

# House Study Bill 299

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
CHAIRPERSON DIX)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to and making appropriations from the healthy  
2 Iowans tobacco trust and the tobacco settlement trust fund.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 1093YC 81  
5 pf/pj/5

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1 1 Section 1. HEALTHY IOWANS TOBACCO TRUST == APPROPRIATIONS  
1 2 TO DEPARTMENTS. There is appropriated from the healthy Iowans  
1 3 tobacco trust created in section 12.65 to the following  
1 4 departments for the fiscal year beginning July 1, 2005, and  
1 5 ending June 30, 2006, the following amounts, or so much  
1 6 thereof as is necessary, to be used for the purposes  
1 7 designated:  
1 8 1. To the department of human services:  
1 9 a. To supplement the medical assistance program  
1 10 appropriations for the fiscal year, including for  
1 11 reimbursement of noninstitutional medical assistance providers  
1 12 with the exception of anesthesia and dental providers and to  
1 13 continue the resource-based relative value system of  
1 14 reimbursement based upon the reimbursement rates established  
1 15 for the fiscal year beginning July 1, 2005, and ending June  
1 16 30, 2006, pursuant to 2005 Iowa Acts, House File 825, if  
1 17 enacted; for reimbursement of dental services, hospitals, home  
1 18 health care services, critical access hospitals, expansion of  
1 19 home health care services and habilitative day care for  
1 20 children with special needs, and expansion of respite care  
1 21 services provided through home and community-based waivers  
1 22 based upon the reimbursement rates established for the fiscal  
1 23 year beginning July 1, 2005, and ending June 30, 2006,  
1 24 pursuant to 2005 Iowa Acts, House File 825, if enacted; and  
1 25 for provision of coverage to women who require treatment for  
1 26 breast or cervical cancer as provided in section 249A.3,  
1 27 subsection 2, paragraph "b":  
1 28 ..... \$ 35,013,803  
1 29 Of the amount appropriated in this paragraph, \$50,000 shall  
1 30 be used to continue the efforts of the Iowa chronic care  
1 31 consortium pursuant to 2003 Iowa Acts, chapter 112, section  
1 32 12, as amended by 2003 Iowa Acts, chapter 179, sections 166  
1 33 and 167.  
1 34 b. For child and family services and adoption subsidy  
1 35 services including for reimbursement of rehabilitative  
2 1 treatment and support services providers, adoption,  
2 2 independent living, shelter care, and home studies services  
2 3 providers, and other service providers under the purview of  
2 4 the department of human services:  
2 5 ..... \$ 4,257,623  
2 6 c. To continue the supplementation of the children's  
2 7 health insurance program appropriation:  
2 8 ..... \$ 200,000  
2 9 d. For general administration of health-related programs:  
2 10 ..... \$ 274,000  
2 11 2. To the Iowa department of public health:  
2 12 a. For the tobacco use prevention and control initiative,  
2 13 including efforts at the state and local levels, as provided  
2 14 in chapter 142A and for not more than the following full-time  
2 15 equivalent positions:  
2 16 ..... \$ 5,011,565  
2 17 ..... FTEs 7.00  
2 18 (1) The director of public health shall dedicate

2 19 sufficient resources to promote and ensure retailer compliance  
2 20 with tobacco laws and ordinances relating to persons under 18  
2 21 years of age, and shall prioritize the state's compliance in  
2 22 the allocation of available funds to comply with 42 U.S.C. }  
2 23 300x=26 and section 453A.2.

2 24 (2) Of the full-time equivalent positions funded in this  
2 25 paragraph "a", two full-time equivalent positions shall be  
2 26 utilized to provide for enforcement of tobacco laws,  
2 27 regulations, and ordinances under a chapter 28D agreement  
2 28 entered into between the Iowa department of public health and  
2 29 the alcoholic beverages division of the department of  
2 30 commerce.

2 31 (3) Of the funds appropriated in this paragraph "a", not  
2 32 more than \$525,759 shall be expended on administration and  
2 33 management of the program.

