

House Study Bill 765

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
CHAIRPERSON RAECKER)

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 5200HC 81
5 pf/gg/14

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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, 2006, and
1 5 ending June 30, 2007, 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, chapter 175, section 29;
1 17 for reimbursement of dental services, hospitals, home health
1 18 care services, critical access hospitals, expansion of home
1 19 health care services and habilitative day care for children
1 20 with special needs, and expansion of respite care services
1 21 provided through home and community-based waivers based upon
1 22 the reimbursement rates established for the fiscal year
1 23 beginning July 1, 2005, and ending June 30, 2006, pursuant to
1 24 2005 Iowa Acts, chapter 175, section 29; and for provision of
1 25 coverage to women who require treatment for breast or cervical
1 26 cancer as provided in section 249A.3, subsection 2, paragraph
1 27 "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, 2006, 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 \$ 13,800,000

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 and for not more than the
 4 35 following full-time equivalent position:
 5 1 \$ 100,000
 5 2 FTEs 1.00
 5 3 g. For the center for congenital and inherited disorders
 5 4 established pursuant to section 136A.3:
 5 5 \$ 26,000
 5 6 h. For a grant program to provide substance abuse
 5 7 prevention programming for children:
 5 8 \$ 800,000
 5 9 (1) Of the funds appropriated in this paragraph "h",
 5 10 \$400,000 shall be utilized to provide funding for
 5 11 organizations that provide programming for children by
 5 12 utilizing mentors. A program approved for a grant under this
 5 13 subparagraph shall be certified by the Iowa commission on
 5 14 volunteer services as utilizing the standards for effective
 5 15 practice for mentoring programs.
 5 16 (2) The Iowa department of public health shall utilize a
 5 17 request for proposals process to implement the program under
 5 18 this paragraph "h".
 5 19 (3) All grant recipients under this paragraph "h" shall
 5 20 participate in a program evaluation as a requirement for
 5 21 receiving grant funds.
 5 22 i. For providing grants to individual patients who have
 5 23 phenylketonuria (PKU) to assist with the costs of necessary
 5 24 special foods:
 5 25 \$ 60,000
 5 26 j. For additional funding to leverage federal funding
 5 27 through the federal Ryan White Care Act, Title II, AIDS drug
 5 28 assistance program supplemental drug treatment grants:
 5 29 \$ 275,000
 5 30 3. To the department of corrections:
 5 31 \$ 3,772,999
 5 32 a. Of the funds appropriated in this subsection, \$164,741
 5 33 is allocated to the first judicial district department of
 5 34 correctional services. Of the funds allocated, \$100,000 shall
 5 35 be used for community-based corrections, and \$64,741 shall be
 6 1 used to replace expired federal funding for dual diagnosis
 6 2 offenders.
 6 3 b. Of the funds appropriated in this subsection, \$396,217
 6 4 is allocated to the second judicial district department of
 6 5 correctional services. Of the funds allocated, \$100,000 shall
 6 6 be used for community-based corrections, \$296,217 shall be
 6 7 used to replace expired federal funding for day programming
 6 8 and to replace expired federal funding for the drug court
 6 9 program, and of this amount \$40,000 shall be used for
 6 10 substance abuse treatment.
 6 11 c. Of the funds appropriated in this subsection, \$200,359
 6 12 is allocated to the third judicial district department of
 6 13 correctional services. Of the funds allocated, \$100,000 shall
 6 14 be used for community-based corrections, and \$100,359 shall be
 6 15 used to replace expired federal funding for the drug court
 6 16 program.
 6 17 d. Of the funds appropriated in this subsection, \$291,731
 6 18 is allocated to the fourth judicial district department of
 6 19 correctional services. Of the funds allocated, \$100,000 shall
 6 20 be used for community-based corrections, and \$191,731 shall be
 6 21 used for drug court program.
 6 22 e. Of the funds appropriated in this subsection, \$355,693
 6 23 is allocated to the fifth judicial district department of
 6 24 correctional services. Of the funds allocated, \$100,000 shall
 6 25 be used for community-based corrections, and \$255,693 shall be
 6 26 used to replace expired federal funding for the drug court
 6 27 program.
 6 28 f. Of the funds appropriated in this subsection, \$164,741
 6 29 is allocated to the sixth judicial district department of
 6 30 correctional services. Of the funds allocated, \$100,000 shall
 6 31 be used for community-based corrections, and \$64,741 shall be
 6 32 used to replace expired federal funding for dual diagnosis
 6 33 offenders.
 6 34 g. Of the funds appropriated in this subsection, \$232,232
 6 35 is allocated to the seventh judicial district department of
 7 1 correctional services. Of the funds allocated, \$100,000 shall
 7 2 be used for community-based corrections, and \$132,232 shall be
 7 3 used to replace expired federal funding for drug courts.
 7 4 h. Of the funds appropriated in this subsection, \$100,000
 7 5 is allocated to the eighth judicial district department of

