

# House Study Bill 711

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
HUMAN RESOURCES BILL BY  
CHAIRPERSON SMITH)

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

## A BILL FOR

1 An Act relating to the public release of information relating to  
2 elder group homes, assisted living facilities, and adult day  
3 services programs.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 6504HC 82  
6 jr/nh/5

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1 1 Section 1. Section 231B.9, Code Supplement 2007, is  
1 2 amended to read as follows:  
1 3 231B.9 PUBLIC DISCLOSURE OF FINDINGS.  
1 4 Upon completion of a monitoring evaluation or complaint  
1 5 investigation of an elder group home by the department  
1 6 pursuant to this chapter, including the conclusion of ~~all~~  
~~1 7 administrative appeals processes~~ informal review, the  
1 8 department's final findings with respect to compliance by the  
1 9 elder group home with requirements for certification shall be  
1 10 made available to the public in a readily available form and  
1 11 place. Other information relating to an elder group home that  
1 12 is obtained by the department which does not constitute the  
1 13 department's final findings from a monitoring evaluation or  
1 14 complaint investigation of the elder group home shall not be  
1 15 made available to the public except in proceedings involving  
1 16 the denial, suspension, or revocation of a certificate under  
1 17 this chapter.

1 18 Sec. 2. Section 231C.9, Code Supplement 2007, is amended  
1 19 to read as follows:

1 20 231C.9 PUBLIC DISCLOSURE OF FINDINGS.  
1 21 Upon completion of a monitoring evaluation or complaint  
1 22 investigation of an assisted living program by the department  
1 23 pursuant to this chapter, including the conclusion of ~~all~~  
~~1 24 administrative appeals processes~~ informal review, the  
1 25 department's final findings with respect to compliance by the  
1 26 assisted living program with requirements for certification  
1 27 shall be made available to the public in a readily available  
1 28 form and place. Other information relating to an assisted  
1 29 living program that is obtained by the department which does  
1 30 not constitute the department's final findings from a  
1 31 monitoring evaluation or complaint investigation of the  
1 32 assisted living program shall not be made available to the  
1 33 public except in proceedings involving the denial, suspension,  
1 34 or revocation of a certificate under this chapter.

1 35 Sec. 3. Section 231D.10, Code Supplement 2007, is amended  
2 1 to read as follows:

2 2 231D.10 PUBLIC DISCLOSURE OF FINDINGS.  
2 3 Upon completion of a monitoring evaluation or complaint  
2 4 investigation of an adult day services program by the  
2 5 department pursuant to this chapter, including the conclusion  
2 6 of ~~all administrative appeals processes~~ informal review, the  
2 7 department's final findings with respect to compliance by the  
2 8 adult day services program with requirements for certification  
2 9 shall be made available to the public in a readily available  
2 10 form and place. Other information relating to an adult day  
2 11 services program that is obtained by the department which does  
2 12 not constitute the department's final findings from a  
2 13 monitoring evaluation or complaint investigation of the adult  
2 14 day services program shall not be made available to the public  
2 15 except in proceedings involving the denial, suspension, or  
2 16 revocation of a certificate under this chapter.

2 17 EXPLANATION

2 18 The department of inspections and appeals inspects elder  
2 19 group homes, assisted living facilities, and adult day  
2 20 services programs. Under current law, findings of fact in a  
2 21 monitoring evaluation or a complaint investigation are  
2 22 available to the public only after all administrative appeals  
2 23 procedures are complete. This bill makes those findings  
2 24 public after informal review by the department.  
2 25 LSB 6504HC 82  
2 26 jr/nh/5