2 34 (4) Of the funds appropriated in this paragraph "a", not  
2 35 less than 80 percent of the amount expended in the fiscal year  
3 1 beginning July 1, 2001, for community partnerships shall be  
3 2 expended in the fiscal year beginning July 1, 2005, for that  
3 3 purpose.

3 4 b. For provision of smoking cessation and smoking-related  
3 5 diseases products as provided in this paragraph:

3 6 ..... \$ 75,000

3 7 The department shall award grants to free health clinics  
3 8 that are tax-exempt organizations pursuant to 26 U.S.C. } 501  
3 9 (c)(3) to fund the provision of smoking cessation and smoking-  
3 10 related diseases products to patients. The department shall  
3 11 adopt a methodology for the awarding of the grants to the  
3 12 health clinics based upon the order of receipt of  
3 13 applications.

3 14 c. For additional substance abuse treatment under the  
3 15 substance abuse treatment program:

3 16 ..... \$ 11,800,000

3 17 (1) The department shall use funds appropriated in this  
3 18 paragraph "c" to enhance the quality of and to expand the  
3 19 capacity to provide 24-hour substance abuse treatment  
3 20 programs.

3 21 (2) The department shall use funds appropriated in this  
3 22 paragraph "c" to expand the length of individual client  
3 23 substance abuse treatment plans, as necessary to reduce  
3 24 program recidivism.

3 25 (3) The department shall use funds appropriated in this  
3 26 paragraph "c" to share research-based best practices for  
3 27 treatment with substance abuse treatment facilities.

3 28 (4) The department shall use funds appropriated in this  
3 29 paragraph "c" to develop a results-based funding approach for  
3 30 substance abuse treatment services.

3 31 (5) The department shall use funds appropriated in this  
3 32 paragraph "c" to develop a program to encourage individuals  
3 33 who are successfully managing their substance abuse problems  
3 34 to serve as role models.

3 35 (6) The department shall submit a report annually by March  
4 1 1, to the governor and the general assembly delineating the  
4 2 success rates of the substance abuse treatment programs that  
4 3 receive funding under this paragraph "c".

4 4 d. For the healthy Iowans 2010 plan within the Iowa  
4 5 department of public health and for not more than the  
4 6 following full-time equivalent positions:

4 7 ..... \$ 2,509,960

4 8 ..... FTEs 4.00

4 9 (1) Of the funds appropriated in this paragraph "d", not  
4 10 more than \$1,157,482 shall be used for core public health  
4 11 functions, including home health care and public health  
4 12 nursing services, contracted through a formula by local boards  
4 13 of health, to enhance disease and injury prevention services.

4 14 (2) Of the funds appropriated in this paragraph "d", not  
4 15 more than \$387,320 shall be used for the continuation and  
4 16 support of a coordinated system of delivery of trauma and  
4 17 emergency medical services.

4 18 (3) Of the funds appropriated in this paragraph "d", not  
4 19 more than \$600,000 shall be used for the state poison control  
4 20 center.

4 21 (4) Of the funds appropriated in this paragraph "d", not  
4 22 more than \$288,770 shall be used for the development of  
4 23 scientific and medical expertise in environmental  
4 24 epidemiology.

4 25 (5) Of the funds appropriated in this paragraph "d", not  
4 26 more than \$76,388 shall be used for the childhood lead  
4 27 poisoning prevention program.

4 28 e. For the automated external defibrillator grant program  
4 29 established pursuant to section 135.26:

