

Senate File 505 - Introduced

SENATE FILE 505

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1288)

A BILL FOR

1 An Act relating to appropriations for health and human services
2 and veterans and including other related provisions and
3 appropriations, and including effective date and retroactive
4 and other applicability date provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

DEPARTMENT ON AGING — FY 2015-2016

Section 1. DEPARTMENT ON AGING. There is appropriated from the general fund of the state to the department on aging for the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For aging programs for the department on aging and area agencies on aging to provide citizens of Iowa who are 60 years of age and older with case management for frail elders, Iowa's aging and disabilities resource center, and other services which may include but are not limited to adult day services, respite care, chore services, information and assistance, and material aid, for information and options counseling for persons with disabilities who are 18 years of age or older, and for salaries, support, administration, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$ 11,436,066
.....	FTEs 31.00

1. Funds appropriated in this section may be used to supplement federal funds under federal regulations. To receive funds appropriated in this section, a local area agency on aging shall match the funds with moneys from other sources according to rules adopted by the department. Funds appropriated in this section may be used for elderly services not specifically enumerated in this section only if approved by an area agency on aging for provision of the service within the area.

2. Of the funds appropriated in this section, \$279,946 is transferred to the economic development authority for the Iowa commission on volunteer services to be used for the retired and senior volunteer program.

3. a. The department on aging shall establish and enforce procedures relating to expenditure of state and federal funds

1 by area agencies on aging that require compliance with both
2 state and federal laws, rules, and regulations, including but
3 not limited to all of the following:

4 (1) Requiring that expenditures are incurred only for goods
5 or services received or performed prior to the end of the
6 fiscal period designated for use of the funds.

7 (2) Prohibiting prepayment for goods or services not
8 received or performed prior to the end of the fiscal period
9 designated for use of the funds.

10 (3) Prohibiting the prepayment for goods or services
11 not defined specifically by good or service, time period, or
12 recipient.

13 (4) Prohibiting the establishment of accounts from which
14 future goods or services which are not defined specifically by
15 good or service, time period, or recipient, may be purchased.

16 b. The procedures shall provide that if any funds are
17 expended in a manner that is not in compliance with the
18 procedures and applicable federal and state laws, rules, and
19 regulations, and are subsequently subject to repayment, the
20 area agency on aging expending such funds in contravention of
21 such procedures, laws, rules and regulations, not the state,
22 shall be liable for such repayment.

23 4. Of the funds appropriated in this section, at least
24 \$250,000 shall be used to fund the unmet needs identified
25 through Iowa's aging and disability resource center network.

26 5. Of the funds appropriated in this section, at least
27 \$600,000 shall be used to fund home and community-based
28 services through the area agencies on aging that enable older
29 individuals to avoid more costly utilization of residential or
30 institutional services and remain in their own homes.

31 6. Of the funds appropriated in this section, \$850,000
32 shall be used for the purposes of chapter 231E and section
33 231.56A, of which \$325,000 shall be used for the office of
34 substitute decision maker pursuant to chapter 231E, and the
35 remainder shall be distributed equally to the area agencies on

1 aging to administer the prevention of elder abuse, neglect, and
2 exploitation program pursuant to section 231.56A, in accordance
3 with the requirements of the federal Older Americans Act of
4 1965, 42 U.S.C. §3001 et seq., as amended.

5 DIVISION II

6 OFFICE OF LONG-TERM CARE OMBUDSMAN — FY 2015-2016

7 Sec. 2. OFFICE OF LONG-TERM CARE OMBUDSMAN.

8 1. There is appropriated from the general fund of the state
9 to the office of long-term care ombudsman for the fiscal year
10 beginning July 1, 2015, and ending June 30, 2016, the following
11 amount, or so much thereof as is necessary, to be used for the
12 purposes designated:

13 For salaries, support, administration, maintenance, and
14 miscellaneous purposes, and for not more than the following
15 full-time equivalent positions:

16	\$	1,506,783
17	FTEs	21.00

18 2. Of the funds appropriated in this section, \$450,000 shall
19 be used to provide additional local long-term care ombudsmen.

20 3. The office of long-term care ombudsman and the department
21 of human services shall collaborate to develop a Medicaid
22 state plan amendment to provide for the claiming of federal
23 financial participation for office of long-term care ombudsman
24 activities that are performed to assist with administration of
25 the Medicaid program. The Medicaid state plan amendment shall
26 be submitted to the centers for Medicare and Medicaid services
27 of the United States department of health and human services in
28 a timely manner to allow for such claiming of federal financial
29 participation beginning January 1, 2016.

30 DIVISION III

31 DEPARTMENT OF PUBLIC HEALTH — FY 2015-2016

32 Sec. 3. DEPARTMENT OF PUBLIC HEALTH. There is appropriated
33 from the general fund of the state to the department of public
34 health for the fiscal year beginning July 1, 2015, and ending
35 June 30, 2016, the following amounts, or so much thereof as is

1 necessary, to be used for the purposes designated:

2 1. ADDICTIVE DISORDERS

3 For reducing the prevalence of the use of tobacco, alcohol,
4 and other drugs, and treating individuals affected by addictive
5 behaviors, including gambling, and for not more than the
6 following full-time equivalent positions:

7 \$ 27,263,690
8 FTEs 10.00

9 a. (1) Of the funds appropriated in this subsection,
10 \$5,248,361 shall be used for the tobacco use prevention
11 and control initiative, including efforts at the state and
12 local levels, as provided in chapter 142A. The commission
13 on tobacco use prevention and control established pursuant
14 to section 142A.3 shall advise the director of public health
15 in prioritizing funding needs and the allocation of moneys
16 appropriated for the programs and initiatives. Activities
17 of the programs and initiatives shall be in alignment with
18 the United States centers for disease control and prevention
19 best practices for comprehensive tobacco control programs that
20 include the goals of preventing youth initiation of tobacco
21 usage, reducing exposure to secondhand smoke, and promotion of
22 tobacco cessation.

23 (2) (a) Of the funds allocated in this paragraph "a",
24 \$453,067 is transferred to the alcoholic beverages division of
25 the department of commerce for enforcement of tobacco laws,
26 regulations, and ordinances and to engage in tobacco control
27 activities approved by the division of tobacco use prevention
28 and control of the department of public health as specified
29 in the memorandum of understanding entered into between the
30 divisions.

31 (b) For the fiscal year beginning July 1, 2015, and ending
32 June 30, 2016, the terms of the memorandum of understanding,
33 entered into between the division of tobacco use prevention
34 and control of the department of public health and the
35 alcoholic beverages division of the department of commerce,

1 governing compliance checks conducted to ensure licensed retail
2 tobacco outlet conformity with tobacco laws, regulations, and
3 ordinances relating to persons under eighteen years of age,
4 shall continue to restrict the number of such checks to one
5 check per retail outlet, and one additional check for any
6 retail outlet found to be in violation during the first check.

7 b. Of the funds appropriated in this subsection,
8 \$22,015,329 shall be used for problem gambling and
9 substance-related disorder prevention, treatment, and recovery
10 services, including a 24-hour helpline, public information
11 resources, professional training, and program evaluation.

12 (1) Of the funds allocated in this paragraph "b",
13 \$18,903,715 shall be used for substance-related disorder
14 prevention and treatment.

15 (a) Of the funds allocated in this subparagraph (1),
16 \$899,300 shall be used for the public purpose of a grant
17 program to provide substance-related disorder prevention
18 programming for children.

19 (i) Of the funds allocated in this subparagraph division
20 (a), \$427,539 shall be used for grant funding for organizations
21 that provide programming for children by utilizing mentors.
22 Programs approved for such grants shall be certified or must
23 be certified within six months of receiving the grant award
24 by the Iowa commission on volunteer services as utilizing the
25 standards for effective practice for mentoring programs.

26 (ii) Of the funds allocated in this subparagraph division
27 (a), \$426,839 shall be used for grant funding for organizations
28 providing programming that includes youth development and
29 leadership services. The programs shall also be recognized as
30 being programs that are scientifically based with evidence of
31 their effectiveness in reducing substance-related disorders in
32 children.

33 (iii) The department of public health shall utilize a
34 request for proposals process to implement the grant program.

35 (iv) All grant recipients shall participate in a program

1 evaluation as a requirement for receiving grant funds.

2 (v) Of the funds allocated in this subparagraph division
3 (a), up to \$44,922 may be used to administer substance-related
4 disorder prevention grants and for program evaluations.

5 (b) Of the funds allocated in this subparagraph
6 (1), \$272,603 shall be used for culturally competent
7 substance-related disorder treatment pilot projects.

8 (i) The department shall utilize the amount allocated
9 in this subparagraph division (b) for at least three pilot
10 projects to provide culturally competent substance-related
11 disorder treatment in various areas of the state. Each pilot
12 project shall target a particular ethnic minority population.
13 The populations targeted shall include but are not limited to
14 African American, Asian, and Latino.

15 (ii) The pilot project requirements shall provide for
16 documentation or other means to ensure access to the cultural
17 competence approach used by a pilot project so that such
18 approach can be replicated and improved upon in successor
19 programs.

20 (2) Of the funds allocated in this paragraph "b", up
21 to \$3,111,614 may be used for problem gambling prevention,
22 treatment, and recovery services.

23 (a) Of the funds allocated in this subparagraph (2),
24 \$2,573,762 shall be used for problem gambling prevention and
25 treatment.

26 (b) Of the funds allocated in this subparagraph (2), up to
27 \$437,852 may be used for a 24-hour helpline, public information
28 resources, professional training, and program evaluation.

29 (c) Of the funds allocated in this subparagraph (2), up
30 to \$100,000 may be used for the licensing of problem gambling
31 treatment programs.

32 (3) It is the intent of the general assembly that from the
33 moneys allocated in this paragraph "b", persons with a dual
34 diagnosis of substance-related disorder and gambling addiction
35 shall be given priority in treatment services.

1 c. Notwithstanding any provision of law to the contrary,
2 to standardize the availability, delivery, cost of delivery,
3 and accountability of problem gambling and substance-related
4 disorder treatment services statewide, the department shall
5 continue implementation of a process to create a system
6 for delivery of treatment services in accordance with the
7 requirements specified in 2008 Iowa Acts, chapter 1187, section
8 3, subsection 4. To ensure the system provides a continuum
9 of treatment services that best meets the needs of Iowans,
10 the problem gambling and substance-related disorder treatment
11 services in any area may be provided either by a single agency
12 or by separate agencies submitting a joint proposal.

13 (1) The system for delivery of substance-related disorder
14 and problem gambling treatment shall include problem gambling
15 prevention.

16 (2) The system for delivery of substance-related disorder
17 and problem gambling treatment shall include substance-related
18 disorder prevention by July 1, 2016.

19 (3) Of the funds allocated in paragraph "b", the department
20 may use up to \$100,000 for administrative costs to continue
21 developing and implementing the process in accordance with this
22 paragraph "c".

23 d. The requirement of section 123.53, subsection 5, is met
24 by the appropriations and allocations made in this division of
25 this Act for purposes of substance-related disorder treatment
26 and addictive disorders for the fiscal year beginning July 1,
27 2015.

28 e. The department of public health shall work with all
29 other departments that fund substance-related disorder
30 prevention and treatment services and all such departments
31 shall, to the extent necessary, collectively meet the state
32 maintenance of effort requirements for expenditures for
33 substance-related disorder services as required under the
34 federal substance-related disorder prevention and treatment
35 block grant.

1 2. HEALTHY CHILDREN AND FAMILIES

2 For promoting the optimum health status for children,
 3 adolescents from birth through 21 years of age, and families,
 4 and for not more than the following full-time equivalent
 5 positions:

6 \$ 7,331,602

7 FTEs 13.00

8 a. Of the funds appropriated in this subsection, not more
 9 than \$734,841 shall be used for the healthy opportunities for
 10 parents to experience success (HOPES)-healthy families Iowa
 11 (HFI) program established pursuant to section 135.106. The
 12 funding shall be distributed to renew the grants that were
 13 provided to the grantees that operated the program during the
 14 fiscal year ending June 30, 2015.

15 b. In order to implement the legislative intent stated in
 16 sections 135.106 and 256I.9, that priority for home visitation
 17 program funding be given to programs using evidence-based or
 18 promising models for home visitation, it is the intent of the
 19 general assembly to phase in the funding priority in accordance
 20 with 2012 Iowa Acts, chapter 1133, section 2, subsection 2,
 21 paragraph 0b.

22 c. Of the funds appropriated in this subsection, \$4,912,887
 23 shall be used to expand statewide the department's initiative
 24 to provide for adequate developmental surveillance and
 25 screening during a child's first five years. The funds shall
 26 be used first to fully fund the current sites to ensure that
 27 the sites are fully operational, with the remaining funds
 28 to be used for expansion to additional sites. The full
 29 implementation and expansion shall include enhancing the scope
 30 of the program through collaboration with the child health
 31 specialty clinics to promote healthy child development through
 32 early identification and response to both biomedical and social
 33 determinants of healthy development; by monitoring child
 34 health metrics to inform practice, document long-term health
 35 impacts and savings, and provide for continuous improvement

1 through training, education, and evaluation; and by providing
2 for practitioner consultation particularly for children with
3 behavioral conditions and needs. The department of public
4 health shall also collaborate with the Iowa Medicaid enterprise
5 and the child health specialty clinics to integrate the
6 activities of the first five initiative into the establishment
7 of patient-centered medical homes, community utilities,
8 accountable care organizations, and other integrated care
9 models developed to improve health quality and population
10 health while reducing health care costs. To the maximum extent
11 possible, funding allocated in this paragraph shall be utilized
12 as matching funds for medical assistance program reimbursement.

13 d. Of the funds appropriated in this subsection, \$74,640
14 shall be distributed to a statewide dental carrier to provide
15 funds to continue the donated dental services program patterned
16 after the projects developed by the lifeline network to provide
17 dental services to indigent individuals who are elderly or with
18 disabilities.

19 e. Of the funds appropriated in this subsection, \$111,995
20 shall be used for childhood obesity prevention.

21 f. Of the funds appropriated in this subsection, \$162,768
22 shall be used to provide audiological services and hearing
23 aids for children. The department may enter into a contract
24 to administer this paragraph.

25 g. Of the funds appropriated in this subsection, \$25,000 is
26 transferred to the university of Iowa college of dentistry for
27 provision of primary dental services to children. State funds
28 shall be matched on a dollar-for-dollar basis. The university
29 of Iowa college of dentistry shall coordinate efforts with the
30 department of public health, bureau of oral and health delivery
31 systems, to provide dental care to underserved populations
32 throughout the state.

33 h. Of the funds appropriated in this subsection, \$50,000
34 shall be used to address youth suicide prevention.

35 i. Of the funds appropriated in this subsection, \$50,000

1 shall be used to support the Iowa effort to address the survey
 2 of children who experience adverse childhood experiences known
 3 as ACEs.

4 3. CHRONIC CONDITIONS

5 For serving individuals identified as having chronic
 6 conditions or special health care needs, and for not more than
 7 the following full-time equivalent positions:

8	\$	5,105,861
9	FTEs	5.00

10 a. Of the funds appropriated in this subsection, \$159,932
 11 shall be used for grants to individual patients who have an
 12 inherited metabolic disorder to assist with the costs of
 13 medically necessary foods and formula.

14 b. Of the funds appropriated in this subsection, \$891,644
 15 shall be used for the brain injury services program pursuant to
 16 section 135.22B, including for continuation of the contracts
 17 for resource facilitator services in accordance with section
 18 135.22B, subsection 9, and to enhance brain injury training and
 19 recruitment of service providers on a statewide basis. Of the
 20 amount allocated in this paragraph, \$95,000 shall be used to
 21 fund one full-time equivalent position to serve as the state
 22 brain injury services program manager.

23 c. Of the funds appropriated in this subsection, \$547,982
 24 shall be used as additional funding to leverage federal funding
 25 through the federal Ryan White Care Act, Tit. II, AIDS drug
 26 assistance program supplemental drug treatment grants.

27 d. Of the funds appropriated in this subsection, \$149,823
 28 shall be used for the public purpose of continuing to contract
 29 with an existing national-affiliated organization to provide
 30 education, client-centered programs, and client and family
 31 support for people living with epilepsy and their families.
 32 The amount allocated in this paragraph in excess of \$100,000
 33 shall be matched dollar-for-dollar by the organization
 34 specified.

35 e. Of the funds appropriated in this subsection, \$785,114

1 shall be used for child health specialty clinics.

2 f. Of the funds appropriated in this subsection, \$400,000
3 shall be used by the regional autism assistance program
4 established pursuant to section 256.35, and administered by
5 the child health specialty clinic located at the university of
6 Iowa hospitals and clinics. The funds shall be used to enhance
7 interagency collaboration and coordination of educational,
8 medical, and other human services for persons with autism,
9 their families, and providers of services, including delivering
10 regionalized services of care coordination, family navigation,
11 and integration of services through the statewide system of
12 regional child health specialty clinics and fulfilling other
13 requirements as specified in chapter 225D. The university of
14 Iowa shall not receive funds allocated under this paragraph for
15 indirect costs associated with the regional autism assistance
16 program.

17 g. Of the funds appropriated in this subsection, \$570,993
18 shall be used for the comprehensive cancer control program to
19 reduce the burden of cancer in Iowa through prevention, early
20 detection, effective treatment, and ensuring quality of life.
21 Of the funds allocated in this paragraph "g", \$150,000 shall
22 be used to support a melanoma research symposium, a melanoma
23 biorepository and registry, basic and translational melanoma
24 research, and clinical trials.

25 h. Of the funds appropriated in this subsection, \$126,450
26 shall be used for cervical and colon cancer screening, and
27 \$300,000 shall be used to enhance the capacity of the cervical
28 cancer screening program to include provision of recommended
29 prevention and early detection measures to a broader range of
30 low-income women.

31 i. Of the funds appropriated in this subsection, \$676,864
32 shall be used for the center for congenital and inherited
33 disorders including to provide for surveillance of stillbirths
34 as defined in section 136A.2.

35 j. Of the funds appropriated in this subsection, \$129,411

1 shall be used for the prescription drug donation repository
2 program created in chapter 135M.

3 k. Of the funds appropriated in this subsection,
4 \$215,263 shall be used by the department of public health
5 for reform-related activities, including but not limited to
6 facilitation of communication to stakeholders at the state and
7 local level, administering the patient-centered health advisory
8 council pursuant to section 135.159, and involvement in health
9 care system innovation activities occurring across the state.

10 1. Of the funds appropriated in this subsection, \$25,000
11 shall be used for administration of chapter 124D, the medical
12 cannabidiol Act, or other Code provisions authorizing the
13 compassionate medical use of cannabis, if enacted by the 2015
14 regular session of the Eighty-sixth General Assembly.

15 4. COMMUNITY CAPACITY

16 For strengthening the health care delivery system at the
17 local level, and for not more than the following full-time
18 equivalent positions:

19	\$	8,719,716
20	FTEs	11.00

21 a. Of the funds appropriated in this subsection, \$99,414
22 is allocated for continuation of the child vision screening
23 program implemented through the university of Iowa hospitals
24 and clinics in collaboration with early childhood Iowa areas.
25 The program shall submit a report to the individuals identified
26 in this Act for submission of reports regarding the use of
27 funds allocated under this paragraph "a". The report shall
28 include the objectives and results for the program year
29 including the target population and how the funds allocated
30 assisted the program in meeting the objectives; the number,
31 age, and location within the state of individuals served;
32 the type of services provided to the individuals served; the
33 distribution of funds based on service provided; and the
34 continuing needs of the program.

35 b. Of the funds appropriated in this subsection, \$110,656 is

1 allocated for continuation of an initiative implemented at the
2 university of Iowa and \$99,904 is allocated for continuation of
3 an initiative at the state mental health institute at Cherokee
4 to expand and improve the workforce engaged in mental health
5 treatment and services. The initiatives shall receive input
6 from the university of Iowa, the department of human services,
7 the department of public health, and the mental health and
8 disability services commission to address the focus of the
9 initiatives.

10 c. Of the funds appropriated in this subsection, \$1,164,628
11 shall be used for essential public health services that promote
12 healthy aging throughout one's lifespan, contracted through a
13 formula for local boards of health, to enhance health promotion
14 and disease prevention services.

15 d. Of the funds appropriated in this section, \$99,286 shall
16 be deposited in the governmental public health system fund
17 created in section 135A.8 to be used for the purposes of the
18 fund.

