House Study Bill 610 - Introduced

HOUS	SE FILE
ВУ	(PROPOSED COMMITTEE ON
	HUMAN RESOURCES BILL BY
	CHAIRPERSON MILLER)

A BILL FOR

- 1 An Act relating to the designation of area agencies on aging,
- 2 and including effective date provisions.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 231.32, subsections 1 and 2, Code 2011, 2 are amended to read as follows:

- ${\tt 3}$ 1. The commission shall designate thirteen area agencies
- 4 on aging, the same of which existed on July 1, 1985 an area
- 5 agency on aging for each planning and service area. The
- 6 commission shall continue the designation until an area agency
- 7 on aging's designation is removed for cause as determined by
- 8 the commission or until the agency voluntarily withdraws as
- 9 an area agency on aging, or until a change in the designation
- 10 of planning and service areas or area agencies on aging
- ll is required by state or federal law. In that event, the
- 12 commission shall proceed in accordance with subsections 2, 3,
- 13 and 4. Designated area agencies on aging shall comply with the
- 14 requirements of the federal Act.
- 15 2. The commission shall designate an area agency to serve
- 16 each planning and service area, after consideration of the
- 17 views offered by units of general purpose local government. An
- 18 area agency may be:
- 19 a. An established office of aging which is operating within
- 20 a planning and service area designated by the commission.
- 21 b. Any office or agency of a unit of general purpose local
- 22 government, which is designated to function only for the
- 23 purpose of serving as an area agency on aging by the chief
- 24 elected official of such unit.
- c. Any office or agency designated by the appropriate
- 26 chief elected officials of any combination of units of general
- 27 purpose local government to act only on behalf of the such
- 28 combination for such purpose.
- 29 d. Any public or nonprofit private agency in a planning
- 30 and service area or any separate organizational unit within
- 31 such agency which is under the supervision or direction for
- 32 this purpose of the department on aging and which can and will
- 33 engage only in the planning or provision of a broad range of
- 34 supportive services or nutrition services within the planning
- 35 and service area.

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- 1 Sec. 2. REVOKING OF DESIGNATION AND DESIGNATION OF AREA 2 AGENCIES ON AGING EMERGENCY RULES.
- 3 1. Based upon the plan for reduction in the number of
- 4 area agencies on aging submitted pursuant to 2011 Iowa Acts,
- 5 chapter 122, section 20, and pursuant to procedures established
- 6 by the department on aging in accordance with the federal
- 7 Older Americans Act, the commission on aging shall revoke the
- 8 designation of the existing area agencies on aging on June 30,
- 9 2012, and shall designate an area agency on aging to represent
- 10 each planning and service area effective July 1, 2012.
- 11 2. The department on aging may adopt emergency rules under
- 12 section 17A.4, subsection 3, and section 17A.5, subsection 2,
- 13 paragraph "b", to implement the provisions of this section and
- 14 the rules shall be effective immediately upon filing unless
- 15 a later date is specified in the rules. Any rules adopted
- 16 in accordance with this section shall also be published as a
- 17 notice of intended action as provided in section 17A.4.
- 18 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
- 19 immediate importance, takes effect upon enactment.
- 20 EXPLANATION
- 21 This bill provides for the revoking of the designation of
- 22 existing area agencies on aging and the designation of new area
- 23 agencies on aging.
- 24 The bill eliminates the requirement that the commission on
- 25 aging designate 13 area agencies on aging and instead directs
- 26 the commission to designate an area agency on aging for each
- 27 planning and service area in the state, and to continue the
- 28 designation until certain criteria are met. In addition to
- 29 the existing criteria for revoking of the designation of an
- 30 area agency on aging, the bill includes the new criterion for
- 31 an area agency on aging to continue until a change in the
- 32 designation of planning and service areas or area agencies on
- 33 aging is required by state or federal law.
- 34 The bill provides that the entities specified under the law
- 35 to function as an area agency on aging are to function only for

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- 1 that purpose or engage only in the functions of an area agency
 2 on aging.
- 3 The bill also directs the commission on aging to revoke the
- 4 designation of the existing area agencies on aging on June 30,
- 5 2012, and to designate an area agency on aging to represent
- 6 each planning and service area effective July 1, 2012, based on
- 7 the plan for reduction in the number of area agencies on aging
- 8 submitted pursuant to 2011 Iowa Acts, chapter 122, section
- 9 20, and pursuant to procedures established by the department
- 10 on aging in accordance with the federal Older Americans Act.
- 11 The bill authorizes the department on aging to adopt emergency
- 12 rules to implement the revocations of designation and the
- 13 designation of new area agencies on aging.
- 14 The bill takes effect upon enactment.