4 30 ..... \$ 250,000  
 4 31 f. For implementation and maintenance of a public access  
 4 32 defibrillation plan to provide access to automatic external  
 4 33 defibrillators throughout the state capitol complex on a 24=  
 4 34 hour, 7 days per week basis:  
 4 35 ..... \$ 100,000  
 5 1 g. For the center for congenital and inherited disorders  
 5 2 established pursuant to section 136A.3:  
 5 3 ..... \$ 26,000  
 5 4 h. For a grant program to provide substance abuse  
 5 5 prevention programming for children:  
 5 6 ..... \$ 400,000  
 5 7 A program approved for a grant under the program shall meet  
 5 8 all of the following criteria:  
 5 9 (1) The program is administered by a federally chartered  
 5 10 nonprofit organization.  
 5 11 (2) The program is located in multiple locations across  
 5 12 the state, including in at least one location in a county  
 5 13 ranked in the bottom quartile of population when compared with  
 5 14 other counties.  
 5 15 (3) The program has been nationally recognized for its  
 5 16 effectiveness in reducing substance abuse by children.  
 5 17 (4) The program is able to use the grant funding to target  
 5 18 a minimum of 1,000 children for substance abuse prevention  
 5 19 programming.  
 5 20 The Iowa department of public health shall procure a sole  
 5 21 source contract to implement this paragraph "h".  
 5 22 3. To the department of corrections:  
 5 23 ..... \$ 1,214,000  
 5 24 a. Of the funds appropriated in this subsection, \$286,217  
 5 25 is allocated to the second judicial district department of  
 5 26 correctional services to replace expired federal funding for  
 5 27 day programming and to replace expired federal funding for the  
 5 28 drug court program.  
 5 29 b. Of the funds appropriated in this subsection, \$110,359  
 5 30 is allocated to the third judicial district department of  
 5 31 correctional services to replace expired federal funding for  
 5 32 the drug court program.  
 5 33 c. Of the funds appropriated in this subsection, \$191,731  
 5 34 is allocated to the fourth judicial district department of  
 5 35 correctional services for a drug court program.  
 6 1 d. Of the funds appropriated in this subsection, \$255,693  
 6 2 is allocated to the fifth judicial district department of  
 6 3 correctional services to replace expired funding for the drug  
 6 4 court program.  
 6 5 e. Of the funds appropriated in this subsection, \$370,000  
 6 6 is allocated to the Newton correctional facility for a value=  
 6 7 based treatment program.  
 6 8 4. To the department for the blind:  
 6 9 ..... \$ 130,000  
 6 10 To plan, establish, administer, and promote a statewide  
 6 11 program to provide audio news and information services to  
 6 12 blind or visually impaired persons residing in this state.  
 6 13 Sec. 2. PURCHASE OF SERVICE CONTRACT PROVIDERS ==  
 6 14 REIMBURSEMENT INCREASE. There is appropriated from the  
 6 15 healthy Iowans tobacco trust created in section 12.65 to the  
 6 16 property tax relief fund created in section 426B.1 for the  
 6 17 fiscal year beginning July 1, 2005, and ending June 30, 2006,  
 6 18 the following amount, or so much thereof as is necessary, to  
 6 19 be used for the purposes designated:  
 6 20 For assistance to the counties with limited county mental  
 6 21 health, mental retardation, and developmental disabilities  
 6 22 services fund balances which were selected in accordance with  
 6 23 2000 Iowa Acts, chapter 1221, section 3, to receive such  
 6 24 assistance in the same amount provided during the fiscal year  
 6 25 beginning July 1, 2000, and ending June 30, 2001, to pay  
 6 26 reimbursement increases in accordance with 2000 Iowa Acts,  
 6 27 chapter 1221, section 3:  
 6 28 ..... \$ 146,750  
 6 29 Sec. 3. IOWA EMPOWERMENT FUND. There is appropriated from  
 6 30 the healthy Iowans tobacco trust created in section 12.65, to  
 6 31 the Iowa empowerment fund created in section 28.9 for the  
 6 32 fiscal year beginning July 1, 2005, and ending June 30, 2006,  
 6 33 for deposit in the school ready children grants account:  
 6 34 ..... \$ 2,153,250  
 6 35 Sec. 4. DEPARTMENT OF CORRECTIONS == SPECIAL NEEDS UNIT.  
 7 1 There is appropriated from the healthy Iowans tobacco trust  
 7 2 created in section 12.65, to the department of corrections for  
 7 3 the fiscal year beginning July 1, 2005, and ending June 30,  
 7 4 2006, the following amount, or so much thereof as is  
 7 5 necessary, to be used for the purpose designated:

7 6 For operating the special needs unit at the Fort Madison  
7 7 correctional facility:  
7 8 ..... \$ 1,187,285  
7 9 Sec. 5. ENDOWMENT FOR IOWA'S HEALTH ACCOUNT == TRANSFER.  
7 10 In addition to the amount transferred pursuant to section  
7 11 12E.12, subsection 1, paragraph "b", subparagraph (2),  
7 12 subparagraph subdivision (b), \$6,400,000 is transferred from  
7 13 the endowment for Iowa's health account of the tobacco  
7 14 settlement trust fund created in section 12E.12 to the healthy  
7 15 Iowans tobacco trust created in section 12.65 for the fiscal  
7 16 year beginning July 1, 2005, and ending June 30, 2006.