19 e. Of the funds appropriated in this subsection, \$105,448
20 shall be used to continue to address the shortage of mental
21 health professionals in the state.

22 f. Of the funds appropriated in this subsection,
23 \$50,000 shall be used for a grant to a statewide association
24 of psychologists that is affiliated with the American
25 psychological association to be used for continuation of a
26 program to rotate intern psychologists in placements in urban
27 and rural mental health professional shortage areas, as defined
28 in section 135.180.

29 g. (1) Of the funds appropriated in this subsection,
30 \$2,882,969 shall be allocated as a grant to the Iowa primary
31 care association to be used pursuant to section 135.153 for
32 the statewide coordination of the Iowa collaborative safety
33 net provider network. Coordination of the network shall
34 focus on increasing access by underserved populations to
35 health care services, increasing integration of the health

1 system and collaboration across the continuum of care with
 2 a focus on safety net services, and enhancing the Iowa
 3 collaborative safety net provider network's communication and
 4 education efforts. The amount allocated as a grant under this
 5 subparagraph (1) shall be used as follows to support the Iowa
 6 collaborative safety net provider network goals of increased
 7 access, health system integration, and engagement:

8 (a) For distribution to safety net partners in the state
 9 that work to increase access of the underserved population to
 10 health services:

11 \$ 1,025,485

12 (i) Of the amount allocated in this subparagraph
 13 division (a), up to \$413,415 shall be distributed to the
 14 Iowa prescription drug corporation for continuation of the
 15 pharmaceutical infrastructure for safety net providers as
 16 described in 2007 Iowa Acts, chapter 218, section 108.

17 (ii) Of the amount allocated in this subparagraph division
 18 (a), up to \$348,322 shall be distributed to free clinics and
 19 free clinics of Iowa for necessary infrastructure, statewide
 20 coordination, provider recruitment, service delivery, and
 21 provision of assistance to patients in securing a medical home
 22 inclusive of oral health care.

23 (iii) Of the amount allocated in this subparagraph
 24 division (a), up to \$50,000 shall be distributed to the
 25 Iowa coalition against sexual assault to continue a training
 26 program for sexual assault response team (SART) members,
 27 including representatives of law enforcement, victim advocates,
 28 prosecutors, and certified medical personnel.

29 (iv) Of the amount allocated in this subparagraph division
 30 (a), up to \$213,748 shall be distributed to the Polk county
 31 medical society for continuation of the safety net provider
 32 patient access to a specialty health care initiative as
 33 described in 2007 Iowa Acts, chapter 218, section 109.

34 (b) For distribution to safety net partners in the
 35 state that work to increase health system integration, care

1 coordination, and collaboration across the continuum of care
 2 with a focus on safety net services. Such efforts shall
 3 include but not be limited to community care coordination team
 4 development and integration of medical and behavioral health
 5 services. Efforts shall also include working, in conjunction
 6 with the department of human services and the department
 7 of public health, to support Medicaid managed care efforts
 8 inclusive of the state innovation model through the continued
 9 development and implementation of community care coordination
 10 teams. Implementation of the community care coordination
 11 teams shall be accomplished through a statewide regionally
 12 based network that provides an integrated approach to health
 13 care delivery through care coordination that supports primary
 14 care providers and links patients with community resources
 15 necessary to empower patients in addressing biomedical and
 16 social determinants of health to improve health outcomes:

17 \$ 1,672,199

18 (c) For distribution to safety net partners in the state
 19 that work to serve as a resource for credible, accurate
 20 information on health care-related needs and services
 21 for vulnerable populations in the state including the
 22 Iowa association of rural health clinics for necessary
 23 infrastructure and service delivery transformation and the Iowa
 24 primary care association to support partner engagement, program
 25 management, and statewide coordination of the network:

26 \$ 185,285

27 (2) The amount allocated under this paragraph "g" shall
 28 not be reduced for administrative or other costs prior to
 29 distribution. The Iowa collaborative safety net provider
 30 network may continue to distribute funds allocated pursuant to
 31 this paragraph "g" through existing contracts or renewal of
 32 existing contracts.

33 (3) For each goal of the Iowa collaborative safety net
 34 provider network, the Iowa primary care association shall
 35 submit a progress report to the individuals designated in this

1 Act for submission of reports by December 15, 2015, including
2 progress in developing and implementing the network, how the
3 funds were distributed and used in developing and implementing
4 the network, and the remaining needs identified to fully
5 develop and implement the network.

6 h. Of the funds appropriated in this subsection, \$213,400
7 shall be used for continuation of the work of the direct care
8 worker advisory council established pursuant to 2008 Iowa Acts,
9 chapter 1188, section 69, in implementing the recommendations
10 in the final report submitted by the advisory council to the
11 governor and the general assembly in March 2012, including
12 by continuing to develop, promote, and make available on a
13 statewide basis the prepare-to-care core curriculum and its
14 associated modules and specialties through various formats
15 including online access, community colleges, and other venues;
16 exploring new and maintaining existing specialties including
17 but not limited to oral health and dementia care; supporting
18 instructor training; and assessing and making recommendations
19 concerning the Iowa care book and information technology
20 systems and infrastructure uses and needs.

21 i. (1) Of the funds appropriated in this subsection,
22 \$216,375 shall be used for allocation to an independent
23 statewide direct care worker organization under continuation
24 of the contract in effect during the fiscal year ending June
25 30, 2015.

26 (2) Of the funds appropriated in this subsection,
27 \$105,000 shall be used to provide scholarships or other
28 forms of subsidization for direct care worker educational
29 conferences, training, or outreach activities, and for the
30 mouth-care-matters oral health care project.

31 j. Of the funds appropriated in this subsection, the
32 department may use up to \$58,175 for up to one full-time
33 equivalent position to administer the volunteer health care
34 provider program pursuant to section 135.24.

35 k. Of the funds appropriated in this subsection, \$100,000

1 shall be used for a matching dental education loan repayment
2 program to be allocated to a dental nonprofit health service
3 corporation to continue to develop the criteria and implement
4 the loan repayment program.

5 l. Of the funds appropriated in this subsection, \$105,823 is
6 transferred to the college student aid commission for deposit
7 in the rural Iowa primary care trust fund created in section
8 261.113 to be used for the purposes of the fund.

9 m. Of the funds appropriated in this subsection, \$250,000
10 shall be used for the purposes of the Iowa donor registry as
11 specified in section 142C.18.

12 n. Of the funds appropriated in this subsection, \$100,000
13 shall be used for continuation of a grant to a nationally
14 affiliated volunteer eye organization that has an established
15 program for children and adults and that is solely dedicated to
16 preserving sight and preventing blindness through education,
17 nationally certified vision screening and training, and
18 community and patient service programs. The organization
19 shall submit a report to the individuals identified in this
20 Act for submission of reports regarding the use of funds
21 allocated under this paragraph "n". The report shall include
22 the objectives and results for the program year including
23 the target population and how the funds allocated assisted
24 the program in meeting the objectives; the number, age, and
25 location within the state of individuals served; the type of
26 services provided to the individuals served; the distribution
27 of funds based on services provided; and the continuing needs
28 of the program.

29 o. Of the funds appropriated in this subsection, \$25,000
30 shall be used for the continuation of a wellness council under
31 the direction of the director of public health to increase
32 support for wellness activities in the state.

33 p. Of the funds appropriated in this subsection, \$2,000,000
34 shall be deposited in the medical residency training account
35 created in section 135.175, subsection 5, paragraph "a", and

1 is appropriated from the account to the department of public
 2 health to be used for the purposes of the medical residency
 3 training state matching grants program as specified in section
 4 135.176. However, notwithstanding any provision to the
 5 contrary in section 135.176, priority in the awarding of grants
 6 shall be given to sponsors that propose preference in the use
 7 of the grant funds for psychiatric residency positions and
 8 family practice residency positions.

9 5. HEALTHY AGING

10 To provide public health services that reduce risks and
 11 invest in promoting and protecting good health over the
 12 course of a lifetime with a priority given to older Iowans and
 13 vulnerable populations:

14 \$ 7,297,142

15 6. INFECTIOUS DISEASES

16 For reducing the incidence and prevalence of communicable
 17 diseases, and for not more than the following full-time
 18 equivalent positions:

19 \$ 1,335,155

20 FTEs 4.00

21 7. PUBLIC PROTECTION

22 For protecting the health and safety of the public through
 23 establishing standards and enforcing regulations, and for not
 24 more than the following full-time equivalent positions:

25 \$ 4,339,191

26 FTEs 135.50

27 a. Of the funds appropriated in this subsection, not more
 28 than \$454,700 shall be credited to the emergency medical
 29 services fund created in section 135.25. Moneys in the
 30 emergency medical services fund are appropriated to the
 31 department to be used for the purposes of the fund.

32 b. Of the funds appropriated in this subsection, \$203,032
 33 shall be used for sexual violence prevention programming
 34 through a statewide organization representing programs
 35 serving victims of sexual violence through the department's

1 sexual violence prevention program. The amount allocated
2 in this paragraph "b" shall not be used to supplant funding
3 administered for other sexual violence prevention or victims
4 assistance programs.

5 c. Of the funds appropriated in this subsection, \$598,751
6 shall be used for the state poison control center. Pursuant
7 to the directive under 2014 Iowa Acts, chapter 1140, section
8 102, the federal matching funds available to the state poison
9 control center from the department of human services under the
10 federal Children's Health Insurance Program Reauthorization Act
11 allotment shall be subject to the federal administrative cap
12 rule of 10 percent applicable to funding provided under Tit.
13 XXI of the federal Social Security Act and included within the
14 department's calculations of the cap.

15 d. Of the funds appropriated in this subsection, \$537,750
16 shall be used for childhood lead poisoning provisions.

17 8. RESOURCE MANAGEMENT

18 For establishing and sustaining the overall ability of the
19 department to deliver services to the public, and for not more
20 than the following full-time equivalent positions:

21	\$	855,072
22	FTEs	4.00

23 The university of Iowa hospitals and clinics under the
24 control of the state board of regents shall not receive
25 indirect costs from the funds appropriated in this section.
26 The university of Iowa hospitals and clinics billings to the
27 department shall be on at least a quarterly basis.

28 DIVISION IV

29 DEPARTMENT OF VETERANS AFFAIRS — FY 2015-2016

30 Sec. 4. DEPARTMENT OF VETERANS AFFAIRS. There is
31 appropriated from the general fund of the state to the
32 department of veterans affairs for the fiscal year beginning
33 July 1, 2015, and ending June 30, 2016, the following amounts,
34 or so much thereof as is necessary, to be used for the purposes
35 designated:

1 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

2 For salaries, support, maintenance, and miscellaneous
3 purposes, and for not more than the following full-time
4 equivalent positions:

5 \$ 1,200,546
6 FTEs 15.00

7 2. IOWA VETERANS HOME

8 For salaries, support, maintenance, and miscellaneous
9 purposes:

10 \$ 7,594,996

11 a. The Iowa veterans home billings involving the department
12 of human services shall be submitted to the department on at
13 least a monthly basis.

14 b. If there is a change in the employer of employees
15 providing services at the Iowa veterans home under a collective
16 bargaining agreement, such employees and the agreement shall
17 be continued by the successor employer as though there had not
18 been a change in employer.

19 c. Within available resources and in conformance with
20 associated state and federal program eligibility requirements,
21 the Iowa veterans home may implement measures to provide
22 financial assistance to or on behalf of veterans or their
23 spouses who are participating in the community reentry program.

24 d. The Iowa veterans home expenditure report shall be
25 submitted monthly to the legislative services agency.

26 3. HOME OWNERSHIP ASSISTANCE PROGRAM

27 For transfer to the Iowa finance authority for the
28 continuation of the home ownership assistance program for
29 persons who are or were eligible members of the armed forces of
30 the United States, pursuant to section 16.54:

31 \$ 2,500,000

32 Sec. 5. LIMITATION OF COUNTY COMMISSIONS OF VETERAN AFFAIRS
33 FUND STANDING APPROPRIATIONS. Notwithstanding the standing
34 appropriation in section 35A.16 for the fiscal year beginning
35 July 1, 2015, and ending June 30, 2016, the amount appropriated

1 from the general fund of the state pursuant to that section
2 for the following designated purposes shall not exceed the
3 following amount:

4 For the county commissions of veteran affairs fund under
5 section 35A.16:

6 \$ 990,000

7 DIVISION V

8 DEPARTMENT OF HUMAN SERVICES — FY 2015-2016

9 Sec. 6. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK

10 GRANT. There is appropriated from the fund created in section
11 8.41 to the department of human services for the fiscal year
12 beginning July 1, 2015, and ending June 30, 2016, from moneys
13 received under the federal temporary assistance for needy
14 families (TANF) block grant pursuant to the federal Personal
15 Responsibility and Work Opportunity Reconciliation Act of 1996,
16 Pub. L. No. 104-193, and successor legislation, the following
17 amounts, or so much thereof as is necessary, to be used for the
18 purposes designated:

19 1. To be credited to the family investment program account
20 and used for assistance under the family investment program
21 under chapter 239B:

22 \$ 5,136,995

23 2. To be credited to the family investment program account
24 and used for the job opportunities and basic skills (JOBS)
25 program and implementing family investment agreements in
26 accordance with chapter 239B:

27 \$ 10,138,178

28 3. To be used for the family development and
29 self-sufficiency grant program in accordance with section
30 216A.107:

31 \$ 2,898,980

32 Notwithstanding section 8.33, moneys appropriated in this
33 subsection that remain unencumbered or unobligated at the close
34 of the fiscal year shall not revert but shall remain available
35 for expenditure for the purposes designated until the close of

1 the succeeding fiscal year. However, unless such moneys are
 2 encumbered or obligated on or before September 30, 2016, the
 3 moneys shall revert.

4 4. For field operations:

5 \$ 31,296,232

6 5. For general administration:

7 \$ 3,744,000

8 6. For state child care assistance:

9 \$ 35,047,110

10 a. Of the funds appropriated in this subsection,
 11 \$26,328,097 is transferred to the child care and development
 12 block grant appropriation made by the Eighty-sixth General
 13 Assembly, 2015 Session, for the federal fiscal year beginning
 14 October 1, 2015, and ending September 30, 2016. Of this
 15 amount, \$200,000 shall be used for provision of educational
 16 opportunities to registered child care home providers in order
 17 to improve services and programs offered by this category
 18 of providers and to increase the number of providers. The
 19 department may contract with institutions of higher education
 20 or child care resource and referral centers to provide
 21 the educational opportunities. Allowable administrative
 22 costs under the contracts shall not exceed 5 percent. The
 23 application for a grant shall not exceed two pages in length.

24 b. Any funds appropriated in this subsection remaining
 25 unallocated shall be used for state child care assistance
 26 payments for families who are employed including but not
 27 limited to individuals enrolled in the family investment
 28 program.

29 7. For distribution to counties and regions through the
 30 property tax relief fund for mental health and disability
 31 services as provided in an appropriation made for this purpose:

32 \$ 4,894,052

33 8. For child and family services:

34 \$ 32,084,430

35 9. For child abuse prevention grants:

1 \$ 125,000

2 10. For pregnancy prevention grants on the condition that

3 family planning services are funded:

4 \$ 1,930,067

5 Pregnancy prevention grants shall be awarded to programs

6 in existence on or before July 1, 2015, if the programs have

7 demonstrated positive outcomes. Grants shall be awarded to

8 pregnancy prevention programs which are developed after July

9 1, 2015, if the programs are based on existing models that

10 have demonstrated positive outcomes. Grants shall comply with

11 the requirements provided in 1997 Iowa Acts, chapter 208,

12 section 14, subsections 1 and 2, including the requirement that

13 grant programs must emphasize sexual abstinence. Priority in

14 the awarding of grants shall be given to programs that serve

15 areas of the state which demonstrate the highest percentage of

16 unplanned pregnancies of females of childbearing age within the

17 geographic area to be served by the grant.

18 11. For technology needs and other resources necessary

19 to meet federal welfare reform reporting, tracking, and case

20 management requirements:

21 \$ 1,037,186

22 12. For the family investment program share of the costs to

23 continue to develop and maintain a new, integrated eligibility

24 determination system:

25 \$ 6,654,880

26 13. a. Notwithstanding any provision to the contrary,

27 including but not limited to requirements in section 8.41 or

28 provisions in 2014 or 2015 Iowa Acts regarding the receipt and

29 appropriation of federal block grants, federal funds from the

30 temporary assistance for needy families block grant received by

31 the state and not otherwise appropriated in this section and

32 remaining available for the fiscal year beginning July 1, 2015,

33 are appropriated to the department of human services to the

34 extent as may be necessary to be used in the following priority

35 order: the family investment program, for state child care

1 assistance program payments for families who are employed, and
 2 for the family investment program share of costs to develop and
 3 maintain a new, integrated eligibility determination system.
 4 The federal funds appropriated in this paragraph "a" shall be
 5 expended only after all other funds appropriated in subsection
 6 1 for the assistance under the family investment program,
 7 in subsection 6 for child care assistance, or in subsection
 8 12 for the family investment program share of the costs to
 9 continue to develop and maintain a new, integrated eligibility
 10 determination system, as applicable, have been expended. For
 11 the purposes of this subsection, the funds appropriated in
 12 subsection 6, paragraph "a", for transfer to the child care
 13 and development block grant appropriation are considered fully
 14 expended when the full amount has been transferred.

15 b. The department shall, on a quarterly basis, advise the
 16 legislative services agency and department of management of
 17 the amount of funds appropriated in this subsection that was
 18 expended in the prior quarter.

19 14. Of the amounts appropriated in this section,
 20 \$12,962,008 for the fiscal year beginning July 1, 2015, is
 21 transferred to the appropriation of the federal social services
 22 block grant made to the department of human services for that
 23 fiscal year.

24 15. For continuation of the program providing categorical
 25 eligibility for the food assistance program as specified for
 26 the program in the section of this division of this 2015 Act
 27 relating to the family investment program account:

28 \$ 25,000

29 16. The department may transfer funds allocated in this
 30 section to the appropriations made in this division of this Act
 31 for the same fiscal year for general administration and field
 32 operations for resources necessary to implement and operate the
 33 services referred to in this section and those funded in the
 34 appropriation made in this division of this Act for the same
 35 fiscal year for the family investment program from the general

1 fund of the state.

2 Sec. 7. FAMILY INVESTMENT PROGRAM ACCOUNT.

3 1. Moneys credited to the family investment program (FIP)
4 account for the fiscal year beginning July 1, 2015, and
5 ending June 30, 2016, shall be used to provide assistance in
6 accordance with chapter 239B.

7 2. The department may use a portion of the moneys credited
8 to the FIP account under this section as necessary for
9 salaries, support, maintenance, and miscellaneous purposes.

10 3. The department may transfer funds allocated in
11 subsection 4 to the appropriations made in this division of
12 this Act for the same fiscal year for general administration
13 and field operations for resources necessary to implement and
14 operate the family investment program services referred to in
15 this section and those funded in the appropriation made in this
16 division of this Act for the same fiscal year for the family
17 investment program from the general fund of the state.

18 4. Moneys appropriated in this division of this Act and
19 credited to the FIP account for the fiscal year beginning July
20 1, 2015, and ending June 30, 2016, are allocated as follows:

21 a. To be retained by the department of human services to
22 be used for coordinating with the department of human rights
23 to more effectively serve participants in FIP and other shared
24 clients and to meet federal reporting requirements under the
25 federal temporary assistance for needy families block grant:
26 \$ 20,000

27 b. To the department of human rights for staffing,
28 administration, and implementation of the family development
29 and self-sufficiency grant program in accordance with section
30 216A.107:

31 \$ 6,392,834

32 (1) Of the funds allocated for the family development
33 and self-sufficiency grant program in this paragraph "b",
34 not more than 5 percent of the funds shall be used for the
35 administration of the grant program.

1 (2) The department of human rights may continue to implement
2 the family development and self-sufficiency grant program
3 statewide during fiscal year 2015-2016.

4 (3) The department of human rights may engage in activities
5 to strengthen and improve family outcomes measures and
6 data collection systems under the family development and
7 self-sufficiency grant program.

