

Senate Study Bill 3039 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT ON
AGING BILL)

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:

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

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
11 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.

25 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.

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

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.