7 6 correctional services for community-based corrections.
7 7 i. Of the funds appropriated in this subsection,
7 8 \$1,497,285 is allocated to the Fort Madison correctional
7 9 facility for the clinical care unit.
7 10 j. Of the funds appropriated in this subsection, \$310,000
7 11 is allocated to the Newton correctional facility for a value=
7 12 based treatment program.
7 13 k. Of the funds appropriated in this subsection, \$60,000
7 14 is allocated to the Iowa correctional institution for women at
7 15 Mitchellville for a value-based treatment program.

7 16 4. To the department for the blind:
7 17 \$ 130,000

7 18 To plan, establish, administer, and promote a statewide
7 19 program to provide audio news and information services to
7 20 blind or visually impaired persons residing in this state as
7 21 provided pursuant to section 216B.3, subsection 18.

7 22 Sec. 2. IOWA DEPARTMENT OF PUBLIC HEALTH. There is
7 23 appropriated from the healthy Iowans tobacco trust created in
7 24 section 12.65 to the Iowa department of public health for the
7 25 designated fiscal years, the following amounts, or so much
7 26 thereof as is necessary, to be used for the purposes
7 27 designated:

7 28 For a grant program that addresses alcohol, tobacco, and
7 29 other drugs in the school setting by utilizing evidence-based
7 30 curriculum programs in elementary schools and youth prevention
7 31 and peer education programs provided through community
7 32 partnerships in high schools:

7 33 1. FY 2006=2007..... \$ 1,550,375
7 34 2. FY 2007=2008..... \$ 1,500,000
7 35 3. FY 2008=2009..... \$ 1,400,000

8 1 The Iowa department of public health shall utilize a
8 2 request for proposals process to implement this section.

8 3 Sec. 3. PURCHASE OF SERVICE CONTRACT PROVIDERS ==
8 4 REIMBURSEMENT INCREASE. There is appropriated from the
8 5 healthy Iowans tobacco trust created in section 12.65 to the
8 6 property tax relief fund created in section 426B.1 for the
8 7 fiscal year beginning July 1, 2006, and ending June 30, 2007,
8 8 the following amount, or so much thereof as is necessary, to
8 9 be used for the purposes designated:

8 10 For assistance to the counties with limited county mental
8 11 health, mental retardation, and developmental disabilities
8 12 services fund balances which were selected in accordance with
8 13 2000 Iowa Acts, chapter 1221, section 3, to receive such
8 14 assistance in the same amount provided during the fiscal year
8 15 beginning July 1, 2000, and ending June 30, 2001, to pay
8 16 reimbursement increases in accordance with 2000 Iowa Acts,
8 17 chapter 1221, section 3:

8 18 \$ 146,750

8 19 Sec. 4. IOWA EMPOWERMENT FUND. There is appropriated from
8 20 the healthy Iowans tobacco trust created in section 12.65, to
8 21 the Iowa empowerment fund created in section 28.9 for the
8 22 fiscal year beginning July 1, 2006, and ending June 30, 2007,
8 23 for deposit in the school ready children grants account:

8 24 \$ 2,153,250

8 25 Sec. 5. IOWA COMMISSION ON VOLUNTEER SERVICES. There is
8 26 appropriated from the healthy Iowans tobacco trust created in
8 27 section 12.65 to the department of economic development for
8 28 the fiscal year beginning July 1, 2006, and ending June 30,
8 29 2007, the following amount, or so much thereof as is
8 30 necessary, to be used for the purpose designated:

8 31 For allocation to the Iowa commission on volunteer services
8 32 for the Iowa's promise and mentoring partnership program:

8 33 \$ 125,000

8 34 Sec. 6. ENDOWMENT FOR IOWA'S HEALTH ACCOUNT == TRANSFER.

8 35 In addition to the amount transferred pursuant to section
9 1 12E.12, subsection 1, paragraph "b", subparagraph (2),
9 2 subparagraph subdivision (b), \$13,600,000 is transferred from
9 3 the endowment for Iowa's health account of the tobacco
9 4 settlement trust fund created in section 12E.12 to the healthy
9 5 Iowans tobacco trust created in section 12.65 for the fiscal
9 6 year beginning July 1, 2006, and ending June 30, 2007.

