

SENATE FILE 2190
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO SSB 3065)

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

A BILL FOR

1 An Act relating to the development of the long-term care system
2 in Iowa.

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

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SENATE FILE 2190

H-8381

1 Amend Senate File 2190, as passed by the Senate, as
2 follows:

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

5 "____. Increasing the quality of care provided in
6 the long-term care system.

7 _____. Increasing the effectiveness of long-term
8 care regulatory enforcement programs."

9 2. By renumbering as necessary.

By FORD of Polk

H-8381 FILED APRIL 5, 2004

LOST

SF 2190
HUMAN RESOURCES

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1 Section 1. GOAL OF IOWA'S LONG-TERM CARE SYSTEM. The
2 general assembly finds and declares that the goal of Iowa's
3 long-term care system is to ensure residents access to an
4 extensive range of high-quality long-term care options that
5 maximize independence, choice, and dignity through the
6 development of a comprehensive system of community-based and
7 institutional long-term care options that provide affordable,
8 high-quality, cost-effective services and other supports
9 delivered in the most integrated, life-enhancing setting. The
10 general assembly finds and declares that information regarding
11 all components of the long-term care system must be
12 effectively communicated to all those potentially impacted by
13 the need for long-term care in order to empower consumers to
14 make decisions about how best to meet their own long-term care
15 needs.

16 Sec. 2. BENCHMARKS. The following benchmarks shall be
17 used in measuring the state's progress in realizing its goal
18 for the long-term care system:

19 1. Reducing the number of nursing home beds from the
20 current ninety-one per one thousand persons for individuals
21 sixty-five years of age or older.

22 2. Increasing the percentage of Medicaid long-term care
23 dollars expended on community-based services.

24 3. Increasing the proportion of Medicaid long-term care
25 dollars expended on consumer-directed care.

26 4. Increasing the percent of providers having and using
27 consumer satisfaction surveys.

28 5. Reducing the use of nursing homes for individuals
29 sixty-five years of age and older who have relatively few
30 disabilities.

31 6. Improving satisfaction with the long-term care system
32 by both providers and consumers.

33 7. Increasing the proportion of frail elders receiving
34 assistance from family caregivers.

35 8. Increasing the proportion of Iowans with private long-

1 term care insurance coverage.

2 Sec. 3. LONG-TERM CARE SYSTEM TASK FORCE.

3 1. A long-term care system task force is created
4 consisting of the following members:

5 a. Five members of the senate and five members of the
6 house of representatives, serving as voting members. The
7 legislative members shall be appointed by the majority leader
8 of the senate, after consultation with the president of the
9 senate and the minority leader of the senate, and by the
10 speaker of the house, after consultation with the majority
11 leader and the minority leader of the house of
12 representatives. Appointments shall comply with sections
13 69.16 and 69.16A. Vacancies shall be filled by the original
14 appointing authority and in the manner of the original
15 appointment.

16 b. A representative of the governor's office, serving as
17 an ex officio, nonvoting member.

18 c. An individual with expertise in long-term care,
19 selected by the legislative council, serving as an ex officio,
20 nonvoting member.

21 d. The director of human services, the director of public
22 health, the director of the department of elder affairs, and
23 the director of the department of inspections and appeals, or
24 the directors' designees, serving as ex officio, nonvoting
25 members.

26 2. Nonlegislative members shall receive actual expenses
27 incurred while serving in their official capacity.

28 Legislative members shall receive per diem compensation and
29 expenses pursuant to section 2.12.

30 3. The individual with expertise in long-term care,
31 selected by the legislative council, shall act as chairperson
32 of the task force. A majority of the voting members of the
33 task force shall constitute a quorum.

34 4. The task force shall submit a report to the general
35 assembly by December 15, 2004, which includes all of the

1 following:

2 a. A list of priorities developed by the task force to
3 realize the stated goal of the long-term care system in Iowa.

4 b. Strategies recommended by the task force to implement
5 the priorities listed that are measurable utilizing the
6 benchmarks established.

7 c. Recommendations of immediate and long-range steps to be
8 taken in realizing the goal of the long-term care system.

9 d. Any recommendations of legislation necessary to
10 implement the work of the task force and to realize the goal
11 of the long-term care system in Iowa.

12 e. Strategies recommended by the task force regarding the
13 use of a universal assessment and counseling tool to assist
14 individuals in making appropriate use of long-term care
15 options.