7 17 EXPLANATION

7 18 This bill relates to and makes appropriations from the  
7 19 healthy Iowans tobacco trust.

7 20 The bill makes appropriations to the department of human  
7 21 services for the following:

7 22 1. To supplement the medical assistance appropriation  
7 23 including reimbursement for all noninstitutional providers  
7 24 with the exception of anesthesia and dental providers and for  
7 25 continuation of the resource-based relative value system; for  
7 26 reimbursement for dental services, hospitals, home health  
7 27 agencies, critical access hospitals, the expansion of home  
7 28 health care services and habilitative day care services, for  
7 29 children with special needs, and expansion of respite care  
7 30 services provided through home and community-based services  
7 31 waivers; and for provision of coverage to women who require  
7 32 treatment for breast or cervical cancer.

7 33 2. For child and family services and adoption subsidy  
7 34 services including for reimbursement of rehabilitative  
7 35 treatment and support services providers, adoption,  
8 1 independent living, shelter care, and home studies services  
8 2 providers, and other service providers under the purview of  
8 3 the department of human services.

8 4 3. For supplementation of the appropriation for the  
8 5 children's health insurance program.

8 6 4. For general administration of health-related programs.

8 7 The bill appropriates funds to the Iowa department of  
8 8 public health for the tobacco use prevention and control  
8 9 program for additional substance abuse treatment and for  
8 10 smoking cessation and smoking-related disease products.

8 11 The bill appropriates funds to the Iowa department of  
8 12 public health for development of a healthy Iowans 2010 plan  
8 13 for the following purposes: for core public health functions  
8 14 including home health care and public health nursing services  
8 15 contracted through a formula by local boards of health, to  
8 16 enhance disease and injury prevention services; for the  
8 17 implementation and support of a coordinated system of delivery  
8 18 of trauma and emergency medical services; for the poison  
8 19 control center; for development of scientific and medical  
8 20 expertise in environmental epidemiology; and for the childhood  
8 21 lead poisoning prevention program. The bill appropriates  
8 22 funds to the Iowa department of public health for the  
8 23 automated external defibrillator grant program, for provision  
8 24 of access to automated external defibrillators throughout the  
8 25 capitol complex, and for a grant program to provide substance  
8 26 abuse prevention programming for children.

8 27 The bill appropriates funds to the department of  
8 28 corrections for day programming and the drug court program.

8 29 The bill appropriates funds to the department for the blind  
8 30 for a statewide program to provide audio news and information  
8 31 services to blind or visually impaired persons residing in the  
8 32 state.

8 33 The bill appropriates funds to the property tax relief fund  
8 34 for the fiscal year beginning July 1, 2005, and ending June  
8 35 30, 2006, for assistance to counties with limited county  
9 1 mental health, mental retardation, and developmental  
9 2 disabilities services fund balances to pay reimbursement  
9 3 increases in the same amount as provided in the fiscal year  
9 4 beginning July 1, 2000, and ending June 30, 2001.

9 5 The bill appropriates funds from the healthy Iowans tobacco  
9 6 trust to the Iowa empowerment fund for the fiscal year  
9 7 beginning July 1, 2005, and ending June 30, 2006, for deposit  
9 8 in the school ready children grants account.

9 9 The bill appropriates funds to the department of  
9 10 corrections from the healthy Iowans tobacco trust for  
9 11 operation and staffing of a special needs unit at the Fort  
9 12 Madison correctional facility.

9 13 The bill provides for the transfer of additional funds from  
9 14 the endowment for Iowa's health account to the healthy Iowans  
9 15 tobacco trust for the fiscal year beginning July 1, 2005, and  
9 16 ending June 30, 2006.

9 17 LSB 1093YC 81  
9 18 pf:jp/pj/5