EXPLANATION

9 8 This bill relates to and makes appropriations from the
9 9 healthy Iowans tobacco trust to the following departments for
9 10 fiscal year 2006=2007:

9 11 To the department of human services:

9 12 1. To supplement the medical assistance appropriation
9 13 including reimbursement for all noninstitutional providers
9 14 with the exception of anesthesia and dental providers and for
9 15 continuation of the resource-based relative value system; for
9 16 reimbursement for dental services, hospitals, home health

9 17 agencies, critical access hospitals, the expansion of home
9 18 health care services and habilitative day care services, for
9 19 children with special needs, and expansion of respite care
9 20 services provided through home and community-based services
9 21 waivers; and for provision of coverage to women who require
9 22 treatment for breast or cervical cancer. A portion of the
9 23 funds are to be used to continue the chronic care consortium.

9 24 2. For child and family services and adoption subsidy
9 25 services including for reimbursement of rehabilitative
9 26 treatment and support services providers, adoption,
9 27 independent living, shelter care, and home studies services
9 28 providers, and other service providers under the purview of
9 29 the department of human services.

9 30 3. For supplementation of the appropriation for the
9 31 children's health insurance program.

9 32 4. For general administration of health-related programs.
9 33 The bill appropriates funds to the Iowa department of
9 34 public health for the tobacco use prevention and control
9 35 program for additional substance abuse treatment and for
10 1 smoking cessation and smoking-related disease products.

10 2 To the Iowa department of public health:

10 3 1. For development of a healthy Iowans 2010 plan for the
10 4 following purposes: for core public health functions
10 5 including home health care and public health nursing services
10 6 contracted through a formula by local boards of health, to
10 7 enhance disease and injury prevention services; for the
10 8 implementation and support of a coordinated system of delivery
10 9 of trauma and emergency medical services; for the poison
10 10 control center; for development of scientific and medical
10 11 expertise in environmental epidemiology; and for the childhood
10 12 lead poisoning prevention program.

10 13 2. For the automated external defibrillator grant program.

10 14 3. For provision of access to automated external
10 15 defibrillators throughout the capitol complex.

10 16 4. For the center for congenital and inherited disorders.

10 17 5. For a grant program to provide substance abuse
10 18 prevention programming for children with specific criteria
10 19 through a request for proposals process.

10 20 6. For a grant program for individuals with
10 21 phenylketonuria (PKU).

10 22 7. For leveraging of federal funds under the federal Ryan
10 23 White Care Act.

10 24 To the department of corrections: for community-based
10 25 corrections, day programming, the drug court program, and for
10 26 the Fort Madison correctional facility for the clinical care
10 27 unit.

10 28 To the department for the blind: for a statewide program
10 29 to provide audio news and information services to blind or
10 30 visually impaired persons residing in the state.

10 31 The bill appropriates funds to the Iowa department of
10 32 public health for FY 2006=2007, FY 2007=2008, and FY 2008=2009
10 33 for a grant program that addresses alcohol, tobacco, and other
10 34 drugs in the school setting by utilizing evidence-based
10 35 curriculum programs in elementary schools and youth prevention
11 1 and peer education programs provided through community
11 2 partnerships in high schools.

11 3 The bill appropriates funds to the department of economic
11 4 development for FY 2006=2007 for allocation to the Iowa
11 5 commission on volunteer services for the Iowa's promise and
11 6 mentoring partnership program.

11 7 The bill appropriates funds for fiscal year 2006=2007 to
11 8 the property tax relief fund for the fiscal year beginning
11 9 July 1, 2006, and ending June 30, 2007, for assistance to
11 10 counties with limited county mental health, mental
11 11 retardation, and developmental disabilities services fund
11 12 balances to pay reimbursement increases in the same amount as
11 13 provided in the fiscal year beginning July 1, 2000, and ending
11 14 June 30, 2001.

11 15 The bill appropriates funds to the Iowa empowerment fund
11 16 for the fiscal year beginning July 1, 2006, and ending June
11 17 30, 2007, for deposit in the school ready children grants
11 18 account.

11 19 The bill provides for the transfer of additional funds from
11 20 the endowment for Iowa's health account to the healthy Iowans
11 21 tobacco trust for the fiscal year beginning July 1, 2006, and
11 22 ending June 30, 2007.

11 23 LSB 5200HC 81
11 24 pf:mg/gg/14.1