8 c. For the diversion subaccount of the FIP account:

9 \$ 815,000

10 A portion of the moneys allocated for the subaccount may
11 be used for field operations, salaries, data management
12 system development, and implementation costs and support
13 deemed necessary by the director of human services in order
14 to administer the FIP diversion program. To the extent
15 moneys allocated in this paragraph "c" are not deemed by the
16 department to be necessary to support diversion activities,
17 such moneys may be used for other efforts intended to increase
18 engagement by family investment program participants in work,
19 education, or training activities.

20 d. For the food assistance employment and training program:

21 \$ 66,588

22 (1) The department shall apply the federal supplemental
23 nutrition assistance program (SNAP) employment and training
24 state plan in order to maximize to the fullest extent permitted
25 by federal law the use of the 50 percent federal reimbursement
26 provisions for the claiming of allowable federal reimbursement
27 funds from the United States department of agriculture
28 pursuant to the federal SNAP employment and training program
29 for providing education, employment, and training services
30 for eligible food assistance program participants, including
31 but not limited to related dependent care and transportation
32 expenses.

33 (2) The department shall continue the categorical federal
34 food assistance program eligibility at 160 percent of the
35 federal poverty level and continue to eliminate the asset test

1 from eligibility requirements, consistent with federal food
2 assistance program requirements. The department shall include
3 as many food assistance households as is allowed by federal
4 law. The eligibility provisions shall conform to all federal
5 requirements including requirements addressing individuals who
6 are incarcerated or otherwise ineligible.

7 e. For the JOBS program:

8 \$ 17,540,398

9 5. Of the child support collections assigned under FIP,
10 an amount equal to the federal share of support collections
11 shall be credited to the child support recovery appropriation
12 made in this division of this Act. Of the remainder of the
13 assigned child support collections received by the child
14 support recovery unit, a portion shall be credited to the FIP
15 account, a portion may be used to increase recoveries, and a
16 portion may be used to sustain cash flow in the child support
17 payments account. If as a consequence of the appropriations
18 and allocations made in this section the resulting amounts
19 are insufficient to sustain cash assistance payments and meet
20 federal maintenance of effort requirements, the department
21 shall seek supplemental funding. If child support collections
22 assigned under FIP are greater than estimated or are otherwise
23 determined not to be required for maintenance of effort, the
24 state share of either amount may be transferred to or retained
25 in the child support payments account.

26 6. The department may adopt emergency rules for the family
27 investment, JOBS, food assistance, and medical assistance
28 programs if necessary to comply with federal requirements.

29 Sec. 8. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
30 is appropriated from the general fund of the state to the
31 department of human services for the fiscal year beginning July
32 1, 2015, and ending June 30, 2016, the following amount, or
33 so much thereof as is necessary, to be used for the purpose
34 designated:

35 To be credited to the family investment program (FIP)

1 account and used for family investment program assistance under
2 chapter 239B:

3 \$ 49,093,875

4 1. Of the funds appropriated in this section, \$7,402,220 is
5 allocated for the JOBS program.

6 2. Of the funds appropriated in this section, \$3,513,854 is
7 allocated for the family development and self-sufficiency grant
8 program.

9 3. Notwithstanding section 8.39, for the fiscal year
10 beginning July 1, 2015, if necessary to meet federal
11 maintenance of effort requirements or to transfer federal
12 temporary assistance for needy families block grant funding
13 to be used for purposes of the federal social services block
14 grant or to meet cash flow needs resulting from delays in
15 receiving federal funding or to implement, in accordance with
16 this division of this Act, activities currently funded with
17 juvenile court services, county, or community moneys and state
18 moneys used in combination with such moneys, the department
19 of human services may transfer funds within or between any
20 of the appropriations made in this division of this Act and
21 appropriations in law for the federal social services block
22 grant to the department for the following purposes, provided
23 that the combined amount of state and federal temporary
24 assistance for needy families block grant funding for each
25 appropriation remains the same before and after the transfer:

26 a. For the family investment program.

27 b. For child care assistance.

28 c. For child and family services.

29 d. For field operations.

30 e. For general administration.

31 f. For distribution to counties or regions through the
32 property tax relief fund for mental health and disability
33 services as provided in an appropriation for this purpose.

34 This subsection shall not be construed to prohibit the use
35 of existing state transfer authority for other purposes. The

1 department shall report any transfers made pursuant to this
2 subsection to the legislative services agency.

3 4. Of the funds appropriated in this section, \$195,678 shall
4 be used for continuation of a grant to an Iowa-based nonprofit
5 organization with a history of providing tax preparation
6 assistance to low-income Iowans in order to expand the usage of
7 the earned income tax credit. The purpose of the grant is to
8 supply this assistance to underserved areas of the state.

9 5. Of the funds appropriated in this section, \$80,000 shall
10 be used for the continuation of an unfunded pilot project, as
11 defined in 441 IAC 100.1, relating to parental obligations,
12 in which the child support recovery unit participates, to
13 support the efforts of a nonprofit organization committed to
14 strengthening the community through youth development, healthy
15 living, and social responsibility headquartered in a county
16 with a population over 350,000. The funds allocated in this
17 subsection shall be used by the recipient organization to
18 develop a larger community effort, through public and private
19 partnerships, to support a broad-based multi-county fatherhood
20 initiative that promotes payment of child support obligations,
21 improved family relationships, and full-time employment.

22 6. Of the funds appropriated in this section, \$200,000 shall
23 be used as a grant to a nonprofit organization organized under
24 section 501(c)(4) of the Internal Revenue Code to implement a
25 youth development strategy through after-school programming
26 that promotes academic success, healthy lifestyles, good
27 character, and citizenship. The organization shall meet all of
28 the following criteria:

29 a. Operate statewide and provide services through more than
30 one location.

31 b. Provide the after-school programming for students ages
32 five through eighteen years of age who are members of families
33 eligible for the federal temporary assistance for needy
34 families program.

35 c. Provide evidence, based on measurable outcomes, that the

1 after-school programming provided results in increased student
2 achievement.

3 7. The department may transfer funds appropriated in this
4 section to the appropriations made in this division of this Act
5 for general administration and field operations as necessary
6 to administer this section and the overall family investment
7 program.

8 Sec. 9. CHILD SUPPORT RECOVERY. There is appropriated
9 from the general fund of the state to the department of human
10 services for the fiscal year beginning July 1, 2015, and ending
11 June 30, 2016, the following amount, or so much thereof as is
12 necessary, to be used for the purposes designated:

13 For child support recovery, including salaries, support,
14 maintenance, and miscellaneous purposes, and for not more than
15 the following full-time equivalent positions:

16	\$ 14,663,373
17	FTEs 464.00

18 1. The department shall expend up to \$24,329, including
19 federal financial participation, for the fiscal year beginning
20 July 1, 2015, for a child support public awareness campaign.
21 The department and the office of the attorney general shall
22 cooperate in continuation of the campaign. The public
23 awareness campaign shall emphasize, through a variety of
24 media activities, the importance of maximum involvement of
25 both parents in the lives of their children as well as the
26 importance of payment of child support obligations.

27 2. Federal access and visitation grant moneys shall be
28 issued directly to private not-for-profit agencies that provide
29 services designed to increase compliance with the child access
30 provisions of court orders, including but not limited to
31 neutral visitation sites and mediation services.

32 3. The appropriation made to the department for child
33 support recovery may be used throughout the fiscal year in the
34 manner necessary for purposes of cash flow management, and for
35 cash flow management purposes the department may temporarily

1 draw more than the amount appropriated, provided the amount
 2 appropriated is not exceeded at the close of the fiscal year.

3 4. With the exception of the funding amount specified, the
 4 requirements established under 2001 Iowa Acts, chapter 191,
 5 section 3, subsection 5, paragraph "c", subparagraph (3), shall
 6 be applicable to parental obligation pilot projects for the
 7 fiscal year beginning July 1, 2015, and ending June 30, 2016.
 8 Notwithstanding 441 IAC 100.8, providing for termination of
 9 rules relating to the pilot projects, the rules shall remain
 10 in effect until June 30, 2016.

11 Sec. 10. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE —
 12 FY 2015-2016. Any funds remaining in the health care trust
 13 fund created in section 453A.35A for the fiscal year beginning
 14 July 1, 2015, and ending June 30, 2016, are appropriated to
 15 the department of human services to supplement the medical
 16 assistance program appropriations made in this division of this
 17 Act, for medical assistance reimbursement and associated costs,
 18 including program administration and costs associated with
 19 program implementation.

20 Sec. 11. MEDICAID FRAUD FUND — MEDICAL ASSISTANCE — FY
 21 2015-2016. Any funds remaining in the Medicaid fraud fund
 22 created in section 249A.50 for the fiscal year beginning
 23 July 1, 2015, and ending June 30, 2016, are appropriated to
 24 the department of human services to supplement the medical
 25 assistance appropriations made in this division of this Act,
 26 for medical assistance reimbursement and associated costs,
 27 including program administration and costs associated with
 28 program implementation.

29 Sec. 12. MEDICAL ASSISTANCE.

30 1. There is appropriated from the general fund of the
 31 state to the department of human services for the fiscal year
 32 beginning July 1, 2015, and ending June 30, 2016, the following
 33 amount, or so much thereof as is necessary, to be used for the
 34 purpose designated:

35 For medical assistance program reimbursement and associated

1 costs as specifically provided in the reimbursement
2 methodologies in effect on June 30, 2015, except as otherwise
3 expressly authorized by law, including reimbursement for
4 abortion services which shall be available under the medical
5 assistance program only for those abortions which are medically
6 necessary:

7 \$ 1,346,353,640

8 2. Medically necessary abortions are those performed under
9 any of the following conditions:

10 a. The attending physician certifies that continuing the
11 pregnancy would endanger the life of the pregnant woman.

12 b. The attending physician certifies that the fetus is
13 physically deformed, mentally deficient, or afflicted with a
14 congenital illness.

15 c. The pregnancy is the result of a rape which is reported
16 within 45 days of the incident to a law enforcement agency or
17 public or private health agency which may include a family
18 physician.

19 d. The pregnancy is the result of incest which is reported
20 within 150 days of the incident to a law enforcement agency
21 or public or private health agency which may include a family
22 physician.

23 e. Any spontaneous abortion, commonly known as a
24 miscarriage, if not all of the products of conception are
25 expelled.

26 3. a. Iowans support reducing the number of abortions
27 performed in our state. For an abortion covered under the
28 program, except in the case of a medical emergency, as defined
29 in section 135L.1, for any woman, the physician shall certify
30 both of the following:

31 (1) That the woman has been given the opportunity to view an
32 ultrasound image of the fetus as part of the standard of care
33 before an abortion is performed.

34 (2) That the woman has been provided information regarding
35 the options relative to a pregnancy, including continuing the

1 pregnancy to term and retaining parental rights following the
2 child's birth, continuing the pregnancy to term and placing the
3 child for adoption, and terminating the pregnancy.

4 b. The provisions of this section relating to abortions
5 shall also apply to the Iowa health and wellness plan created
6 pursuant to chapter 249N.

7 4. The department shall utilize not more than \$60,000 of
8 the funds appropriated in this section to continue the AIDS/HIV
9 health insurance premium payment program as established in 1992
10 Iowa Acts, Second Extraordinary Session, chapter 1001, section
11 409, subsection 6. Of the funds allocated in this subsection,
12 not more than \$5,000 may be expended for administrative
13 purposes.

14 5. Of the funds appropriated in this Act to the department
15 of public health for addictive disorders, \$950,000 for
16 the fiscal year beginning July 1, 2015, is transferred
17 to the department of human services for an integrated
18 substance-related disorder managed care system. The department
19 shall not assume management of the substance-related disorder
20 system in place of the managed care contractor unless such
21 a change in approach is specifically authorized in law.
22 The departments of human services and public health shall
23 work together to maintain the level of mental health and
24 substance-related disorder treatment services provided by the
25 managed care contractor through the Iowa plan for behavioral
26 health. Each department shall take the steps necessary to
27 continue the federal waivers as necessary to maintain the level
28 of services.

29 6. a. The department shall aggressively pursue options for
30 providing medical assistance or other assistance to individuals
31 with special needs who become ineligible to continue receiving
32 services under the early and periodic screening, diagnostic,
33 and treatment program under the medical assistance program
34 due to becoming 21 years of age who have been approved for
35 additional assistance through the department's exception to

1 policy provisions, but who have health care needs in excess
2 of the funding available through the exception to policy
3 provisions.

4 b. Of the funds appropriated in this section, \$100,000
5 shall be used for participation in one or more pilot projects
6 operated by a private provider to allow the individual or
7 individuals to receive service in the community in accordance
8 with principles established in *Olmstead v. L.C.*, 527 U.S. 581
9 (1999), for the purpose of providing medical assistance or
10 other assistance to individuals with special needs who become
11 ineligible to continue receiving services under the early and
12 periodic screening, diagnostic, and treatment program under
13 the medical assistance program due to becoming 21 years of
14 age who have been approved for additional assistance through
15 the department's exception to policy provisions, but who have
16 health care needs in excess of the funding available through
17 the exception to the policy provisions.

18 7. Of the funds appropriated in this section, up to
19 \$3,050,082 may be transferred to the field operations or
20 general administration appropriations in this division of this
21 Act for operational costs associated with Part D of the federal
22 Medicare Prescription Drug Improvement and Modernization Act
23 of 2003, Pub. L. No. 108-173.

24 8. Of the funds appropriated in this section, up to \$442,100
25 may be transferred to the appropriation in this division
26 of this Act for medical contracts to be used for clinical
27 assessment services and prior authorization of services.

28 9. A portion of the funds appropriated in this section
29 may be transferred to the appropriations in this division of
30 this Act for general administration, medical contracts, the
31 children's health insurance program, or field operations to be
32 used for the state match cost to comply with the payment error
33 rate measurement (PERM) program for both the medical assistance
34 and children's health insurance programs as developed by the
35 centers for Medicare and Medicaid services of the United States

1 department of health and human services to comply with the
 2 federal Improper Payments Information Act of 2002, Pub. L. No.
 3 107-300.

4 10. The department shall continue to implement the
 5 recommendations of the assuring better child health and
 6 development initiative II (ABCDII) clinical panel to the
 7 Iowa early and periodic screening, diagnostic, and treatment
 8 services healthy mental development collaborative board
 9 regarding changes to billing procedures, codes, and eligible
 10 service providers.

11 11. Of the funds appropriated in this section, a sufficient
 12 amount is allocated to supplement the incomes of residents of
 13 nursing facilities, intermediate care facilities for persons
 14 with mental illness, and intermediate care facilities for
 15 persons with an intellectual disability, with incomes of less
 16 than \$50 in the amount necessary for the residents to receive a
 17 personal needs allowance of \$50 per month pursuant to section
 18 249A.30A.

19 12. Of the funds appropriated in this section, the following
 20 amounts are transferred to the appropriations made in this
 21 division of this Act for the state mental health institutes:

22 a. Cherokee mental health institute.....	\$ 9,098,425
23 b. Clarinda mental health institute.....	\$ 1,977,305
24 c. Independence mental health institute.....	\$ 9,045,894

25 13. a. Of the funds appropriated in this section,
 26 \$8,596,650 is allocated for the state match for a
 27 disproportionate share hospital payment of \$19,133,430 to
 28 hospitals that meet both of the conditions specified in
 29 subparagraphs (1) and (2). In addition, the hospitals that
 30 meet the conditions specified shall either certify public
 31 expenditures or transfer to the medical assistance program
 32 an amount equal to provide the nonfederal share for a
 33 disproportionate share hospital payment of \$7,500,000. The
 34 hospitals that meet the conditions specified shall receive and
 35 retain 100 percent of the total disproportionate share hospital

1 payment of \$26,633,430.

2 (1) The hospital qualifies for disproportionate share and
3 graduate medical education payments.

4 (2) The hospital is an Iowa state-owned hospital with more
5 than 500 beds and eight or more distinct residency specialty
6 or subspecialty programs recognized by the American college of
7 graduate medical education.

8 b. Distribution of the disproportionate share payments
9 shall be made on a monthly basis. The total amount of
10 disproportionate share payments including graduate medical
11 education, enhanced disproportionate share, and Iowa
12 state-owned teaching hospital payments shall not exceed the
13 amount of the state's allotment under Pub. L. No. 102-234.
14 In addition, the total amount of all disproportionate
15 share payments shall not exceed the hospital-specific
16 disproportionate share limits under Pub. L. No. 103-66.

17 c. The university of Iowa hospitals and clinics shall either
18 certify public expenditures or transfer to the appropriations
19 made in this division of this Act for medical assistance an
20 amount equal to provide the nonfederal share for increased
21 medical assistance payments for inpatient and outpatient
22 hospital services of \$9,900,000. The university of Iowa
23 hospitals and clinics shall receive and retain 100 percent of
24 the total increase in medical assistance payments.

25 d. Program payments for disproportionate share hospitals
26 and graduate medical education, and the upper payment limits
27 applicable to these programs shall be held harmless from the
28 impacts of Medicaid managed care and the governor's Medicaid
29 modernization initiative. Payment methodologies utilized
30 for these programs may be adjusted or converted to other
31 methodologies or payment types in order to comply with this
32 hold harmless requirement.

33 14. One hundred percent of the nonfederal share of payments
34 to area education agencies that are medical assistance
35 providers for medical assistance-covered services provided to

1 medical assistance-covered children, shall be made from the
2 appropriation made in this section.

3 15. Any new or renewed contract entered into by the
4 department with a third party to administer behavioral health
5 services under the medical assistance program shall provide
6 that any interest earned on payments from the state during
7 the state fiscal year shall be remitted to the department
8 and treated as recoveries to offset the costs of the medical
9 assistance program.

10 16. A portion of the funds appropriated in this section
11 may be transferred to the appropriation in this division of
12 this Act for medical contracts to be used for administrative
13 activities associated with the money follows the person
14 demonstration project.

15 17. Of the funds appropriated in this section, \$349,011
16 shall be used for the administration of the health insurance
17 premium payment program, including salaries, support,
18 maintenance, and miscellaneous purposes.

19 18. a. The department may increase the amounts allocated
20 for salaries, support, maintenance, and miscellaneous purposes
21 associated with the medical assistance program, as necessary,
22 to implement cost containment strategies. The department shall
23 report any such increase to the legislative services agency and
24 the department of management.

25 b. If the savings to the medical assistance program from
26 cost containment efforts exceed the cost for the fiscal
27 year beginning July 1, 2015, the department may transfer any
28 savings generated for the fiscal year due to medical assistance
29 program cost containment efforts to the appropriation
30 made in this division of this Act for medical contracts or
31 general administration to defray the increased contract costs
32 associated with implementing such efforts.

33 c. The department of human services shall not implement
34 the following cost containment measures as recommended by the
35 governor for the fiscal year beginning July 1, 2015:

1 (1) A measure to provide uniform rates of \$.575 per mile
2 based on the 2015 Internal Revenue Service mileage rate and
3 of \$9.29, the current statewide average, per one-way trip for
4 Medicaid program home and community-based services waivers.

5 (2) A measure to cap the total costs of all services
6 received by a recipient of the home and community-based
7 services waiver for individuals with an intellectual disability
8 at the daily intermediate care facility for persons with an
9 intellectual disability (ICF/ID) per diem rate of \$346.39 per
10 day based on the 80th percentile of all ICF/ID rates.

11 (3) A measure to align individual requests for exceptions to
12 policy with the capped total cost of services for a recipient
13 of the home and community-based services waiver for individuals
14 with an intellectual disability as computed under subparagraph
15 (2).

16 (4) A measure to utilize the supports intensity scale
17 to determine payment amounts and a tiered payment system
18 for the services provided to adults served under the home
19 and community-based services waiver for individuals with an
20 intellectual disability.

21 (5) A measure to accelerate implementation of the provision
22 that beginning July 1, 2015, rather than July 1, 2016, the
23 department of human services requires services through the
24 consumer-directed attendant care option to be provided through
25 an agency or consumer choices option.

26 (6) A measure to reallocate funding for community-based
27 systems of care to instead support integrated health homes.

28 (7) A measure to increase the university of Iowa hospitals
29 and clinics state share responsibility for the supplemental
30 disproportionate share hospital payment to the university of
31 Iowa hospitals and clinics for the fiscal year beginning July
32 1, 2015.

33 d. The department shall report the implementation of
34 any cost containment strategies under this subsection to
35 the individuals specified in this division of this Act for

1 submission of reports on a quarterly basis.