16 EXPLANATION

17 This bill relates to the development of the long-term care
18 system in Iowa. The bill provides a goal for the long-term
19 care system and benchmarks to measure progress in realizing
20 the goal. The bill creates a long-term care task force
21 consisting of legislators, state agency directors, and other
22 appointees, that is directed to submit a report to the general
23 assembly by December 15, 2004, which includes priorities to
24 realize the stated goal of the long-term care system in Iowa,
25 strategies to implement the priorities listed that are
26 measurable utilizing the benchmarks established,
27 recommendations of immediate and long-range steps to be taken
28 in realizing the goal of the long-term care system,
29 recommendations of legislation necessary to implement the work
30 of the task force and to realize the goal established for the
31 long-term care system in Iowa, and strategies recommended by
32 the task force regarding the use of a universal assessment
33 counseling tool to assist individuals in making appropriate
34 use of long-term care options.

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Tinsman
Veenstra
Ragan

Succeeded By
HF 2190 SSB# 3065

SENATE FILE Human Resources
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON VEENSTRA)

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

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

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1 Section 1. GOAL OF IOWA'S LONG-TERM CARE SYSTEM. The
2 general assembly finds and declares that the goal of Iowa's
3 long-term care system is to ensure residents access to an
4 extensive range of high-quality long-term care options that
5 maximize independence, choice, and dignity through the
6 development of a comprehensive system of community-based and
7 institutional long-term care options that provide affordable,
8 high-quality, cost-effective services and other supports
9 delivered in the most integrated, life-enhancing setting. The
10 general assembly finds and declares that information regarding
11 all components of the long-term care system must be
12 effectively communicated to all those potentially impacted by
13 the need for long-term care in order to empower consumers to
14 make decisions about how best to meet their own long-term care
15 needs.

16 Sec. 2. BENCHMARKS. The following benchmarks shall be
17 used in measuring the state's progress in realizing its goal
18 for the long-term care system:

- 19 1. Reducing the number of nursing home beds from the
20 current ninety-one per one thousand persons for individuals
21 sixty-five years of age or older.
- 22 2. Increasing the percentage of Medicaid long-term care
23 dollars expended on community-based services.
- 24 3. Increasing the proportion of Medicaid long-term care
25 dollars expended on consumer-directed care.
- 26 4. Increasing the percent of providers having and using
27 consumer satisfaction surveys.
- 28 5. Reducing the use of nursing homes for individuals
29 sixty-five years of age and older who have relatively few
30 disabilities.
- 31 6. Improving satisfaction with the long-term care system
32 by both providers and consumers.
- 33 7. Increasing the proportion of frail elders receiving
34 assistance from family caregivers.
- 35 8. Increasing the proportion of Iowans with private long-

1 term care insurance coverage.

2 Sec. 3. LONG-TERM CARE SYSTEM TASK FORCE.

3 1. A long-term care system task force is created

4 consisting of the following members:

5 a. Five members of the senate and five members of the
6 house of representatives. The legislative members shall be
7 appointed by the majority leader of the senate, after
8 consultation with the president of the senate and the minority
9 leader of the senate, and by the speaker of the house, after
10 consultation with the majority leader and the minority leader
11 of the house of representatives. Appointments shall comply
12 with sections 69.16 and 69.16A. Vacancies shall be filled by
13 the original appointing authority and in the manner of the
14 original appointment.

15 b. A representative of the governor's office.

16 2. Nonlegislative members shall receive actual expenses
17 incurred while serving in their official capacity.

18 Legislative members shall receive per diem compensation and
19 expenses pursuant to section 2.12.

20 3. The task force shall select a chairperson from the
21 membership of the task force. A majority of the members of
22 the task force shall constitute a quorum.

23 4. The task force shall submit a report to the general
24 assembly by December 15, 2004, which includes all of the
25 following:

26 a. A list of priorities developed by the task force to
27 realize the stated goal of the long-term care system in Iowa.

28 b. Strategies recommended by the task force to implement
29 the priorities listed that are measurable utilizing the
30 benchmarks established.

31 c. Recommendations of immediate and long-range steps to be
32 taken in realizing the goal of the long-term care system.

33 d. Any recommendations of legislation necessary to
34 implement the work of the task force and to realize the goal
35 of the long-term care system in Iowa.

EXPLANATION

1
2 This bill relates to the development of the long-term care
3 system in Iowa. The bill provides a goal for the long-term
4 care system and benchmarks to measure progress in realizing
5 the goal. The bill creates a long-term care task force that
6 is directed to submit a report to the general assembly by
7 December 15, 2004, which includes priorities to realize the
8 stated goal of the long-term care system in Iowa, strategies
9 to implement the priorities listed that are measurable
10 utilizing the benchmarks established, recommendations of
11 immediate and long-range steps to be taken in realizing the
12 goal of the long-term care system, and recommendations of
13 legislation necessary to implement the work of the task force
14 and to realize the goal established for the long-term care
15 system in Iowa.

