

SENATE FILE 277
BY HATCH

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

A BILL FOR

1 An Act providing for creation of special health care access
2 partnerships for delivery of health care services to persons
3 who have low income or do not have health insurance and
4 providing an effective date.

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

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SF 277 HUMAN RESOURCES

1 Section 1. NEW SECTION. 135.135 HEALTH CARE ACCESS
2 PARTNERSHIPS.

3 1. A health care access partnership program is
4 established. The director shall adopt rules as necessary to
5 establish and administer the program. In adopting rules, the
6 director shall consult with persons and agencies who may be
7 involved with a health care access partnership and with the
8 department of human services.

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

15 3. The elements of the program shall include but are not
16 limited to all of the following:

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

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

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

32 d. Participants shall be authorized to share confidential
33 information if the sharing is in the best interests of
34 clients. If it is determined that the optimal approach for
35 the information sharing is for the participants to establish a

1 multidisciplinary community services team under section
2 331.909, notwithstanding section 331.909, subsection 4, the
3 participants may disclose information other than oral
4 information with one another.

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

7 f. The geographic area to be served by those participating
8 in the agreement shall be identified in the agreement.

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

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

19 Sec. 2. EMERGENCY RULES. If administrative rules are
20 necessary to implement the provisions of this Act, the initial
21 rules shall be adopted on or before September 1, 2003. The
22 Iowa department of public health may adopt the initial rules
23 as emergency rules under section 17A.4, subsection 2, and
24 section 17A.5, subsection 2, paragraph "b", to implement the
25 provisions of this Act and the rules shall be effective
26 immediately upon filing unless the effective date is delayed
27 by the administrative rules review committee, notwithstanding
28 section 17A.4, subsection 5, and section 17A.8, subsection 9,
29 or a later date is specified in the rules. Any rules adopted
30 in accordance with this section shall not take effect before
31 the administrative rules review committee reviews the rules.
32 Any rules adopted in accordance with this section shall also
33 be published as a notice of intended action as provided in
34 section 17A.4.

35 Sec. 3. EFFECTIVE DATE. This Act, being deemed of

1 immediate importance, takes effect upon enactment.

2 EXPLANATION

3 This bill provides for creation of special health care
4 access partnerships under the Iowa department of public health
5 for delivery of health care services to low-income persons and
6 persons who do not have health insurance.

7 The department is authorized to adopt rules as necessary to
8 establish and administer the program. The initial set of
9 rules may be adopted utilizing emergency procedures which
10 dispense with waiting periods for public input but maintain
11 authority for review and delay by the administrative rules
12 review committee.

13 The program provisions are required to include the
14 following: allowing participants to be public, private, for-
15 profit, or nonprofit entities; requiring those participating
16 to enter into a written agreement which may be a Code chapter
17 28E agreement between governmental and nongovernmental
18 entities; requiring the service participants to be medical
19 assistance (Medicaid) program providers in good standing and
20 accept Medicaid reimbursement as full payment; requiring the
21 Medicaid program providers offering services in the area
22 served by a partnership to participate in the partnership as a
23 condition of participation in the Medicaid program (unless
24 expressly prohibited by the federal government); allowing for
25 sharing of confidential information between participants and
26 if a multidisciplinary community services team approach is
27 used for the sharing, allowing the participants to disclose
28 information other than oral information with one another;
29 referral processes; identification of the geographic area to
30 be served; ability to receive and expend funding; and allowing
31 partnerships to develop governance structures.

32 The bill takes effect upon enactment.

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