2 19. For the fiscal year beginning July 1, 2015, and ending
3 June 30, 2016, the replacement generation tax revenues required
4 to be deposited in the property tax relief fund pursuant to
5 section 437A.8, subsection 4, paragraph "d", and section
6 437A.15, subsection 3, paragraph "f", shall instead be credited
7 to and supplement the appropriation made in this section and
8 used for the allocations made in this section.

9 20. The department shall continue to administer the state
10 balancing incentive payments program as specified in 2012 Iowa
11 Acts, chapter 1133, section 14.

12 21. a. Of the funds appropriated in this section, \$900,000
13 shall be used for continued implementation of the children's
14 mental health home project proposed by the department of human
15 services and reported to the general assembly's mental health
16 and disability services study committee in December 2011. Of
17 this amount, up to \$50,000 may be transferred by the department
18 to the appropriation made in this division of this Act to the
19 department for the same fiscal year for general administration
20 to be used for associated administrative expenses and for not
21 more than one full-time equivalent position, in addition to
22 those authorized for the same fiscal year, to be assigned to
23 implementing the project.

24 b. Of the funds appropriated in this section, up to \$400,000
25 may be transferred by the department to the appropriation made
26 to the department in this division of this Act for the same
27 fiscal year for Medicaid program-related general administration
28 planning and implementation activities. The funds may be used
29 for contracts or for personnel in addition to the amounts
30 appropriated for and the positions authorized for general
31 administration for the fiscal year.

32 c. Of the funds appropriated in this section, up to
33 \$3,000,000 may be transferred by the department to the
34 appropriations made in this division of this Act for the same
35 fiscal year for general administration or medical contracts

1 to be used to support the development and implementation of
2 standardized assessment tools for persons with mental illness,
3 an intellectual disability, a developmental disability, or a
4 brain injury.

5 22. Of the funds appropriated in this section, \$250,000
6 shall be used for lodging expenses associated with care
7 provided at the university of Iowa hospitals and clinics for
8 patients with cancer whose travel distance is 30 miles or more
9 and whose income is at or below 200 percent of the federal
10 poverty level as defined by the most recently revised poverty
11 income guidelines published by the United States department of
12 health and human services. The department of human services
13 shall establish the maximum number of overnight stays and the
14 maximum rate reimbursed for overnight lodging, which may be
15 based on the state employee rate established by the department
16 of administrative services. The funds allocated in this
17 subsection shall not be used as nonfederal share matching
18 funds.

19 23. The department of human services shall adopt rules to
20 provide for coverage of telehealth under the Medicaid program.
21 The rules shall provide that in-person contact between a
22 health care professional and a patient is not required as a
23 prerequisite for payment for services appropriately provided
24 through telehealth in accordance with generally accepted health
25 care practices and standards prevailing in the applicable
26 professional community at the time the services are provided.
27 Health care services provided through in-person consultations
28 or through telehealth shall be treated as equivalent services
29 for the purposes of reimbursement.

30 24. a. For inpatient and outpatient services provided
31 by hospitals on or after July 1, 2015, the department of
32 human services shall recalculate and prospectively apply an
33 updated cost-to-charge ratio upon the request of a hospital to
34 implement price or charge reductions, if all of the following
35 criteria are met:

1 (1) The recalculation of an updated cost-to-charge ratio is
 2 budget neutral to the state funding amount appropriated for the
 3 respective fiscal year and maintains budget neutral payments or
 4 revenue to all hospitals.

5 (2) The hospital requesting the price or charge reduction
 6 submits a proforma cost report and charge master that reflects
 7 the anticipated cost-to-charge reduction.

8 b. Based upon the proforma cost report submitted by the
 9 requesting hospital, the department of human services shall
 10 prospectively apply the recalculated cost-to-charge ratio as
 11 appropriate to submitted claims for health care services.

12 25. The department of human services shall not adopt
 13 emergency rules to implement Medicaid managed care or the
 14 governor's Medicaid modernization initiative.

15 26. The number of home and community-based services waiver
 16 slots available during the fiscal year beginning July 1, 2015,
 17 shall not be reduced below the number of such slots available
 18 on January 1, 2015.

19 Sec. 13. MEDICAL CONTRACTS. There is appropriated from the
 20 general fund of the state to the department of human services
 21 for the fiscal year beginning July 1, 2015, and ending June 30,
 22 2016, the following amount, or so much thereof as is necessary,
 23 to be used for the purpose designated:

24 For medical contracts:

25 \$ 22,153,584

26 1. The department of inspections and appeals shall
 27 provide all state matching funds for survey and certification
 28 activities performed by the department of inspections
 29 and appeals. The department of human services is solely
 30 responsible for distributing the federal matching funds for
 31 such activities.

32 2. Of the funds appropriated in this section, \$50,000 shall
 33 be used for continuation of home and community-based services
 34 waiver quality assurance programs, including the review and
 35 streamlining of processes and policies related to oversight and

1 quality management to meet state and federal requirements.

2 3. Of the amount appropriated in this section, up to
3 \$200,000 may be transferred to the appropriation for general
4 administration in this division of this Act to be used for
5 additional full-time equivalent positions in the development of
6 key health initiatives such as cost containment, development
7 and oversight of managed care programs, and development of
8 health strategies targeted toward improved quality and reduced
9 costs in the Medicaid program.

10 4. Of the funds appropriated in this section, \$1,000,000
11 shall be used for planning and development, in cooperation with
12 the department of public health, of a phased-in program to
13 provide a dental home for children.

14 5. Of the funds appropriated in this section, \$2,000,000
15 shall be used for the autism support program created in chapter
16 225D.

17 Sec. 14. STATE SUPPLEMENTARY ASSISTANCE.

18 1. There is appropriated from the general fund of the
19 state to the department of human services for the fiscal year
20 beginning July 1, 2015, and ending June 30, 2016, the following
21 amount, or so much thereof as is necessary, to be used for the
22 purpose designated:

23 For the state supplementary assistance program:

24 \$12,997,187

25 2. The department shall increase the personal needs
26 allowance for residents of residential care facilities by the
27 same percentage and at the same time as federal supplemental
28 security income and federal social security benefits are
29 increased due to a recognized increase in the cost of living.
30 The department may adopt emergency rules to implement this
31 subsection.

32 3. If during the fiscal year beginning July 1, 2015,
33 the department projects that state supplementary assistance
34 expenditures for a calendar year will not meet the federal
35 pass-through requirement specified in Tit. XVI of the federal

1 Social Security Act, section 1618, as codified in 42 U.S.C.
 2 §1382g, the department may take actions including but not
 3 limited to increasing the personal needs allowance for
 4 residential care facility residents and making programmatic
 5 adjustments or upward adjustments of the residential care
 6 facility or in-home health-related care reimbursement rates
 7 prescribed in this division of this Act to ensure that federal
 8 requirements are met. In addition, the department may make
 9 other programmatic and rate adjustments necessary to remain
 10 within the amount appropriated in this section while ensuring
 11 compliance with federal requirements. The department may adopt
 12 emergency rules to implement the provisions of this subsection.

13 Sec. 15. CHILDREN'S HEALTH INSURANCE PROGRAM.

14 1. There is appropriated from the general fund of the
 15 state to the department of human services for the fiscal year
 16 beginning July 1, 2015, and ending June 30, 2016, the following
 17 amount, or so much thereof as is necessary, to be used for the
 18 purpose designated:

19 For maintenance of the healthy and well kids in Iowa (hawk-i)
 20 program pursuant to chapter 514I, including supplemental dental
 21 services, for receipt of federal financial participation under
 22 Tit. XXI of the federal Social Security Act, which creates the
 23 children's health insurance program:

24 \$ 21,163,844

25 2. Of the funds appropriated in this section, \$42,800 is
 26 allocated for continuation of the contract for outreach with
 27 the department of public health.

28 Sec. 16. CHILD CARE ASSISTANCE. There is appropriated
 29 from the general fund of the state to the department of human
 30 services for the fiscal year beginning July 1, 2015, and ending
 31 June 30, 2016, the following amount, or so much thereof as is
 32 necessary, to be used for the purpose designated:

33 For child care programs:

34 \$ 56,638,030

35 1. Of the funds appropriated in this section, \$48,818,603

1 shall be used for state child care assistance in accordance
2 with section 237A.13.

3 2. Nothing in this section shall be construed or is
4 intended as or shall imply a grant of entitlement for services
5 to persons who are eligible for assistance due to an income
6 level consistent with the waiting list requirements of section
7 237A.13. Any state obligation to provide services pursuant to
8 this section is limited to the extent of the funds appropriated
9 in this section.

10 3. Of the funds appropriated in this section, \$432,453
11 is allocated for the statewide grant program for child care
12 resource and referral services under section 237A.26. A list
13 of the registered and licensed child care facilities operating
14 in the area served by a child care resource and referral
15 service shall be made available to the families receiving state
16 child care assistance in that area.

17 4. Of the funds appropriated in this section, \$936,974
18 is allocated for child care quality improvement initiatives
19 including but not limited to the voluntary quality rating
20 system in accordance with section 237A.30.

21 5. Of the funds appropriated in this section, \$6,350,000
22 shall be credited to the early childhood programs grants
23 account in the early childhood Iowa fund created in section
24 256I.11. The moneys shall be distributed for funding of
25 community-based early childhood programs targeted to children
26 from birth through five years of age developed by early
27 childhood Iowa areas in accordance with approved community
28 plans as provided in section 256I.8.

29 6. The department may use any of the funds appropriated
30 in this section as a match to obtain federal funds for use in
31 expanding child care assistance and related programs. For
32 the purpose of expenditures of state and federal child care
33 funding, funds shall be considered obligated at the time
34 expenditures are projected or are allocated to the department's
35 service areas. Projections shall be based on current and

1 projected caseload growth, current and projected provider
2 rates, staffing requirements for eligibility determination
3 and management of program requirements including data systems
4 management, staffing requirements for administration of the
5 program, contractual and grant obligations and any transfers
6 to other state agencies, and obligations for decategorization
7 or innovation projects.

8 7. A portion of the state match for the federal child care
9 and development block grant shall be provided as necessary to
10 meet federal matching funds requirements through the state
11 general fund appropriation made for child development grants
12 and other programs for at-risk children in section 279.51.

13 8. If a uniform reduction ordered by the governor under
14 section 8.31 or other operation of law, transfer, or federal
15 funding reduction reduces the appropriation made in this
16 section for the fiscal year, the percentage reduction in the
17 amount paid out to or on behalf of the families participating
18 in the state child care assistance program shall be equal to or
19 less than the percentage reduction made for any other purpose
20 payable from the appropriation made in this section and the
21 federal funding relating to it. The percentage reduction to
22 the other allocations made in this section shall be the same as
23 the uniform reduction ordered by the governor or the percentage
24 change of the federal funding reduction, as applicable.

25 If there is an unanticipated increase in federal funding
26 provided for state child care assistance, the entire amount
27 of the increase shall be used for state child care assistance
28 payments. If the appropriations made for purposes of the
29 state child care assistance program for the fiscal year are
30 determined to be insufficient, it is the intent of the general
31 assembly to appropriate sufficient funding for the fiscal year
32 in order to avoid establishment of waiting list requirements.

33 9. Notwithstanding section 8.33, moneys advanced for
34 purposes of the programs developed by early childhood Iowa
35 areas, advanced for purposes of wraparound child care, or

1 received from the federal appropriations made for the purposes
2 of this section that remain unencumbered or unobligated at the
3 close of the fiscal year shall not revert to any fund but shall
4 remain available for expenditure for the purposes designated
5 until the close of the succeeding fiscal year.

6 10. Of the funds appropriated in this section, \$100,000
7 is transferred to the department of public health to be used
8 to continue a program to assist parents in this state with
9 costs resulting from the death of a child in accordance with
10 this subsection. If it is less costly than administering the
11 program directly, the department shall issue a request for
12 proposals and issue a grant to an appropriate organization to
13 administer the program.

14 a. The program funding shall be used to assist parents who
15 reside in this state with costs incurred for a funeral, burial
16 or cremation, cemetery costs, or grave marker costs associated
17 with the unintended death of a child of the parent or a child
18 under the care of a guardian or custodian. The department
19 shall consider the following eligibility factors in developing
20 program requirements:

21 (1) The child was a stillborn infant or was less than age
22 eighteen at the time of death.

23 (2) The request for assistance was approved by the local
24 board or department of health or the county general assistance
25 director and may have been referred by a local funeral home.

26 (3) To be eligible, the parent, guardian, or custodian must
27 have an annual household income that is less than 145 percent
28 of the federal poverty level based on the number of people
29 in the applicant's household as defined by the most recently
30 revised poverty income guidelines published by the United
31 States department of health and human services.

32 (4) The maximum amount of grant assistance provided to a
33 parent, guardian, or custodian associated with the death of
34 a child is \$2,000. If the death is a multiple death and the
35 infants or children are being cremated, or buried together, the

1 same limitation applies.

2 (5) To the extent the overall amount of assistance received
3 by a recipient for the costs addressed under this subsection
4 does not exceed the overall total of the costs, the recipient
5 may receive other public or private assistance in addition to
6 grant assistance under this section.

7 b. Notwithstanding section 8.33, moneys transferred by this
8 subsection that remain unencumbered or unobligated at the close
9 of the fiscal year shall not revert but shall remain available
10 for expenditure for the purposes designated until expended.

11 Sec. 17. JUVENILE INSTITUTIONS. There is appropriated
12 from the general fund of the state to the department of human
13 services for the fiscal year beginning July 1, 2015, and ending
14 June 30, 2016, the following amounts, or so much thereof as is
15 necessary, to be used for the purposes designated:

16 1. For the costs of security, building and grounds
17 maintenance, utilities, salary, and support for the facilities
18 located at the Iowa juvenile home at Toledo and for salaries,
19 support, maintenance, and miscellaneous purposes, and for not
20 more than the following full-time equivalent positions:

21	\$	372,766
22	FTEs	2.00

23 2. For operation of the state training school at Eldora and
24 for salaries, support, maintenance, and miscellaneous purposes,
25 and for not more than the following full-time equivalent
26 positions:

27	\$	12,445,552
28	FTEs	169.30

29 Of the funds appropriated in this subsection, \$91,150 shall
30 be used for distribution to licensed classroom teachers at this
31 and other institutions under the control of the department of
32 human services based upon the average student yearly enrollment
33 at each institution as determined by the department.

34 Sec. 18. CHILD AND FAMILY SERVICES.

35 1. There is appropriated from the general fund of the

1 state to the department of human services for the fiscal year
2 beginning July 1, 2015, and ending June 30, 2016, the following
3 amount, or so much thereof as is necessary, to be used for the
4 purpose designated:

5 For child and family services:

6 \$ 98,182,179

7 2. Up to \$5,200,000 of the amount of federal temporary
8 assistance for needy families block grant funding appropriated
9 in this division of this Act for child and family services
10 shall be made available for purposes of juvenile delinquent
11 graduated sanction services.

12 3. The department may transfer funds appropriated in this
13 section as necessary to pay the nonfederal costs of services
14 reimbursed under the medical assistance program, state child
15 care assistance program, or the family investment program which
16 are provided to children who would otherwise receive services
17 paid under the appropriation in this section. The department
18 may transfer funds appropriated in this section to the
19 appropriations made in this division of this Act for general
20 administration and for field operations for resources necessary
21 to implement and operate the services funded in this section.

22 4. a. Of the funds appropriated in this section, up to
23 \$35,821,786 is allocated as the statewide expenditure target
24 under section 232.143 for group foster care maintenance and
25 services. If the department projects that such expenditures
26 for the fiscal year will be less than the target amount
27 allocated in this paragraph "a", the department may reallocate
28 the excess to provide additional funding for shelter care
29 or the child welfare emergency services addressed with the
30 allocation for shelter care.

31 b. If at any time after September 30, 2015, annualization
32 of a service area's current expenditures indicates a service
33 area is at risk of exceeding its group foster care expenditure
34 target under section 232.143 by more than 5 percent, the
35 department and juvenile court services shall examine all

1 group foster care placements in that service area in order to
2 identify those which might be appropriate for termination.
3 In addition, any aftercare services believed to be needed
4 for the children whose placements may be terminated shall be
5 identified. The department and juvenile court services shall
6 initiate action to set dispositional review hearings for the
7 placements identified. In such a dispositional review hearing,
8 the juvenile court shall determine whether needed aftercare
9 services are available and whether termination of the placement
10 is in the best interest of the child and the community.

11 5. In accordance with the provisions of section 232.188,
12 the department shall continue the child welfare and juvenile
13 justice funding initiative during fiscal year 2015-2016. Of
14 the funds appropriated in this section, \$1,717,753 is allocated
15 specifically for expenditure for fiscal year 2015-2016 through
16 the decategorization services funding pools and governance
17 boards established pursuant to section 232.188.

18 6. A portion of the funds appropriated in this section
19 may be used for emergency family assistance to provide other
20 resources required for a family participating in a family
21 preservation or reunification project or successor project to
22 stay together or to be reunified.

23 7. Notwithstanding section 234.35 or any other provision
24 of law to the contrary, state funding for shelter care and
25 the child welfare emergency services contracting implemented
26 to provide for or prevent the need for shelter care shall be
27 limited to \$8,068,474.

28 8. Federal funds received by the state during the fiscal
29 year beginning July 1, 2015, as the result of the expenditure
30 of state funds appropriated during a previous state fiscal
31 year for a service or activity funded under this section are
32 appropriated to the department to be used as additional funding
33 for services and purposes provided for under this section.
34 Notwithstanding section 8.33, moneys received in accordance
35 with this subsection that remain unencumbered or unobligated at

1 the close of the fiscal year shall not revert to any fund but
2 shall remain available for the purposes designated until the
3 close of the succeeding fiscal year.

4 9. a. Of the funds appropriated in this section, up to
5 \$3,290,000 is allocated for the payment of the expenses of
6 court-ordered services provided to juveniles who are under the
7 supervision of juvenile court services, which expenses are a
8 charge upon the state pursuant to section 232.141, subsection
9 4. Of the amount allocated in this paragraph "a", up to
10 \$1,556,287 shall be made available to provide school-based
11 supervision of children adjudicated under chapter 232, of which
12 not more than \$15,000 may be used for the purpose of training.
13 A portion of the cost of each school-based liaison officer
14 shall be paid by the school district or other funding source as
15 approved by the chief juvenile court officer.

16 b. Of the funds appropriated in this section, up to \$748,985
17 is allocated for the payment of the expenses of court-ordered
18 services provided to children who are under the supervision
19 of the department, which expenses are a charge upon the state
20 pursuant to section 232.141, subsection 4.

21 c. Notwithstanding section 232.141 or any other provision
22 of law to the contrary, the amounts allocated in this
23 subsection shall be distributed to the judicial districts
24 as determined by the state court administrator and to the
25 department's service areas as determined by the administrator
26 of the department of human services' division of child and
27 family services. The state court administrator and the
28 division administrator shall make the determination of the
29 distribution amounts on or before June 15, 2015.

30 d. Notwithstanding chapter 232 or any other provision of
31 law to the contrary, a district or juvenile court shall not
32 order any service which is a charge upon the state pursuant
33 to section 232.141 if there are insufficient court-ordered
34 services funds available in the district court or departmental
35 service area distribution amounts to pay for the service. The

1 chief juvenile court officer and the departmental service area
2 manager shall encourage use of the funds allocated in this
3 subsection such that there are sufficient funds to pay for
4 all court-related services during the entire year. The chief
5 juvenile court officers and departmental service area managers
6 shall attempt to anticipate potential surpluses and shortfalls
7 in the distribution amounts and shall cooperatively request the
8 state court administrator or division administrator to transfer
9 funds between the judicial districts' or departmental service
10 areas' distribution amounts as prudent.

11 e. Notwithstanding any provision of law to the contrary,
12 a district or juvenile court shall not order a county to pay
13 for any service provided to a juvenile pursuant to an order
14 entered under chapter 232 which is a charge upon the state
15 under section 232.141, subsection 4.

16 f. Of the funds allocated in this subsection, not more than
17 \$83,000 may be used by the judicial branch for administration
18 of the requirements under this subsection.

19 g. Of the funds allocated in this subsection, \$17,000
20 shall be used by the department of human services to support
21 the interstate commission for juveniles in accordance with
22 the interstate compact for juveniles as provided in section
23 232.173.