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May 14, 2004

VETO

The Honorable Chester Culver
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit **Senate File 2190**, an Act relating to the development of the long-term care system in Iowa.

With the establishment of the Senior Living Trust, Iowa began the formation of a three pronged long-term care system. Today, in-home care, assisted living, and skilled nursing care are available to Iowans. Iowa must continue the course begun with the Senior Living Trust.

Another task force, especially one that does not draw on the expertise of those providing care or the executive branch department employees involved in elder care, will not improve our current system. The legislation establishes a task force, which is not designed to make meaningful recommendations; and for that reason, I cannot and will not approve Senate File 2190.

What is needed is continued evaluations between the Department of Elder Affairs, Department of Human Services, and Department of Inspections and Appeals with the assistance of experts in the field of long-term care to make recommendations as to how Iowa could build upon the system already in place. With this veto message, I am directing the department heads from the aforementioned agencies to prepare a joint and agreed upon report with recommendations for improvements to our current long-term care system. I expect that report no later than October 1, 2004. The directors should seek to comply with the spirit of Senate File 2190 by outlining practices and benchmarks by which to gauge short-term and long-term success.

For the above reasons, I hereby respectfully disapprove **Senate File 2190**.

Sincerely,

Thomas J. Vilsack
Governor

TJV:jmc

cc: Secretary of the Senate
Chief Clerk of the House

VERO

SENATE FILE 2190

AN ACT

RELATING TO THE DEVELOPMENT OF THE LONG-TERM CARE SYSTEM IN IOWA.

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

Section 1. GOAL OF IOWA'S LONG-TERM CARE SYSTEM. The general assembly finds and declares that the goal of Iowa's long-term care system is to ensure residents access to an extensive range of high-quality long-term care options that maximize independence, choice, and dignity through the development of a comprehensive system of community-based and institutional long-term care options that provide affordable, high-quality, cost-effective services and other supports delivered in the most integrated, life-enhancing setting. The general assembly finds and declares that information regarding all components of the long-term care system must be effectively communicated to all those potentially impacted by the need for long-term care in order to empower consumers to

make decisions about how best to meet their own long-term care needs.

Sec. 2. BENCHMARKS. The following benchmarks shall be used in measuring the state's progress in realizing its goal for the long-term care system:

1. Reducing the number of nursing home beds from the current ninety-one per one thousand persons for individuals sixty-five years of age or older.
2. Increasing the percentage of Medicaid long-term care dollars expended on community-based services.
3. Increasing the proportion of Medicaid long-term care dollars expended on consumer-directed care.
4. Increasing the percent of providers having and using consumer satisfaction surveys.
5. Reducing the use of nursing homes for individuals sixty-five years of age and older who have relatively few disabilities.
6. Improving satisfaction with the long-term care system by both providers and consumers.
7. Increasing the proportion of frail elders receiving assistance from family caregivers.
8. Increasing the proportion of Iowans with private long-term care insurance coverage.

Sec. 3. LONG-TERM CARE SYSTEM TASK FORCE.

1. A long-term care system task force is created consisting of the following members:
 - a. Five members of the senate and five members of the house of representatives, serving as voting members. The legislative members shall be appointed by the majority leader of the senate, after consultation with the president of the senate and the minority leader of the senate, and by the speaker of the house, after consultation with the majority leader and the minority leader of the house of representatives. Appointments shall comply with sections 69.16 and 69.16A. Vacancies shall be filled by the original

appointing authority and in the manner of the original appointment.

b. A representative of the governor's office, serving as an ex officio, nonvoting member.

c. An individual with expertise in long-term care, selected by the legislative council, serving as an ex officio, nonvoting member.

d. The director of human services, the director of public health, the director of the department of elder affairs, and the director of the department of inspections and appeals, or the directors' designees, serving as ex officio, nonvoting members.

2. Nonlegislative members shall receive actual expenses incurred while serving in their official capacity. Legislative members shall receive per diem compensation and expenses pursuant to section 2.12.

3. The individual with expertise in long-term care, selected by the legislative council, shall act as chairperson of the task force. A majority of the voting members of the task force shall constitute a quorum.

4. The task force shall submit a report to the general assembly by December 15, 2004, which includes all of the following:

a. A list of priorities developed by the task force to realize the stated goal of the long-term care system in Iowa.

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d. Any recommendations of legislation necessary to implement the work of the task force and to realize the goal of the long-term care system in Iowa.

e. Strategies recommended by the task force regarding the use of a universal assessment and counseling tool to assist

individuals in making appropriate use of long-term care options.

JEFFREY M. LAMBERTI
President of the Senate

CHRISTOPHER C. RANTS
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2190, Eightieth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved _____, 2004

THOMAS J. VILSACK
Governor