, 2003, and ending June 30, 2004, the department of human services shall continue to give greater weight in the scoring methodology to nursing facility conversion projects that are primarily for the renovation and remodeling of the existing nursing facility structure and give less weight to conversion projects that are primarily for new construction. The department of human services shall encourage cooperative efforts between the department of inspections and appeals, the state fire marshal,

and the grant applicant to promote the acceptance of nursing facility conversion projects that are primarily renovation and remodeling of the existing nursing facility structure.

2. For the fiscal year beginning July 1, 2003, and ending June 30, 2004, the department of inspections and appeals shall certify all assisted living programs established through nursing facility conversion grants. The department of inspections and appeals shall consult with conversion grant applicants and recipients to establish and monitor occupancy agreements and assisted living program residents shall be allowed access to third-party payors.

DIVISION V

HOSPITAL TRUST FUND

Sec. 52. DEPARTMENT OF HUMAN SERVICES APPROPRIATION. There is appropriated from the hospital trust fund created in section 249I.4 to the department of human services for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

To supplement the medical assistance appropriation:

..... $ 15,000,000

DIVISION VI

MEDICAL ASSISTANCE PROGRAM SUPPLEMENTATION

Sec. 53. MEDICAL ASSISTANCE APPROPRIATION SUPPLEMENTATION -- FISCAL YEAR 2002-2003. There is appropriated from the following sources, to the department of human services, for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to supplement the appropriations made for the medical assistance program for that fiscal year:

1. From the general fund of the state:

..... $ 41,535,000

2. From the senior living trust fund created in section 249H.4:

..... $ 9,465,000

3. From the hospital trust fund created in section 249I.4:

..... $ 7,000,000

Sec. 54. MEDICAL ASSISTANCE PROGRAM -- REVERSION TO SENIOR LIVING TRUST FUND FOR FY 2002-2003. Notwithstanding section 8.33, if moneys appropriated in this division for supplementation of the medical assistance program appropriation for the fiscal year beginning July 1, 2002, and ending June 30, 2003, from the general fund of the state, the senior living trust fund, and the hospital trust fund are in excess of actual expenditures for the medical assistance program and remain unencumbered or unobligated at the close of the fiscal year, the excess moneys shall not revert but shall be transferred to the senior living trust fund created in section 249H.4.

Sec. 55. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION VII

COMMISSION OF VETERANS AFFAIRS

Sec. 56. 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, 2003, and ending June 30, 2004, 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 orphans educational aid fund established pursuant to chapter 35, and for not more than the following full-time equivalent positions:

..... $ 288,193

..... FTEs 4.00

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:

..... $ 14,205,741

..... FTEs 843.50

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. 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.

c. The chairpersons and ranking members of the joint appropriations subcommittee on health and human services or successor subcommittee 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.

d. The Iowa veterans home shall operate with a net state general fund appropriation. The amount appropriated in this subsection is the net amount of state moneys projected to be needed for the Iowa veterans home. The purposes of operating with a net state general fund appropriation are to encourage the Iowa veterans home to operate with increased self-sufficiency, to improve quality and efficiency, and to support collaborative efforts among all funders of services available from the Iowa veterans home. Moneys appropriated in this subsection may be used throughout the fiscal year in the manner necessary for purposes of cash flow management, and for purposes of cash flow management the Iowa veterans home may

temporarily draw more than the amount appropriated, provided the amount appropriated is not exceeded at the close of the fiscal year.

e. Revenues attributable to the Iowa veterans home for the fiscal year beginning July 1, 2003, shall be deposited into the Iowa veterans home account and shall be treated as repayment receipts, including but not limited to all of the following:

(1) Federal veterans administration payments.

(2) Medical assistance revenue received under chapter 249A.

(3) Federal Medicare program payments.

(4) Moneys received from client financial participation.

(5) Other revenues generated from current, new, or expanded services which the Iowa veterans home is authorized to provide.

f. For the purposes of allocating the salary adjustment fund moneys appropriated in another Act, the Iowa veterans home shall be considered to be funded entirely with state moneys.

g. Notwithstanding section 8.33, up to $500,000 of the Iowa veterans home revenues that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used in the succeeding fiscal year.

Sec. 57. 2002 Iowa Acts, Second Extraordinary Session, chapter 1003, section 102, subsection 2, paragraph g, is amended to read as follows:

g. Notwithstanding section 8.33, up to ~~$500,000~~ <u>$1,000,000</u> of the Iowa veterans home revenues that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used in the succeeding fiscal year.

Sec. 58. EFFECTIVE DATE. The section of this division of this Act amending 2002 Iowa Acts, Second Extraordinary

Session, chapter 1003, section 102, being deemed of immediate importance, takes effect upon enactment.

CHRISTOPHER C. RANTS
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 667, Eightieth General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved _____, 2003

THOMAS J. VILSACK
Governor