24 10. Of the funds appropriated in this section, \$8,053,227 is
25 allocated for juvenile delinquent graduated sanctions services.
26 Any state funds saved as a result of efforts by juvenile court
27 services to earn a federal Tit. IV-E match for juvenile court
28 services administration may be used for the juvenile delinquent
29 graduated sanctions services.

30 11. Of the funds appropriated in this section, \$1,608,285 is
31 transferred to the department of public health to be used for
32 the child protection center grant program for child protection
33 centers located in Iowa in accordance with section 135.118.
34 The grant amounts under the program shall be equalized so that
35 each center receives a uniform base amount of \$245,000, and

1 the remaining funds shall be awarded through a funding formula
2 based upon the volume of children served.

3 12. If the department receives federal approval to
4 implement a waiver under Tit. IV-E of the federal Social
5 Security Act to enable providers to serve children who remain
6 in the children's families and communities, for purposes of
7 eligibility under the medical assistance program through 25
8 years of age, children who participate in the waiver shall be
9 considered to be placed in foster care.

10 13. Of the funds appropriated in this section, \$4,025,167 is
11 allocated for the preparation for adult living program pursuant
12 to section 234.46.

13 14. Of the funds appropriated in this section, \$520,150
14 shall be used for juvenile drug courts. The amount allocated
15 in this subsection shall be distributed as follows:

16 To the judicial branch for salaries to assist with the
17 operation of juvenile drug court programs operated in the
18 following jurisdictions:

19 a. Marshall county:

20 \$ 62,708

21 b. Woodbury county:

22 \$ 125,682

23 c. Polk county:

24 \$ 195,892

25 d. The third judicial district:

26 \$ 67,934

27 e. The eighth judicial district:

28 \$ 67,934

29 15. Of the funds appropriated in this section, \$227,337
30 shall be used for the public purpose of continuing a grant to
31 a nonprofit human services organization providing services to
32 individuals and families in multiple locations in southwest
33 Iowa and Nebraska for support of a project providing immediate,
34 sensitive support and forensic interviews, medical exams, needs
35 assessments, and referrals for victims of child abuse and their

1 nonoffending family members.

2 16. Of the funds appropriated in this section, \$300,620
3 is allocated for the foster care youth council approach of
4 providing a support network to children placed in foster care.

5 17. Of the funds appropriated in this section, \$202,000 is
6 allocated for use pursuant to section 235A.1 for continuation
7 of the initiative to address child sexual abuse implemented
8 pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection
9 21.

10 18. Of the funds appropriated in this section, \$630,240 is
11 allocated for the community partnership for child protection
12 sites.

13 19. Of the funds appropriated in this section, \$371,250
14 is allocated for the department's minority youth and family
15 projects under the redesign of the child welfare system.

16 20. Of the funds appropriated in this section, \$1,186,595
17 is allocated for funding of the community circle of care
18 collaboration for children and youth in northeast Iowa.

19 21. Of the funds appropriated in this section, at least
20 \$147,158 shall be used for the continuation of the child
21 welfare provider training academy, a collaboration between the
22 coalition for family and children's services in Iowa and the
23 department.

24 22. Of the funds appropriated in this section, \$25,000
25 shall be used for the public purpose of continuation of a
26 grant to a child welfare services provider headquartered in a
27 county with a population between 205,000 and 215,000 in the
28 latest certified federal census that provides multiple services
29 including but not limited to a psychiatric medical institution
30 for children, shelter, residential treatment, after school
31 programs, school-based programming, and an Asperger's syndrome
32 program, to be used for support services for children with
33 autism spectrum disorder and their families.

34 23. Of the funds appropriated in this section, \$25,000
35 shall be used for the public purpose of continuing a grant to

1 a hospital-based provider headquartered in a county with a
2 population between 90,000 and 95,000 in the latest certified
3 federal census that provides multiple services including
4 but not limited to diagnostic, therapeutic, and behavioral
5 services to individuals with autism spectrum disorder across
6 one's lifespan. The grant recipient shall utilize the funds
7 to continue the pilot project to determine the necessary
8 support services for children with autism spectrum disorder and
9 their families to be included in the children's disabilities
10 services system. The grant recipient shall submit findings and
11 recommendations based upon the results of the pilot project
12 to the individuals specified in this division of this Act for
13 submission of reports by December 31, 2015.

14 24. Of the funds appropriated in this section, \$211,872
15 shall be used for continuation of the central Iowa system of
16 care program grant through June 30, 2016.

17 25. Of the funds appropriated in this section, \$250,000
18 shall be used for the public purpose of the continuation
19 and expansion of a system of care program grant implemented
20 in Cerro Gordo and Linn counties to utilize a comprehensive
21 and long-term approach for helping children and families by
22 addressing the key areas in a child's life of childhood basic
23 needs, education and work, family, and community.

24 26. Of the funds appropriated in this section, at least
25 \$25,000 shall be used to continue and to expand the foster
26 care respite pilot program in which postsecondary students in
27 social work and other human services-related programs receive
28 experience by assisting family foster care providers with
29 respite and other support.

30 27. Of the funds appropriated in this section, \$110,000
31 shall be used for the public purpose of funding community-based
32 services and other supports with a system of care approach
33 for children with a serious emotional disturbance and their
34 families through a nonprofit provider of child welfare services
35 that has been in existence for more than 115 years, is located

1 in a county with a population of more than 200,000 but less
2 than 220,000 according to the latest census information
3 issued by the United States census bureau, is licensed as a
4 psychiatric medical institution for children, and was a system
5 of care grantee prior to July 1, 2015.

6 Sec. 19. ADOPTION SUBSIDY.

7 1. There is appropriated from the general fund of the
8 state to the department of human services for the fiscal year
9 beginning July 1, 2015, and ending June 30, 2016, the following
10 amount, or so much thereof as is necessary, to be used for the
11 purpose designated:

12 For adoption subsidy payments and services:

13 \$ 42,998,286

14 2. The department may transfer funds appropriated in
15 this section to the appropriation made in this division of
16 this Act for general administration for costs paid from the
17 appropriation relating to adoption subsidy.

18 3. Federal funds received by the state during the
19 fiscal year beginning July 1, 2015, as the result of the
20 expenditure of state funds during a previous state fiscal
21 year for a service or activity funded under this section are
22 appropriated to the department to be used as additional funding
23 for the services and activities funded under this section.
24 Notwithstanding section 8.33, moneys received in accordance
25 with this subsection that remain unencumbered or unobligated
26 at the close of the fiscal year shall not revert to any fund
27 but shall remain available for expenditure for the purposes
28 designated until the close of the succeeding fiscal year.

29 Sec. 20. JUVENILE DETENTION HOME FUND. Moneys deposited
30 in the juvenile detention home fund created in section 232.142
31 during the fiscal year beginning July 1, 2015, and ending June
32 30, 2016, are appropriated to the department of human services
33 for the fiscal year beginning July 1, 2015, and ending June 30,
34 2016, for distribution of an amount equal to a percentage of
35 the costs of the establishment, improvement, operation, and

1 maintenance of county or multicounty juvenile detention homes
 2 in the fiscal year beginning July 1, 2014. Moneys appropriated
 3 for distribution in accordance with this section shall be
 4 allocated among eligible detention homes, prorated on the basis
 5 of an eligible detention home's proportion of the costs of all
 6 eligible detention homes in the fiscal year beginning July
 7 1, 2014. The percentage figure shall be determined by the
 8 department based on the amount available for distribution for
 9 the fund. Notwithstanding section 232.142, subsection 3, the
 10 financial aid payable by the state under that provision for the
 11 fiscal year beginning July 1, 2015, shall be limited to the
 12 amount appropriated for the purposes of this section.

13 Sec. 21. FAMILY SUPPORT SUBSIDY PROGRAM.

14 1. There is appropriated from the general fund of the
 15 state to the department of human services for the fiscal year
 16 beginning July 1, 2015, and ending June 30, 2016, the following
 17 amount, or so much thereof as is necessary, to be used for the
 18 purpose designated:

19 For the family support subsidy program subject to the
 20 enrollment restrictions in section 225C.37, subsection 3:

21 \$ 1,073,932

22 2. The department shall use at least \$641,500 of the moneys
 23 appropriated in this section for the family support center
 24 component of the comprehensive family support program under
 25 section 225C.47. Not more than \$25,000 of the amount allocated
 26 in this subsection shall be used for administrative costs.

27 3. If at any time during the fiscal year, the amount of
 28 funding available for the family support subsidy program
 29 is reduced from the amount initially used to establish the
 30 figure for the number of family members for whom a subsidy
 31 is to be provided at any one time during the fiscal year,
 32 notwithstanding section 225C.38, subsection 2, the department
 33 shall revise the figure as necessary to conform to the amount
 34 of funding available.

35 Sec. 22. CONNER DECREE. There is appropriated from the

1 general fund of the state to the department of human services
 2 for the fiscal year beginning July 1, 2015, and ending June 30,
 3 2016, the following amount, or so much thereof as is necessary,
 4 to be used for the purpose designated:

5 For building community capacity through the coordination
 6 and provision of training opportunities in accordance with the
 7 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
 8 Iowa, July 14, 1994):

9 \$ 33,632

10 Sec. 23. MENTAL HEALTH INSTITUTES. There is appropriated
 11 from the general fund of the state to the department of human
 12 services for the fiscal year beginning July 1, 2015, and ending
 13 June 30, 2016, the following amounts, or so much thereof as is
 14 necessary, to be used for the purposes designated:

15 1. For the state mental health institute at Cherokee for
 16 salaries, support, maintenance, and miscellaneous purposes, and
 17 for not more than the following full-time equivalent positions:

18 \$ 5,545,616

19 FTEs 169.20

20 2. For the state mental health institute at Clarinda for
 21 salaries, support, maintenance, and miscellaneous purposes, and
 22 for not more than the following full-time equivalent positions:

23 \$ 1,812,899

24 FTEs 86.10

25 3. For the state mental health institute at Independence for
 26 salaries, support, maintenance, and miscellaneous purposes, and
 27 for not more than the following full-time equivalent positions:

28 \$ 10,390,773

29 FTEs 233.00

30 Sec. 24. STATE RESOURCE CENTERS.

31 1. There is appropriated from the general fund of the
 32 state to the department of human services for the fiscal year
 33 beginning July 1, 2015, and ending June 30, 2016, the following
 34 amounts, or so much thereof as is necessary, to be used for the
 35 purposes designated:

1 a. For the state resource center at Glenwood for salaries,
2 support, maintenance, and miscellaneous purposes:
3 \$ 22,024,482

4 b. For the state resource center at Woodward for salaries,
5 support, maintenance, and miscellaneous purposes:
6 \$ 14,933,806

7 2. The department may continue to bill for state resource
8 center services utilizing a scope of services approach used for
9 private providers of intermediate care facilities for persons
10 with an intellectual disability services, in a manner which
11 does not shift costs between the medical assistance program,
12 counties, or other sources of funding for the state resource
13 centers.

14 3. The state resource centers may expand the time-limited
15 assessment and respite services during the fiscal year.

16 4. If the department's administration and the department
17 of management concur with a finding by a state resource
18 center's superintendent that projected revenues can reasonably
19 be expected to pay the salary and support costs for a new
20 employee position, or that such costs for adding a particular
21 number of new positions for the fiscal year would be less
22 than the overtime costs if new positions would not be added,
23 the superintendent may add the new position or positions. If
24 the vacant positions available to a resource center do not
25 include the position classification desired to be filled, the
26 state resource center's superintendent may reclassify any
27 vacant position as necessary to fill the desired position. The
28 superintendents of the state resource centers may, by mutual
29 agreement, pool vacant positions and position classifications
30 during the course of the fiscal year in order to assist one
31 another in filling necessary positions.

32 5. If existing capacity limitations are reached in
33 operating units, a waiting list is in effect for a service or
34 a special need for which a payment source or other funding
35 is available for the service or to address the special need,

1 and facilities for the service or to address the special need
 2 can be provided within the available payment source or other
 3 funding, the superintendent of a state resource center may
 4 authorize opening not more than two units or other facilities
 5 and begin implementing the service or addressing the special
 6 need during fiscal year 2015-2016.

7 Sec. 25. SEXUALLY VIOLENT PREDATORS.

8 1. There is appropriated from the general fund of the
 9 state to the department of human services for the fiscal year
 10 beginning July 1, 2015, and ending June 30, 2016, the following
 11 amount, or so much thereof as is necessary, to be used for the
 12 purpose designated:

13 For costs associated with the commitment and treatment of
 14 sexually violent predators in the unit located at the state
 15 mental health institute at Cherokee, including costs of legal
 16 services and other associated costs, including salaries,
 17 support, maintenance, and miscellaneous purposes, and for not
 18 more than the following full-time equivalent positions:

19	\$	9,893,079
20	FTEs	132.50

21 2. Unless specifically prohibited by law, if the amount
 22 charged provides for recoupment of at least the entire amount
 23 of direct and indirect costs, the department of human services
 24 may contract with other states to provide care and treatment
 25 of persons placed by the other states at the unit for sexually
 26 violent predators at Cherokee. The moneys received under
 27 such a contract shall be considered to be repayment receipts
 28 and used for the purposes of the appropriation made in this
 29 section.

30 Sec. 26. FIELD OPERATIONS. There is appropriated from the
 31 general fund of the state to the department of human services
 32 for the fiscal year beginning July 1, 2015, and ending June 30,
 33 2016, the following amount, or so much thereof as is necessary,
 34 to be used for the purposes designated:

35 For field operations, including salaries, support,

1 maintenance, and miscellaneous purposes, and for not more than
2 the following full-time equivalent positions:

3 \$ 58,920,976
4 FTEs 1,837.00

5 1. As a condition of this appropriation, the department
6 shall make every possible effort to fill the entire number of
7 positions authorized by this section and, unless specifically
8 provided otherwise by an applicable collective bargaining
9 agreement, the department is not subject to any approval
10 requirement external to the department to fill a field
11 operations vacancy within the number of full-time equivalent
12 positions authorized by this section. The department shall
13 report on the first of each month to the chairpersons and
14 ranking members of the appropriations committees of the senate
15 and house of representatives, and the persons designated by
16 this Act for submission of reports concerning the status of
17 filling the positions.

18 2. Priority in filling full-time equivalent positions
19 shall be given to those positions related to child protection
20 services and eligibility determination for low-income families.

21 Sec. 27. GENERAL ADMINISTRATION. There is appropriated
22 from the general fund of the state to the department of human
23 services for the fiscal year beginning July 1, 2015, and ending
24 June 30, 2016, the following amount, or so much thereof as is
25 necessary, to be used for the purpose designated:

26 For general administration, including salaries, support,
27 maintenance, and miscellaneous purposes, and for not more than
28 the following full-time equivalent positions:

29 \$ 15,161,741
30 FTEs 309.00

31 1. Of the funds appropriated in this section, \$38,543 is
32 allocated for the prevention of disabilities policy council
33 created in section 225B.103, if enacted in this Act.

34 2. The department shall report at least monthly to the
35 legislative services agency concerning the department's

1 operational and program expenditures.

2 3. Of the funds appropriated in this section, \$150,000 shall
3 be used to continue the contract for the provision of a program
4 to provide technical assistance, support, and consultation to
5 providers of habilitation services and home and community-based
6 services waiver services for adults with disabilities under the
7 medical assistance program.

8 4. Of the funds appropriated in this section, \$50,000
9 is transferred to the Iowa finance authority to be used
10 for administrative support of the council on homelessness
11 established in section 16.2D and for the council to fulfill its
12 duties in addressing and reducing homelessness in the state.

13 5. Of the funds appropriated in this section, \$250,000
14 is allocated to an Iowa food bank association selected by
15 the department for the purchase of food on behalf of an Iowa
16 emergency feeding organization or for the distribution of
17 moneys to the Iowa emergency feeding organization for the
18 purchase of food. The moneys allocated in this subsection
19 shall be allocated only to the extent that the allocated moneys
20 are matched on a dollar-for-dollar basis. Notwithstanding
21 section 8.33, moneys allocated in this subsection that remain
22 unencumbered or unobligated at the close of the fiscal year
23 shall not revert but shall remain available for expenditure for
24 the purposes designated until the close of the following fiscal
25 year.

26 6. Of the funds appropriated in this section, \$250,000
27 shall be transferred to and deposited in the administrative
28 fund of the Iowa ABLE savings plan trust created in section
29 12I.4, if enacted in this Act, to be used for implementation
30 and administration activities of the Iowa ABLE savings plan
31 trust. Such activities may include the funding of a program
32 manager position, the issuance of a request for proposals,
33 and creation of an informational internet site, but shall not
34 include funding for marketing. The appropriation made in this
35 section is deemed to meet the requirement in the section of

1 the division of this Act, if enacted, relating to contingent
2 implementation of chapter 12I.

3 Sec. 28. VOLUNTEERS. There is appropriated from the general
4 fund of the state to the department of human services for the
5 fiscal year beginning July 1, 2015, and ending June 30, 2016,
6 the following amount, or so much thereof as is necessary, to be
7 used for the purpose designated:

8 For development and coordination of volunteer services:

9 \$ 84,686

10 Sec. 29. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
11 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
12 DEPARTMENT OF HUMAN SERVICES.

13 1. a. (1) For the fiscal year beginning July 1, 2015,
14 the total state funding amount for the nursing facility budget
15 shall not exceed \$321,900,006.

16 (2) For the fiscal year beginning July 1, 2015, the
17 department shall rebase case-mix nursing facility rates
18 effective July 1, 2015. However, total nursing facility budget
19 expenditures, including both case-mix and noncase-mix, shall
20 not exceed the amount specified in subparagraph (1). When
21 calculating case-mix per diem cost and the patient-day-weighted
22 medians used in rate-setting for nursing facilities effective
23 July 1, 2015, the inflation factor applied from the midpoint
24 of the cost report period to the first day of the state fiscal
25 year rate period shall be adjusted to maintain state funding
26 within the amount specified in subparagraph (1).

27 (3) The department, in cooperation with nursing facility
28 representatives, shall review projections for state funding
29 expenditures for reimbursement of nursing facilities on a
30 quarterly basis and the department shall determine if an
31 adjustment to the medical assistance reimbursement rate is
32 necessary in order to provide reimbursement within the state
33 funding amount for the fiscal year. Notwithstanding 2001
34 Iowa Acts, chapter 192, section 4, subsection 2, paragraph
35 "c", and subsection 3, paragraph "a", subparagraph (2),

1 if the state funding expenditures for the nursing facility
2 budget for the fiscal year are projected to exceed the amount
3 specified in subparagraph (1), the department shall adjust
4 the reimbursement for nursing facilities reimbursed under the
5 case-mix reimbursement system to maintain expenditures of the
6 nursing facility budget within the specified amount for the
7 fiscal year.

8 (4) For the fiscal year beginning July 1, 2015, special
9 population nursing facilities shall be reimbursed in accordance
10 with the methodology in effect on June 30, 2015.

11 (5) For any open or unsettled nursing facility cost report
12 for a fiscal year prior to and including the fiscal year
13 beginning July 1, 2014, including any cost report remanded on
14 judicial review for inclusion of prescription drug, laboratory,
15 or x-ray costs, the department shall offset all reported
16 prescription drug, laboratory, and x-ray costs with any revenue
17 received from Medicare or other revenue source for any purpose.
18 For purposes of this subparagraph, a nursing facility cost
19 report is not considered open or unsettled if the facility did
20 not initiate an administrative appeal under chapter 17A or if
21 any appeal rights initiated have been exhausted.

22 b. (1) For the fiscal year beginning July 1, 2015,
23 the department shall establish the pharmacy dispensing fee
24 reimbursement at \$11.73 per prescription as determined by the
25 June 2014 cost of dispensing fee survey.

26 (2) The department shall utilize an average acquisition
27 cost reimbursement methodology for all drugs covered under the
28 medical assistance program in accordance with 2012 Iowa Acts,
29 chapter 1133, section 33.

30 (3) Notwithstanding subparagraph (2), if the centers for
31 Medicare and Medicaid services of the United States department
32 of health and human services (CMS) requires, as a condition
33 of federal Medicaid funding, that the department implement an
34 aggregate federal upper limit (FUL) for drug reimbursement
35 based on the average manufacturer's price (AMP), the department

1 may utilize a reimbursement methodology for all drugs covered
2 under the Medicaid program based on the national average drug
3 acquisition cost (NADAC) methodology published by CMS, in order
4 to assure compliance with the aggregate FUL, minimize outcomes
5 of drug reimbursements below pharmacy acquisition costs, limit
6 administrative costs, and minimize any change in the aggregate
7 reimbursement for drugs. The department may adopt emergency
8 rules to implement this subparagraph.

9 c. (1) For the fiscal year beginning July 1, 2015,
10 reimbursement rates for outpatient hospital services shall
11 remain at the rates in effect on June 30, 2015, subject
12 to Medicaid program upper payment limit rules and adjusted
13 as necessary to maintain expenditures within the amount
14 appropriated to the department for this purpose for the fiscal
15 year.

16 (2) For the fiscal year beginning July 1, 2015,
17 reimbursement rates for inpatient hospital services shall be
18 rebased effective October 1, 2015, subject to Medicaid program
19 upper payment limit rules and adjusted as necessary to maintain
20 expenditures within the amount appropriated to the department
21 for this purpose for the fiscal year.

22 (3) For the fiscal year beginning July 1, 2015, the graduate
23 medical education and disproportionate share hospital fund
24 shall remain at the amount in effect on June 30, 2015, except
25 that the portion of the fund attributable to graduate medical
26 education shall be reduced in an amount that reflects the
27 elimination of graduate medical education payments made to
28 out-of-state hospitals.

29 (4) In order to ensure the efficient use of limited state
30 funds in procuring health care services for low-income Iowans,
31 funds appropriated in this Act for hospital services shall
32 not be used for activities which would be excluded from a
33 determination of reasonable costs under the federal Medicare
34 program pursuant to 42 U.S.C. §1395x(v)(1)(N).

35 d. For the fiscal year beginning July 1, 2015, reimbursement

1 rates for rural health clinics, hospices, and acute mental
2 hospitals shall be increased in accordance with increases under
3 the federal Medicare program or as supported by their Medicare
4 audited costs.

5 e. For the fiscal year beginning July 1, 2015, independent
6 laboratories and rehabilitation agencies shall be reimbursed
7 using the same methodology in effect on June 30, 2015.

8 f. (1) For the fiscal year beginning July 1, 2015,
9 reimbursement rates for home health agencies shall continue to
10 be based on the Medicare low utilization payment adjustment
11 (LUPA) methodology with state geographic wage adjustments, and
12 updated to reflect the most recent Medicare LUPA rates.

13 (2) For the fiscal year beginning July 1, 2015, rates for
14 private duty nursing and personal care services under the early
15 and periodic screening, diagnostic, and treatment program
16 benefit shall be calculated based on the methodology in effect
17 on June 30, 2015.

18 g. For the fiscal year beginning July 1, 2015, federally
19 qualified health centers shall receive cost-based reimbursement
20 for 100 percent of the reasonable costs for the provision of
21 services to recipients of medical assistance.

22 h. For the fiscal year beginning July 1, 2015, the
23 reimbursement rates for dental services shall remain at the
24 rates in effect on June 30, 2015.

25 i. (1) For the fiscal year beginning July 1, 2015,
26 state-owned psychiatric medical institutions for children shall
27 receive cost-based reimbursement for 100 percent of the actual
28 and allowable costs for the provision of services to recipients
29 of medical assistance.

30 (2) For the nonstate-owned psychiatric medical institutions
31 for children, reimbursement rates shall be based on the
32 reimbursement methodology developed by the department as
33 required for federal compliance.

34 (3) As a condition of participation in the medical
35 assistance program, enrolled providers shall accept the medical

1 assistance reimbursement rate for any covered goods or services
2 provided to recipients of medical assistance who are children
3 under the custody of a psychiatric medical institution for
4 children.

5 j. For the fiscal year beginning July 1, 2015, unless
6 otherwise specified in this Act, all noninstitutional medical
7 assistance provider reimbursement rates shall remain at the
8 rates in effect on June 30, 2015, except for area education
9 agencies, local education agencies, infant and toddler
10 services providers, home and community-based services providers
11 including consumer-directed attendant care providers under a
12 section 1915(c) or 1915(i) waiver, targeted case management
13 providers, and those providers whose rates are required to be
14 determined pursuant to section 249A.20.

15 k. Notwithstanding any provision to the contrary, for the
16 fiscal year beginning July 1, 2015, the reimbursement rate for
17 anesthesiologists shall remain at the rate in effect on June
18 30, 2015.

19 l. Notwithstanding section 249A.20, for the fiscal year
20 beginning July 1, 2015, the average reimbursement rate for
21 health care providers eligible for use of the federal Medicare
22 resource-based relative value scale reimbursement methodology
23 under section 249A.20 shall remain at the rate in effect on
24 June 30, 2015; however, this rate shall not exceed the maximum
25 level authorized by the federal government.

26 m. For the fiscal year beginning July 1, 2015, the
27 reimbursement rate for residential care facilities shall not
28 be less than the minimum payment level as established by the
29 federal government to meet the federally mandated maintenance
30 of effort requirement. The flat reimbursement rate for
31 facilities electing not to file annual cost reports shall not
32 be less than the minimum payment level as established by the
33 federal government to meet the federally mandated maintenance
34 of effort requirement.

35 n. For the fiscal year beginning July 1, 2015, the

1 reimbursement rates for inpatient mental health services
2 provided at hospitals shall be rebased effective October 1,
3 2015, subject to Medicaid program upper payment limit rules;
4 and psychiatrists shall be reimbursed at the medical assistance
5 program fee-for-service rate in effect on June 30, 2015.

6 o. For the fiscal year beginning July 1, 2015, community
7 mental health centers may choose to be reimbursed for the
8 services provided to recipients of medical assistance through
9 either of the following options:

10 (1) For 100 percent of the reasonable costs of the services.

11 (2) In accordance with the alternative reimbursement rate
12 methodology established by the medical assistance program's
13 managed care contractor for mental health services and approved
14 by the department of human services.

15 p. For the fiscal year beginning July 1, 2015, the
16 reimbursement rate for providers of family planning services
17 that are eligible to receive a 90 percent federal match shall
18 remain at the rates in effect on June 30, 2015.

19 q. For the fiscal year beginning July 1, 2015, the upper
20 limits on reimbursement rates for providers of home and
21 community-based services waiver services shall be increased by
22 1.5 percent over the limits in effect on June 30, 2015.

23 r. For the fiscal year beginning July 1, 2015, the
24 reimbursement rates for emergency medical service providers
25 shall remain at the rates in effect on June 30, 2015.

26 s. For the fiscal year beginning July 1, 2015, reimbursement
27 rates for substance-related disorder treatment programs
28 licensed under section 125.13 shall be increased by 3 percent
29 over the rates in effect on June 30, 2015.

30 2. For the fiscal year beginning July 1, 2015, the
31 reimbursement rate for providers reimbursed under the
32 in-home-related care program shall not be less than the minimum
33 payment level as established by the federal government to meet
34 the federally mandated maintenance of effort requirement.

35 3. Unless otherwise directed in this section, when the

1 department's reimbursement methodology for any provider
2 reimbursed in accordance with this section includes an
3 inflation factor, this factor shall not exceed the amount
4 by which the consumer price index for all urban consumers
5 increased during the calendar year ending December 31, 2002.

6 4. For the fiscal year beginning July 1, 2015, the foster
7 family basic daily maintenance rate and the maximum adoption
8 subsidy rate for children ages 0 through 5 years shall be
9 \$16.78, the rate for children ages 6 through 11 years shall be
10 \$17.45, the rate for children ages 12 through 15 years shall
11 be \$19.10, and the rate for children and young adults ages 16
12 and older shall be \$19.35. For youth ages 18 to 21 who have
13 exited foster care, the preparation for adult living program
14 maintenance rate shall be \$602.70 per month. The maximum
15 payment for adoption subsidy nonrecurring expenses shall be
16 limited to \$500 and the disallowance of additional amounts
17 for court costs and other related legal expenses implemented
18 pursuant to 2010 Iowa Acts, chapter 1031, section 408, shall
19 be continued.

20 5. For the fiscal year beginning July 1, 2015, the maximum
21 reimbursement rates for social services providers under
22 contract shall remain at the rates in effect on June 30, 2015,
23 or the provider's actual and allowable cost plus inflation for
24 each service, whichever is less. However, if a new service
25 or service provider is added after June 30, 2015, the initial
26 reimbursement rate for the service or provider shall be based
27 upon a weighted average of provider rates for similar services.

28 6. For the fiscal year beginning July 1, 2015, the
29 reimbursement rates for resource family recruitment and
30 retention contractors, child welfare emergency services
31 contractors, and supervised apartment living foster care
32 providers shall be increased by 5 percent over the rates in
33 effect on June 30, 2015.

34 7. For the fiscal year beginning July 1, 2015, the
35 reimbursement rate for safety plan services and family safety,

1 risk, and permanency services (family-centered) shall be
2 increased as follows:

3 a. The statewide base monthly payment amount for all
4 family safety, risk, and permanency services (family-centered)
5 contractors shall be increased by \$25.22 per month over the
6 rate in effect on June 30, 2015.

7 (1) Family safety, risk, and permanency services
8 Performance Measure 1 payments shall be increased by \$5.25 per
9 case over the rate in effect on June 30, 2015.

10 (2) Family safety, risk, and permanency services
11 Performance Measure 2 payments shall be increased by \$13.15 per
12 case over the rate in effect on June 30, 2015.

13 (3) Family safety, risk, and permanency services
14 Performance Measure 3 payments shall be increased by \$26.25 per
15 case over the rate in effect on June 30, 2015.

16 (4) Family safety, risk, and permanency services
17 Performance Measure 4 payments shall be increased by \$26.25 per
18 case over the rate in effect on June 30, 2015.

19 b. The maximum reimbursement unit rate for safety plan
20 services shall be increased by \$27.61 over the rate in effect
21 on June 30, 2015.

22 (1) Safety plan services Performance Measure 1 payments
23 shall be increased by \$5.25 per case over the rate in effect on
24 June 30, 2015.

25 (2) Safety plan services Performance Measure 2 payments
26 shall be increased by \$5.25 per case over the rate in effect on
27 June 30, 2015.

28 8. a. For the purposes of this subsection, "combined
29 reimbursement rate" means the combined service and maintenance
30 reimbursement rate for a service level under the department's
31 reimbursement methodology. Effective July 1, 2015, the
32 combined reimbursement rate for a group foster care service
33 level shall be the amount designated in this subsection.
34 However, if a group foster care provider's reimbursement rate
35 for a service level as of June 30, 2015, is more than the rate

1 designated in this subsection, the provider's reimbursement
2 shall remain at the higher rate.

3 b. Unless a group foster care provider is subject to the
4 exception provided in paragraph "a", effective July 1, 2015,
5 the combined reimbursement rates for the service levels under
6 the department's reimbursement methodology shall be as follows:

7 (1) For service level, community - D1, the daily rate shall
8 be at least \$84.17.

9 (2) For service level, comprehensive - D2, the daily rate
10 shall be at least \$119.09.

11 (3) For service level, enhanced - D3, the daily rate shall
12 be at least \$131.09.

13 9. The group foster care reimbursement rates paid for
14 placement of children out of state shall be calculated
15 according to the same rate-setting principles as those used for
16 in-state providers, unless the director of human services or
17 the director's designee determines that appropriate care cannot
18 be provided within the state. The payment of the daily rate
19 shall be based on the number of days in the calendar month in
20 which service is provided.

21 10. a. For the fiscal year beginning July 1, 2015, the
22 reimbursement rate paid for shelter care and the child welfare
23 emergency services implemented to provide or prevent the need
24 for shelter care shall be established by contract.

25 b. For the fiscal year beginning July 1, 2015, the combined
26 service and maintenance components of the reimbursement rate
27 paid for shelter care services shall be based on the financial
28 and statistical report submitted to the department. The
29 maximum reimbursement rate shall be \$101.83 per day. The
30 department shall reimburse a shelter care provider at the
31 provider's actual and allowable unit cost, plus inflation, not
32 to exceed the maximum reimbursement rate.

33 c. Notwithstanding section 232.141, subsection 8, for the
34 fiscal year beginning July 1, 2015, the amount of the statewide
35 average of the actual and allowable rates for reimbursement of

1 juvenile shelter care homes that is utilized for the limitation
2 on recovery of unpaid costs shall remain at the amount in
3 effect for this purpose in the fiscal year beginning July 1,
4 2014.

5 11. For the fiscal year beginning July 1, 2015, the
6 department shall calculate reimbursement rates for intermediate
7 care facilities for persons with an intellectual disability
8 at the 80th percentile. Beginning July 1, 2015, the rate
9 calculation methodology shall utilize the consumer price index
10 inflation factor applicable to the fiscal year beginning July
11 1, 2015.

12 12. For the fiscal year beginning July 1, 2015, for child
13 care providers reimbursed under the state child care assistance
14 program, the department shall set provider reimbursement
15 rates based on the rate reimbursement survey completed in
16 December 2004. Effective July 1, 2015, the child care provider
17 reimbursement rates shall remain at the rates in effect on June
18 30, 2015. The department shall set rates in a manner so as
19 to provide incentives for a nonregistered provider to become
20 registered by applying the increase only to registered and
21 licensed providers.

22 13. For the fiscal year beginning July 1, 2015, if the
23 centers for Medicare and Medicaid services of the United
24 States department of health and human services approves the
25 waivers necessary to implement medical assistance program
26 managed care applicable to any providers or services subject to
27 reimbursement under this section, notwithstanding any provision
28 to the contrary under this section, affected providers or
29 services shall instead be reimbursed as follows:

30 a. For fee-for-service claims, reimbursement rates shall
31 be calculated based on the methodology otherwise specified in
32 this section for the fiscal year beginning July 1, 2015, for
33 the respective provider or service.

34 b. For claims subject to a managed care contract,
35 reimbursement shall be based on the actuarially sound

1 capitation rates established under the contract. However,
2 any reimbursement established under such contract shall not
3 be lower than the reimbursement otherwise specified in this
4 section for the fiscal year beginning July 1, 2015, for the
5 respective provider or service.

6 14. The department may adopt emergency rules to implement
7 this section.

8 Sec. 30. EMERGENCY RULES.

9 1. If specifically authorized by a provision of this
10 division of this Act, the department of human services or
11 the mental health and disability services commission may
12 adopt administrative rules under section 17A.4, subsection
13 3, and section 17A.5, subsection 2, paragraph "b", to
14 implement the provisions of this division of this Act and
15 the rules shall become effective immediately upon filing or
16 on a later effective date specified in the rules, unless the
17 effective date of the rules is delayed or the applicability
18 of the rules is suspended by the administrative rules review
19 committee. Any rules adopted in accordance with this section
20 shall not take effect before the rules are reviewed by the
21 administrative rules review committee. The delay authority
22 provided to the administrative rules review committee under
23 section 17A.4, subsection 7, and section 17A.8, subsection 9,
24 shall be applicable to a delay imposed under this section,
25 notwithstanding a provision in those sections making them
26 inapplicable to section 17A.5, subsection 2, paragraph "b".
27 Any rules adopted in accordance with the provisions of this
28 section shall also be published as a notice of intended action
29 as provided in section 17A.4.

30 2. If during a fiscal year, the department of human
31 services is adopting rules in accordance with this section
32 or as otherwise directed or authorized by state law, and the
33 rules will result in an expenditure increase beyond the amount
34 anticipated in the budget process or if the expenditure was
35 not addressed in the budget process for the fiscal year, the

1 department shall notify the persons designated by this division
 2 of this Act for submission of reports, the chairpersons and
 3 ranking members of the committees on appropriations, and
 4 the department of management concerning the rules and the
 5 expenditure increase. The notification shall be provided at
 6 least 30 calendar days prior to the date notice of the rules
 7 is submitted to the administrative rules coordinator and the
 8 administrative code editor.

9 Sec. 31. REPORTS. Any reports or other information
 10 required to be compiled and submitted under this Act during the
 11 fiscal year beginning July 1, 2015, shall be submitted to the
 12 chairpersons and ranking members of the joint appropriations
 13 subcommittee on health and human services, the legislative
 14 services agency, and the legislative caucus staffs on or
 15 before the dates specified for submission of the reports or
 16 information.

17 Sec. 32. EFFECTIVE UPON ENACTMENT. The following
 18 provisions of this division of this Act, being deemed of
 19 immediate importance, take effect upon enactment:

20 1. The provision relating to section 232.141 and directing
 21 the state court administrator and the division administrator of
 22 the department of human services division of child and family
 23 services to make the determination, by June 15, 2015, of the
 24 distribution of funds allocated for the payment of the expenses
 25 of court-ordered services provided to juveniles which are a
 26 charge upon the state.

27 2. The provision prohibiting the department of human
 28 services from adopting emergency rules to implement Medicaid
 29 managed care or the governor's Medicaid modernization
 30 initiative.

DIVISION VI

HEALTH CARE ACCOUNTS AND FUNDS — FY 2015-2016

33 Sec. 33. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
 34 appropriated from the pharmaceutical settlement account created
 35 in section 249A.33 to the department of human services for the

1 fiscal year beginning July 1, 2015, and ending June 30, 2016,
 2 the following amount, or so much thereof as is necessary, to be
 3 used for the purpose designated:

4 Notwithstanding any provision of law to the contrary, to
 5 supplement the appropriations made in this Act for medical
 6 contracts under the medical assistance program for the fiscal
 7 year beginning July 1, 2015, and ending June 30, 2016:

8 \$ 500,000

9 Sec. 34. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN
 10 SERVICES. Notwithstanding any provision to the contrary and
 11 subject to the availability of funds, there is appropriated
 12 from the quality assurance trust fund created in section
 13 249L.4 to the department of human services for the fiscal year
 14 beginning July 1, 2015, and ending June 30, 2016, the following
 15 amounts, or so much thereof as is necessary, for the purposes
 16 designated:

17 To supplement the appropriation made in this Act from the
 18 general fund of the state to the department of human services
 19 for medical assistance for the same fiscal year:

20 \$ 36,705,208

21 Sec. 35. HOSPITAL HEALTH CARE ACCESS TRUST FUND —
 22 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to
 23 the contrary and subject to the availability of funds, there is
 24 appropriated from the hospital health care access trust fund
 25 created in section 249M.4 to the department of human services
 26 for the fiscal year beginning July 1, 2015, and ending June
 27 30, 2016, the following amounts, or so much thereof as is
 28 necessary, for the purposes designated:

29 To supplement the appropriation made in this Act from the
 30 general fund of the state to the department of human services
 31 for medical assistance for the same fiscal year:

32 \$ 34,700,000

33 Sec. 36. MEDICAL ASSISTANCE PROGRAM — NONREVERSION
 34 FOR FY 2015-2016. Notwithstanding section 8.33, if moneys
 35 appropriated for purposes of the medical assistance program for

1 the fiscal year beginning July 1, 2015, and ending June 30,
 2 2016, from the general fund of the state, the quality assurance
 3 trust fund and the hospital health care access trust fund, are
 4 in excess of actual expenditures for the medical assistance
 5 program and remain unencumbered or unobligated at the close
 6 of the fiscal year, the excess moneys shall not revert but
 7 shall remain available for expenditure for the purposes of the
 8 medical assistance program until the close of the succeeding
 9 fiscal year.

10 DIVISION VII

11 PATIENT-CENTERED HEALTH ADVISORY COUNCIL

12 Sec. 37. Section 135.159, subsection 2, paragraph a,
 13 unnumbered paragraph 1, Code 2015, is amended to read as
 14 follows:

15 The department shall establish ~~an~~ a patient-centered health
 16 advisory council which shall include but is not limited to
 17 all of the following members, selected by their respective
 18 organizations, and any other members the department determines
 19 necessary to assist in the department's duties at various
 20 stages of development of the medical home system:

21 Sec. 38. Section 135.159, subsection 2, paragraph b, Code
 22 2015, is amended to read as follows:

23 *b.* Public members of the patient-centered health advisory
 24 council shall receive reimbursement for actual expenses
 25 incurred while serving in their official capacity only if they
 26 are not eligible for reimbursement by the organization that
 27 they represent.

28 Sec. 39. Section 135.159, subsection 10, Code 2015, is
 29 amended to read as follows:

30 10. The department shall integrate the recommendations and
 31 policies developed pursuant to section 135.161, Code 2011, into
 32 the medical home system and shall incorporate the development
 33 and implementation of the state initiative for prevention
 34 and chronic care management as developed pursuant to section
 35 135.161, Code 2011, into the duties of the ~~medical home system~~

1 patient-centered health advisory council beginning January 1,
2 2012.

3 Sec. 40. CODE EDITOR DIRECTIVE. The Code editor shall amend
4 the headnote of section 135.159, Code 2015, to read **Medical home**
5 **system — patient-centered health advisory council — development**
6 **and implementation.**

7 DIVISION VIII

8 PRIOR YEAR APPROPRIATIONS AND OTHER PRIOR PROVISIONS

9 DECATEGORIZATION

10 Sec. 41. DECATEGORIZATION CARRYOVER FUNDING — TRANSFER TO
11 MEDICAID PROGRAM. Notwithstanding section 232.188, subsection
12 5, paragraph "b", any state appropriated moneys in the funding
13 pool that remained unencumbered or unobligated at the close
14 of the fiscal year beginning July 1, 2012, and were deemed
15 carryover funding to remain available for the two succeeding
16 fiscal years that still remain unencumbered or unobligated at
17 the close of the fiscal year beginning July 1, 2014, shall
18 not revert but shall be transferred to the medical assistance
19 program for the fiscal year beginning July 1, 2014.

20 COMMUNITY MENTAL HEALTH SERVICES APPROPRIATION

21 Sec. 42. 2013 Iowa Acts, chapter 136, section 2, subsection
22 1, paragraph c, is amended to read as follows:

23 c. The department shall allocate not less than 95 percent
24 of the amount of the block grant each federal fiscal year
25 to eligible community mental health services providers for
26 carrying out the plan submitted to and approved by the federal
27 substance abuse and mental health services administration
28 for the fiscal year involved, except that for federal fiscal
29 year 2014-2015, \$1,643,467 of such federal block grant funds
30 shall be used for child and family services pursuant to 2013
31 Iowa Acts, chapter 138, section 148, as amended by 2014 Iowa
32 Acts, chapter 1140, section 25, for the purposes of 2014 Iowa
33 Acts, chapter 1140, section 25, subsection 20, relating to
34 the community circle of care collaboration for children and
35 youth in northeast Iowa, subsection 24 relating to the central

1 Iowa system of care program grant, subsection 25 relating
2 to the system of care grant implemented in Cerro Gordo and
3 Linn counties, and subsection 27 relating to a system of care
4 approach for children with a serious emotional disturbance and
5 their families through a nonprofit provider of child welfare
6 services licensed as a psychiatric medical institution for
7 children.

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

9 Sec. 43. 2013 Iowa Acts, chapter 138, section 136,
10 subsections 1, 2, 6, and 13, as amended by 2014 Iowa Acts,
11 chapter 1140, section 9, are amended to read as follows:

12 1. To be credited to the family investment program account
13 and used for assistance under the family investment program
14 under chapter 239B:

15	\$ 9,879,488
16		6,281,222

17 2. To be credited to the family investment program account
18 and used for the job opportunities and basic skills (JOBS)
19 program and implementing family investment agreements in
20 accordance with chapter 239B:

21	\$ 11,091,911
22		10,232,340

23 6. For state child care assistance:

24	\$ 35,047,110
25		41,210,239

a. Of the funds appropriated in this subsection,
~~\$26,347,110~~ \$26,332,712 is transferred to the child care and
development block grant appropriation made by the Eighty-fifth
General Assembly, 2013 Session, in 2013 Iowa Acts, chapter 136,
section 14 for the federal fiscal year beginning October 1,
2014, and ending September 30, 2015. Of this amount, \$200,000
shall be used for provision of educational opportunities to
registered child care home providers in order to improve
services and programs offered by this category of providers
and to increase the number of providers. The department may

1 contract with institutions of higher education or child care
2 resource and referral centers to provide the educational
3 opportunities. Allowable administrative costs under the
4 contracts shall not exceed 5 percent. The application for a
5 grant shall not exceed two pages in length.

6 b. Any funds appropriated in this subsection remaining
7 unallocated shall be used for state child care assistance
8 payments for families who are employed, including but not
9 limited to individuals enrolled in the family investment
10 program ~~who are employed~~.

11 13. a. Notwithstanding any provision to the contrary,
12 including but not limited to requirements in section 8.41 or
13 provisions in 2013 or 2014 Iowa Acts regarding the receipt and
14 appropriation of federal block grants, federal funds from the
15 temporary assistance for needy families block grant received
16 by the state not otherwise appropriated in this section and
17 remaining available for the fiscal year beginning July 1, 2014,
18 are appropriated to the department of human services to the
19 extent as may be necessary to be used in the following priority
20 order: the family investment program, for state child care
21 assistance program payments for ~~individuals enrolled in the~~
22 ~~family investment program~~ families who are employed, and for
23 the family investment program share of costs to develop and
24 maintain a new, integrated eligibility determination system.
25 The federal funds appropriated in this paragraph "a" shall be
26 expended only after all other funds appropriated in subsection
27 1 for the assistance under the family investment program,
28 in subsection 6 for child care assistance, or in subsection
29 12 for the family investment program share of the costs to
30 continue to develop and maintain a new, integrated eligibility
31 determination system, as applicable, have been expended. For
32 the purposes of this subsection, the funds appropriated in
33 subsection 6, paragraph "a", for transfer to the child care and
34 development block grant are considered fully expended when the
35 full amount has been transferred.

1 b. The department shall, on a quarterly basis, advise the
2 legislative services agency and department of management of
3 the amount of funds appropriated in this subsection that was
4 expended in the prior quarter.

5 CHILD SUPPORT RECOVERY UNIT

6 Sec. 44. 2013 Iowa Acts, chapter 138, section 139,
7 unnumbered paragraph 2, as amended by 2014 Iowa Acts, chapter
8 1140, section 12, is amended to read as follows:

9 For child support recovery, including salaries, support,
10 maintenance, and miscellaneous purposes, and for not more than
11 the following full-time equivalent positions:

12	\$ 14,911,230
13	<u>14,771,230</u>
14	FTEs 464.00

15 MEDICAL ASSISTANCE

16 Sec. 45. 2013 Iowa Acts, chapter 139, section 142,
17 unnumbered paragraph 2, as amended by 2014 Iowa Acts, chapter
18 1140, section 14, is amended to read as follows:

19 For medical assistance program reimbursement and associated
20 costs as specifically provided in the reimbursement
21 methodologies in effect on June 30, 2014, except as otherwise
22 expressly authorized by law, consistent with options under
23 federal law and regulations, and contingent upon receipt of
24 approval from the office of the governor of reimbursement for
25 each abortion performed under the program:

26	\$ 1,250,658,393
27	<u>1,310,299,250</u>

28 MEDICAL CONTRACTS

29 Sec. 46. 2013 Iowa Acts, chapter 138, section 143,
30 unnumbered paragraphs 1 and 2, as amended by 2014 Iowa Acts,
31 chapter 1140, section 19, are amended to read as follows:

32 There is appropriated from the general fund of the state to
33 the department of human services for the fiscal year beginning
34 July 1, 2014, and ending June 30, 2015, the following amount,
35 or so much thereof as is necessary, to be used for the purpose

1 designated:

2 For medical contracts:

3 \$ ~~17,148,576~~
 4 12,896,400

5 STATE SUPPLEMENTARY ASSISTANCE

6 Sec. 47. 2013 Iowa Acts, chapter 138, section 144,
 7 subsection 1, as amended by 2014 Iowa Acts, chapter 1140,
 8 section 20, is amended to read as follows:

9 1. There is appropriated from the general fund of the
 10 state to the department of human services for the fiscal year
 11 beginning July 1, 2014, and ending June 30, 2015, the following
 12 amount, or so much thereof as is necessary, to be used for the
 13 purpose designated:

14 For the state supplementary assistance program:

15 \$ ~~14,121,154~~
 16 12,965,318

17 CHILDREN'S HEALTH INSURANCE PROGRAM/
 18 HEALTHY AND WELL KIDS IN IOWA PROGRAM

19 Sec. 48. 2013 Iowa Acts, chapter 138, section 145,
 20 subsection 1, as amended by 2014 Iowa Acts, chapter 1140,
 21 section 21, is amended to read as follows:

22 1. There is appropriated from the general fund of the
 23 state to the department of human services for the fiscal year
 24 beginning July 1, 2014, and ending June 30, 2015, the following
 25 amount, or so much thereof as is necessary, to be used for the
 26 purpose designated:

27 For maintenance of the healthy and well kids in Iowa (hawk-i)
 28 program pursuant to chapter 514I, including supplemental dental
 29 services, for receipt of federal financial participation under
 30 Tit. XXI of the federal Social Security Act, which creates the
 31 children's health insurance program:

32 \$ ~~45,877,998~~
 33 45,097,085

34 CHILD CARE ASSISTANCE

35 Sec. 49. 2013 Iowa Acts, chapter 138, section 146,

1 unnumbered paragraphs 1 and 2, as amended by 2014 Iowa Acts,
2 chapter 1140, section 22, are amended to read as follows:

3 There is appropriated from the general fund of the state to
4 the department of human services for the fiscal year beginning
5 July 1, 2014, and ending June 30, 2015, the following amount,
6 or so much thereof as is necessary, to be used for the purpose
7 designated:

8 For child care programs:

9	\$ 47,132,080
10	<u>36,303,944</u>

11 CHILDREN ADJUDICATED AS DELINQUENT AND CHILD IN NEED OF
12 ASSISTANCE PLACEMENTS

13 Sec. 50. 2013 Iowa Acts, chapter 138, unnumbered paragraphs
14 1 and 2, as amended by 2014 Iowa Acts, chapter 1140, section
15 24, are amended to read as follows:

16 There is appropriated from the general fund of the state to
17 the department of human services for the fiscal year beginning
18 July 1, 2014, and ending June 30, 2015, the following amount,
19 or so much thereof as is necessary, to be used for the purposes
20 designated:

21 For the placement costs of female children adjudicated as
22 delinquent and male and female children adjudicated as a child
23 in need of assistance:

24	\$ 2,000,000
25	<u>1,400,000</u>

26 CHILD AND FAMILY SERVICES

27 Sec. 51. 2013 Iowa Acts, chapter 138, section 148,
28 subsection 1, as amended by 2014 Iowa Acts, chapter 1140,
29 section 25, is amended to read as follows:

30 1. There is appropriated from the general fund of the
31 state to the department of human services for the fiscal year
32 beginning July 1, 2014, and ending June 30, 2015, the following
33 amount, or so much thereof as is necessary, to be used for the
34 purpose designated:

35 For child and family services:

1 \$ ~~94,857,554~~
 2 91,364,087

3 ADOPTION SUBSIDY

4 Sec. 52. 2013 Iowa Acts, chapter 138, section 149,
 5 subsection 1, as amended by 2014 Iowa Acts, chapter 1140,
 6 section 26, is amended to read as follows:

7 1. There is appropriated from the general fund of the
 8 state to the department of human services for the fiscal year
 9 beginning July 1, 2014, and ending June 30, 2015, the following
 10 amount, or so much thereof as is necessary, to be used for the
 11 purpose designated:

12 For adoption subsidy payments and services:

13 \$ ~~42,580,749~~
 14 41,744,149

15 FAMILY SUPPORT SUBSIDY

16 Sec. 53. 2013 Iowa Acts, chapter 138, section 151,
 17 subsection 1, as amended by 2014 Iowa Acts, chapter 1140,
 18 section 27, is amended to read as follows:

19 1. There is appropriated from the general fund of the
 20 state to the department of human services for the fiscal year
 21 beginning July 1, 2014, and ending June 30, 2015, the following
 22 amount, or so much thereof as is necessary, to be used for the
 23 purpose designated:

24 For the family support subsidy program subject to the
 25 enrollment restrictions in section 225C.37, subsection 3:

26 \$ ~~1,079,739~~
 27 579,739

28 FIELD OPERATIONS

29 Sec. 54. 2013 Iowa Acts, chapter 138, section 156,
 30 unnumbered paragraphs 1 and 2, as amended by 2014 Iowa Acts,
 31 chapter 1140, section 32, are amended to read as follows:

32 There is appropriated from the general fund of the state to
 33 the department of human services for the fiscal year beginning
 34 July 1, 2014, and ending June 30, 2015, the following amount,
 35 or so much thereof as is necessary, to be used for the purposes

1 designated:

2 For field operations, including salaries, support,
3 maintenance, and miscellaneous purposes, and for not more than
4 the following full-time equivalent positions:

5	\$ 65,170,976
6	<u>61,170,976</u>
7	FTEs 1,837.00

8 GENERAL ADMINISTRATION

9 Sec. 55. 2013 Iowa Acts, chapter 138, section 157,
10 unnumbered paragraphs 1 and 2, as amended by 2014 Iowa Acts,
11 chapter 1140, section 33, are amended to read as follows:

12 There is appropriated from the general fund of the state to
13 the department of human services for the fiscal year beginning
14 July 1, 2014, and ending June 30, 2015, the following amount,
15 or so much thereof as is necessary, to be used for the purpose
16 designated:

17 For general administration, including salaries, support,	
18 maintenance, and miscellaneous purposes, and for not more than	
19 the following full-time equivalent positions:	
20	\$ 16,072,302
21	<u>15,072,302</u>
22	FTEs 309.00

23 PHARMACEUTICAL SETTLEMENT ACCOUNT

24 Sec. 56. 2013 Iowa Acts, chapter 138, section 162, as
25 amended by 2014 Iowa Acts, chapter 1140, section 47, is amended
26 to read as follows:

27 SEC. 162. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
28 appropriated from the pharmaceutical settlement account created
29 in section 249A.33 to the department of human services for the
30 fiscal year beginning July 1, 2014, and ending June 30, 2015,
31 the following amount, or so much thereof as is necessary, to be
32 used for the purpose designated:

33 Notwithstanding any provision of law to the contrary, to
34 supplement the appropriations made in this Act for medical
35 contracts under the medical assistance program for the fiscal

1 year beginning July 1, 2014, and ending June 30, 2015:

2 \$ ~~5,467,564~~
 3 6,969,740

4 QUALITY ASSURANCE TRUST FUND

5 Sec. 57. 2013 Iowa Acts, chapter 138, section 163, as
 6 amended by 2014 Iowa Acts, chapter 1140, section 48, is amended
 7 to read as follows:

8 SEC. 163. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF
 9 HUMAN SERVICES. Notwithstanding any provision to the contrary
 10 and subject to the availability of funds, there is appropriated
 11 from the quality assurance trust fund created in section
 12 249L.4 to the department of human services for the fiscal year
 13 beginning July 1, 2014, and ending June 30, 2015, the following
 14 amounts, or so much thereof as is necessary, for the purposes
 15 designated:

16 To supplement the appropriation made in this Act from the
 17 general fund of the state to the department of human services
 18 for medical assistance for the same fiscal year:

19 \$ ~~29,195,653~~
 20 29,695,653

21 Sec. 58. EFFECTIVE UPON ENACTMENT. This division of this
 22 Act, being deemed of immediate importance, takes effect upon
 23 enactment.

24 Sec. 59. RETROACTIVE APPLICABILITY. This division of this
 25 Act is retroactively applicable to July 1, 2014.

26 DIVISION IX

27 QUALITY ASSURANCE ASSESSMENT

28 Sec. 60. Section 249L.3, subsection 1, paragraph d, Code
 29 2015, is amended to read as follows:

30 d. The aggregate quality assurance assessments imposed
 31 under this chapter shall ~~not exceed the lower of~~ be established
 32 at three percent of the aggregate non-Medicare revenues of a
 33 nursing facility or the maximum amount that may be assessed
 34 pursuant to the indirect guarantee threshold as established
 35 pursuant to 42 C.F.R. §433.68(f)(3)(i), and shall be stated on

1 a per-patient-day basis.

2 DIVISION X

3 HEALTH POLICY — OVERSIGHT

4 Sec. 61. NEW SECTION. 2.70 Legislative health policy
5 oversight committee.

6 1. A legislative health policy oversight committee
7 is created to provide a formal venue for oversight of
8 and stakeholder engagement in, the design, development,
9 implementation, administration, and funding associated
10 with general state health care policy, with a particular
11 focus on the Medicaid program. The overall purpose of the
12 committee is to ensure that health care policy in this state
13 is consumer-focused and provides for accessible, accountable,
14 efficient, cost-effective, and quality health care. The goal
15 of the committee is to continue to further health policy that
16 improves health care, improves population health, reduces
17 health care costs, and integrates medical and social services
18 and supports into a holistic health system.

19 2. a. The committee shall include all of the following
20 members:

21 (1) The co-chairpersons and ranking members of the
22 legislative joint appropriations subcommittee on health
23 and human services, or members of the joint appropriations
24 subcommittee designated by the respective co-chairpersons or
25 ranking members.

26 (2) The chairpersons and ranking members of the
27 human resources committees of the senate and house of
28 representatives, or members of the respective committees
29 designated by the respective chairpersons or ranking members.

30 (3) The chairpersons and ranking members of the
31 appropriations committees of the senate and house of
32 representatives, or members of the respective committees
33 designated by the respective chairpersons or ranking members.

34 b. The members of the committee shall receive a per diem as
35 provided in section 2.10.

1 *c.* The committee shall meet at least quarterly, but may meet
 2 as often as necessary. The committee may request information
 3 from sources as deemed appropriate, and the department of human
 4 services and other agencies of state government shall provide
 5 information to the committee as requested. The legislative
 6 services agency shall provide staff support to the committee.

7 *d.* The committee shall select co-chairpersons, one
 8 representing the senate and one representing the house of
 9 representatives, annually, from its membership. A majority of
 10 the members of the committee shall constitute a quorum.

11 *e.* The committee may contract for the services of persons
 12 who are qualified by education, expertise, or experience to
 13 advise, consult with, or otherwise assist the committee in the
 14 performance of its duties.

15 3. The committee shall submit a report to the governor and
 16 the general assembly by December 15, annually.

17 Sec. 62. NEW SECTION. 231.44 **Utilization of resources**
 18 **— assistance and advocacy related to long-term services and**
 19 **supports under the Medicaid program.**

20 1. The office of long-term care ombudsman may utilize its
 21 available resources to provide assistance and advocacy services
 22 to potential or actual recipients, or the families or legal
 23 representatives of such potential or actual recipients, of
 24 long-term services and supports provided through the Medicaid
 25 program. Such assistance and advocacy shall include but is not
 26 limited to all of the following:

27 *a.* Providing information, education, consultation, and
 28 assistance regarding eligibility for, enrollment in, and the
 29 obtaining of long-term services and supports through the
 30 Medicaid program.

31 *b.* Identifying and referring individuals who may be eligible
 32 for and in need of long-term services and supports to the
 33 Medicaid program.

34 *c.* Developing procedures for tracking and reporting
 35 individual requests for assistance with the obtaining of

1 necessary services and supports.

2 *d.* Providing consultation for individuals transitioning into
3 or out of an institutional setting or across levels of care.

4 *e.* Identifying gaps in or duplication of services provided
5 to older individuals and persons with disabilities and
6 developing strategies to improve the delivery and coordination
7 of these services for these individuals.

8 *f.* Providing advice, assistance, and negotiation relating
9 to the preparation and filing of complaints, grievances, and
10 appeals of complaints or grievances relating to long-term
11 services and supports under the Medicaid program.

12 *g.* Providing individual case advocacy services in
13 administrative hearings and legal representation for judicial
14 proceedings related to long-term services and supports under
15 the Medicaid program.

16 2. A representative of the office of long-term care
17 ombudsman providing assistance and advocacy services authorized
18 under this section for an individual, shall be provided
19 access to the individual, and shall be provided access to
20 the individual's medical and social records as authorized by
21 the individual or the individual's legal representative, as
22 necessary to carry out the duties specified in this section.

23 3. A representative of the office of long-term care
24 ombudsman providing assistance and advocacy services authorized
25 under this section for an individual, shall be provided access
26 to administrative records related to the provision of the
27 long-term services and supports to the individual, as necessary
28 to carry out the duties specified in this section.

29 4. For the purposes of this section:

30 *a.* "*Institutional setting*" includes a long-term care
31 facility, an elder group home, or an assisted living program.

32 *b.* "*Long-term services and supports*" means the broad range of
33 health, health-related, and personal care assistance services
34 and supports, provided in both institutional settings and home
35 and community-based settings, necessary for older individuals

1 and persons with disabilities who experience limitations in
2 their capacity for self-care due to a physical, cognitive, or
3 mental disability or condition.

4 Sec. 63. MEDICAID MANAGED CARE ORGANIZATIONS — UTILIZATION
5 OF CAPITATED PAYMENTS.

6 1. All of the following shall apply to Medicaid managed care
7 contracts entered into on or after July 1, 2015:

8 a. Two percent of the Medicaid capitation payment amount
9 specified under the contract shall be withheld by the state to
10 be used to provide for Medicaid program oversight, including
11 for a health consumer ombudsman function, and for quality
12 improvement.

13 b. The minimum medical loss ratio applicable to Medicaid
14 managed care shall be established at no less than eighty-five
15 percent. The portion of the Medicaid capitation payment paid
16 to a Medicaid managed care contractor that is required to be
17 dedicated to meeting the minimum medical loss ratio shall be
18 allocated to a Medicaid claims fund. Expenditures of moneys
19 in the Medicaid claims fund shall comply with all of the
20 following:

21 (1) Only expenditures for medical claims shall be
22 considered in computing the minimum medical loss ratio
23 as specified in the contract. For the purposes of the
24 computation, "medical claims" means only the costs of claims
25 for direct delivery of covered benefits incurred during the
26 applicable minimum medical loss ratio reporting period, not
27 otherwise defined or designated as administrative costs,
28 population health benefits or quality improvement, or profit in
29 this section.

30 (2) If a Medicaid managed care contractor does not meet
31 the minimum medical loss ratio established under the contract
32 for the reporting period specified, the Medicaid managed
33 care contractor shall remit the excess amount, multiplied
34 by the total contract revenue, to the state for community
35 reinvestment, oversight, and quality improvement.

1 c. The portion of the Medicaid capitation payment that is
2 not required to be dedicated to meeting the minimum medical
3 loss ratio, shall be allocated to an administrative fund.
4 Expenditure or use of moneys in the administrative fund shall
5 comply with all of the following:

6 (1) Funds in the administrative fund may be used for
7 population health and quality improvement activities
8 including conflict or reinvestment free case management, care
9 coordination, community benefit expenditures, nontraditional
10 consumer-centered services that address social determinants
11 of health, health information technology, data collection and
12 analysis, and other population health and quality improvement
13 activities as specified by rule of the department of human
14 services.

15 (2) Administrative costs shall not exceed the percentage
16 applicable to the Medicaid program for administrative costs for
17 FY 2015 of a maximum of 4 percent calculated as a percentage of
18 the Medicaid capitation payment during the applicable minimum
19 medical loss ratio reporting period. Administrative functions
20 and costs shall not be shifted to providers or other entities
21 as a means of administrative cost avoidance.

22 (3) Profit, including reserves and earnings on reserves
23 such as investment income and earned interest, as a percentage
24 of the Medicaid capitated payment, shall be limited to a
25 maximum of 3 percent during the applicable minimum medical loss
26 ratio reporting period.

27 (4) Any funds remaining in the administrative fund
28 following allowable expenditures or uses specified in
29 subparagraphs (1), (2), and (3) shall be remitted to the state
30 for community reinvestment, oversight, and quality improvement.

31 2. The department of human services shall specify by rule
32 reporting requirements for Medicaid managed care contractors
33 under this section.

34 Sec. 64. PROPOSAL FOR A HEALTH CONSUMER OMBUDSMAN
35 ALLIANCE. The office of long-term care ombudsman shall

1 collaborate with the department on aging, the office of
 2 substitute decision maker, the department of veterans affairs,
 3 the department of human services, the department of public
 4 health, the department of inspections and appeals, the
 5 designated protection and advocacy agency as provided in
 6 section 135C.2, subsection 4, the civil rights commission, the
 7 senior health insurance information program, the Iowa insurance
 8 consumer advocate, Iowa legal aid, and other consumer advocates
 9 and consumer assistance programs, to develop a proposal for the
 10 establishment of a health consumer ombudsman alliance. The
 11 purpose of the alliance is to provide a permanent coordinated
 12 system of independent consumer supports to ensure that
 13 consumers, including consumers covered under Medicaid managed
 14 care, obtain and maintain essential health care, are provided
 15 unbiased information in understanding coverage models, and are
 16 assisted in resolving problems regarding health care services,
 17 coverage, access, and rights. The proposal developed shall
 18 include annual budget projections and shall be submitted to the
 19 governor and the general assembly no later than December 15,
 20 2015.

21 Sec. 65. FUNCTIONAL, LEVEL OF CARE, AND NEEDS-BASED
 22 ASSESSMENTS — CASE MANAGEMENT.

23 1. The department of human services shall contract
 24 with a conflict free third party to conduct initial and
 25 subsequent functional, level of care, and needs assessments and
 26 reassessments of consumers who may be eligible for long-term
 27 services and supports and are subject to a Medicaid managed
 28 care contract. Such assessments and reassessments shall not
 29 be completed by a Medicaid managed care organization under
 30 contract with the state or by any entity that is not deemed
 31 conflict free. If a managed care contractor becomes aware that
 32 an applicant may require long-term services and supports or
 33 that an enrolled consumer's functional level of care, support
 34 needs, or medical status has changed, the Medicaid managed care
 35 contractor shall notify the department and the conflict free

1 third party shall administer any assessment or reassessment
 2 in response to the notification. A case manager or Medicaid
 3 managed care contractor shall not alter a consumer's service
 4 plan independent of the prior administration of an assessment
 5 or reassessment conducted by the conflict free third party.
 6 The department of human services shall retain authority to
 7 determine or redetermine a consumer's categorical, financial,
 8 level of care or needs-based eligibility based on the conflict
 9 free third party assessment or reassessment.

10 2. The department of human services shall provide for
 11 administration of non-biased, community-based, in-person
 12 options counseling by a conflict free third party for
 13 applicants for a Medicaid managed care plan.

14 3. Case management under a Medicaid managed care contract
 15 shall be administered in a conflict free manner.

16 4. For the purposes of this section, "conflict free" means
 17 conflict free pursuant to specifications of the balancing
 18 incentive program requirements.

19 DIVISION XI

20 AUTISM

21 Sec. 66. Section 225D.1, subsections 3 and 8, Code 2015, are
 22 amended to read as follows:

23 3. "*Autism service provider*" means a person providing
 24 applied behavioral analysis, who meets all of the following
 25 criteria:

26 a. Is any of the following:

27 (1) Is certified as a behavior analyst by the behavior
 28 analyst certification board ~~or is a health professional~~
 29 ~~licensed under chapter 147.~~

30 (2) Is a board-certified assistant behavior analyst who
 31 performs duties, identified by and based on the standards of
 32 the behavior analyst certification board, under the supervision
 33 of a board-certified behavior analyst.

34 b. Is approved as a member of the provider network by the
 35 department.

1 8. "*Eligible individual*" means a child less than ~~nine~~
2 fifteen years of age who has been diagnosed with autism based
3 on a diagnostic assessment of autism, is not otherwise eligible
4 for coverage for applied behavioral analysis treatment under
5 the medical assistance program, section 514C.28, or private
6 insurance coverage, and whose household income does not exceed
7 four hundred percent of the federal poverty level.

8 Sec. 67. Section 225D.2, subsection 2, paragraph c, Code
9 2015, is amended to read as follows:

10 c. Notwithstanding the age limitation for an eligible
11 individual, a provision that if an eligible individual reaches
12 ~~nine~~ fifteen years of age prior to completion of the maximum
13 applied behavioral analysis treatment period specified in
14 paragraph "b", the individual may complete such treatment in
15 accordance with the individual's treatment plan, not to exceed
16 the maximum treatment period.

17 Sec. 68. Section 225D.2, subsection 2, Code 2015, is amended
18 by adding the following new paragraph:

19 NEW PARAGRAPH. 1. Proof of eligibility for the autism
20 support program that includes a written denial for coverage or
21 a benefits summary indicating that applied behavioral analysis
22 treatment is not a covered benefit for which the applicant
23 is eligible, under the Medicaid program, section 514C.28, or
24 private insurance coverage.

25 DIVISION XII

26 OFFICE OF SUBSTITUTE DECISIONMAKER

27 Sec. 69. Section 231E.4, subsection 3, paragraph a, Code
28 2015, is amended to read as follows:

29 a. Select persons through a request for proposals process to
30 establish local offices of substitute decision maker in each
31 of the planning and service areas. Local offices shall be
32 established statewide on or before July 1, ~~2015~~ 2017.

33 DIVISION XIII

34 DEMENTIA WORKFORCE

35 Sec. 70. INTERAGENCY DEMENTIA PROFICIENT WORKFORCE TASK

1 FORCE. The department on aging shall convene an interagency
 2 task force, in collaboration with the office of long-term
 3 care ombudsman, the office of substitute decision maker, the
 4 departments of public health, human services, and inspections
 5 and appeals, and the Alzheimer's association, to review the
 6 recommendations for a standard curriculum model for dementia
 7 education submitted by the Alzheimer's association dementia
 8 education task force to the department on aging in June 2010,
 9 in the Iowa dementia education project final report, and the
 10 curricula-related recommendations submitted by the direct care
 11 worker task force and the direct care worker advisory council;
 12 identify staff, in settings in which individuals with dementia
 13 may seek services and care, who should have some level of
 14 dementia proficiency and analyze gaps in existing training
 15 and educational requirements; and develop an implementation
 16 plan to transition toward competency-based dementia curricula
 17 and training that achieves dementia proficiency across a
 18 broader care continuum. To the greatest extent possible,
 19 the plan shall address training strategies for different
 20 settings, levels of skill, and licensure. The plan shall
 21 include a timeline for implementation, fiscal implications of
 22 recommendations, and identification of key decision points
 23 for the general assembly. The task force shall provide
 24 opportunities for stakeholder input from affected industry,
 25 education, professional, employee, and consumer organizations.
 26 The task force shall submit its recommendations to the governor
 27 and the general assembly no later than December 15, 2015.

28 DIVISION XIV

29 PHARMACEUTICAL COLLECTION AND DISPOSAL PROGRAM

30 Sec. 71. Section 155A.43, Code 2015, is amended to read as
 31 follows:

32 **155A.43 Pharmaceutical collection and disposal program —**
 33 **annual allocation.**

34 Of the fees collected pursuant to sections 124.301 and
 35 147.80 and chapter 155A by the board of pharmacy, and retained

1 by the board pursuant to section 147.82, not more than
 2 one hundred ~~twenty-five~~ seventy-five thousand dollars may
 3 be allocated annually by the board for administering the
 4 pharmaceutical collection and disposal program originally
 5 established pursuant to 2009 Iowa Acts, ch. 175, §9. The
 6 program shall provide for the management and disposal of
 7 unused, excess, and expired pharmaceuticals. The board of
 8 pharmacy may cooperate with the Iowa pharmacy association and
 9 may consult with the department and sanitary landfill operators
 10 in administering the program.

11 DIVISION XV

12 MEDICAID STATE PLAN — FAMILY PLANNING

13 Sec. 72. MEDICAID STATE PLAN AMENDMENT — FAMILY
 14 PLANNING. The department of human services shall amend the
 15 medical assistance state plan to include, effective no later
 16 than January 1, 2016, the eligibility provisions of the Iowa
 17 family planning network section 1115 demonstration waiver in
 18 effect on January 1, 2015. The department shall implement
 19 the state plan amendment upon receipt of approval by the
 20 centers for Medicare and Medicaid services of the United States
 21 department of health and human services.

22 Sec. 73. EFFECTIVE DATE. This division of this Act, being
 23 deemed of immediate importance, takes effect upon enactment.

24 DIVISION XVI

25 IOWA ABLE SAVINGS PLAN TRUST

26 Sec. 74. NEW SECTION. **12I.1 Purpose and definitions.**

27 1. The general assembly finds that the general welfare
 28 and well-being of the state are directly related to the
 29 health, maintenance, independence, and quality of life of its
 30 disabled residents, and that a vital and valid public purpose
 31 is served by the creation and implementation of programs that
 32 encourage and make possible savings to secure funding for
 33 disability-related expenses on behalf of individuals with
 34 disabilities that will supplement, but not supplant, other
 35 benefits provided by various federal, state, and private

1 sources. The creation of the means of encouragement for
 2 citizens to invest in such a program represents the carrying
 3 out of a vital and valid public purpose. In order to make
 4 available to the citizens of the state an opportunity to fund
 5 future disability-related expenses of individuals, it is
 6 necessary that a public trust be established in which moneys
 7 may be invested for payment of future disability-related
 8 expenses of an individual.

9 2. As used in this chapter, unless the context otherwise
 10 requires:

11 *a. "Account balance limit"* means the maximum allowable
 12 aggregate balance of an account established for a designated
 13 beneficiary. Account earnings, if any, are included in the
 14 account balance limit.

15 *b. "Account owner"* means an individual who enters into a
 16 participation agreement under this chapter for the payment
 17 of qualified disability expenses on behalf of a designated
 18 beneficiary.

19 *c. "Contracting state"* means the same as defined in section
 20 529A of the Internal Revenue Code.

21 *d. "Designated beneficiary"* means an individual who is a
 22 resident of this state or a resident of a contracting state and
 23 who meets the definition of "*eligible individual*" in section
 24 529A of the Internal Revenue Code.

25 *e. "Internal Revenue Code"* means the Internal Revenue Code
 26 of 1986, as amended, and regulations promulgated thereunder.

27 *f. "Iowa ABLE savings plan trust" or "trust"* means the trust
 28 created under section 12I.2.

29 *g. "Participation agreement"* means an agreement between the
 30 account owner and the trust entered into under this chapter.

31 *h. "Qualified ABLE program"* means the same as defined in
 32 section 529A of the Internal Revenue Code.

33 *i. "Qualified disability expenses"* means the same as defined
 34 in section 529A of the Internal Revenue Code.

35 *j. "Resident"* shall be defined by rules adopted by the

1 treasurer of state. The rules shall determine residency in
2 such manner as may be required or permitted under section
3 529A of the Internal Revenue Code, or, in the absence of any
4 guidance under federal law, as the treasurer of state deems
5 advisable for the purpose of satisfying the requirements of
6 section 529A of the Internal Revenue Code.

7 Sec. 75. NEW SECTION. 12I.2 **Creation of Iowa ABLE savings**
8 **plan trust.**

9 An Iowa ABLE savings plan trust is created. The treasurer of
10 state is the trustee of the trust, and has all powers necessary
11 to carry out and effectuate the purposes, objectives, and
12 provisions of this chapter pertaining to the trust, including
13 the power to do all of the following:

- 14 1. Make and enter into contracts necessary for the
15 administration of the trust created under this chapter.
- 16 2. Enter into agreements with this state or any other
17 state, or any federal or other state agency, or other entity as
18 required to implement this chapter.
- 19 3. Carry out the duties and obligations of the trust
20 pursuant to this chapter.
- 21 4. Accept any grants, gifts, legislative appropriations,
22 and other moneys from the state, any unit of federal, state, or
23 local government, or any other person, firm, partnership, or
24 corporation which the treasurer of state shall deposit into the
25 administrative fund or program fund.
- 26 5. Participate in any federal, state, or local governmental
27 program for the benefit of the trust.
- 28 6. Procure insurance against any loss in connection with the
29 property, assets, or activities of the trust.
- 30 7. Enter into participation agreements with account owners.
- 31 8. Make payments to designated beneficiaries pursuant to
32 participation agreements.
- 33 9. Make refunds to account owners upon the termination
34 of participation agreements, and partial nonqualified
35 distributions to account owners, pursuant to this chapter and

1 the limitations and restrictions set forth in this chapter.

2 10. Invest moneys from the program fund in any investments
3 that are determined by the treasurer of state to be
4 appropriate.

5 11. Engage investment advisors, if necessary, to assist in
6 the investment of trust assets.

7 12. Contract for goods and services and engage personnel
8 as necessary, including consultants, actuaries, managers,
9 legal counsel, and auditors for the purpose of rendering
10 professional, managerial, and technical assistance and advice
11 to the treasurer of state regarding trust administration and
12 operation.

13 13. Establish, impose, and collect administrative fees
14 and charges in connection with transactions of the trust, and
15 provide for reasonable service charges, including penalties for
16 cancellations and late payments with respect to participation
17 agreements.

18 14. Administer the funds of the trust.

19 15. Prepare and file reports and notices.

20 16. Enter into agreements with contracting states to permit
21 residents of the contracting state to participate in the Iowa
22 ABLE savings plan trust.

23 17. Adopt rules pursuant to chapter 17A for the
24 administration of this chapter.

25 Sec. 76. NEW SECTION. 12I.3 Participation agreements for
26 trust.

27 On or after July 1, 2016, the trust may enter into
28 participation agreements with account owners pursuant to the
29 following terms and agreements:

30 1. a. Unless otherwise permitted under section 529A of the
31 Internal Revenue Code, the treasurer of state shall allow only
32 one participation agreement per designated beneficiary.

33 b. Unless otherwise permitted under section 529A of the
34 Internal Revenue Code, the account owner must also be the
35 designated beneficiary of the account. However, a trustee or

1 legal guardian may be designated as custodian of an account for
2 a designated beneficiary who is a minor or who lacks capacity
3 to enter into a participation agreement if such designation is
4 not prohibited under section 529A of the Internal Revenue Code.

5 *c.* The treasurer of state shall set an annual contribution
6 limit and account balance limit to maintain compliance with
7 section 529A of the Internal Revenue Code. A contribution
8 shall not be permitted to the extent it exceeds the annual
9 contribution limit or causes the aggregate balance of the
10 account established for the designated beneficiary to exceed
11 the applicable account balance limit.

12 *d.* The maximum amount that may be deducted per year for
13 Iowa income tax purposes by an individual for contributions on
14 behalf of any one designated beneficiary that is a resident
15 of this state shall not exceed the maximum deductible amount
16 determined for the year pursuant to section 12D.3, subsection
17 1, paragraph "a".

18 *e.* Participation agreements may be amended to provide
19 for adjusted levels of contributions based upon changed
20 circumstances or changes in disability-related expenses.

21 *f.* Any person may make contributions pursuant to a
22 participation agreement on behalf of a designated beneficiary
23 under rules adopted by the treasurer of state.

24 2. The execution of a participation agreement by the trust
25 shall not guarantee in any way that future disability-related
26 expenses will be equal to projections and estimates provided by
27 the trust or that the account owner or designated beneficiary
28 is guaranteed any of the following:

29 *a.* A return of principal.

30 *b.* A rate of interest or other return from the trust.

31 *c.* Payment of interest or other return from the trust.

32 3. *a.* A designated beneficiary under a participation
33 agreement may be changed as permitted under rules adopted by
34 the treasurer of state upon written request of the account
35 owner as long as such change would be permitted by section 529A

1 of the Internal Revenue Code.

2 *b.* Participation agreements may otherwise be freely amended
3 throughout their terms in order to enable account owners to
4 increase or decrease the level of participation, change the
5 designated beneficiary, and carry out similar matters as
6 authorized by rule.

7 4. Each participation agreement shall provide that the
8 participation agreement may be canceled upon the terms and
9 conditions, and upon payment of applicable fees and costs set
10 forth and contained in the rules adopted by the treasurer of
11 state.

12 Sec. 77. NEW SECTION. 12I.4 Program and administrative
13 funds — investment and payment.

14 1. *a.* The treasurer of state shall segregate moneys
15 received by the trust into two funds: the program fund and the
16 administrative fund.

17 *b.* All moneys paid by account owners or other persons
18 on behalf of a designated beneficiary in connection with
19 participation agreements shall be deposited as received into
20 separate accounts for each designated beneficiary within the
21 program fund.

22 *c.* Contributions to the trust made on behalf of designated
23 beneficiaries may only be made in the form of cash.

24 *d.* An account owner or designated beneficiary is
25 not permitted to provide investment direction regarding
26 contributions or earnings held by the trust.

27 2. Moneys accrued by account owners in the program fund
28 of the trust may be used for payments of qualified disability
29 expenses.

30 3. Moneys in the account of a designated beneficiary may
31 be claimed by the Iowa Medicaid program as provided in section
32 529A(f) of the Internal Revenue Code and subject to limitations
33 imposed by the treasurer of state.

34 4. The trust shall comply with Pub. L. No. 113-295, §103,
35 regarding treatment of ABLE accounts under certain federal

1 programs.

2 5. Moneys in the funds are not subject to section 8.33.
3 Notwithstanding section 12C.7, interest or earnings on moneys
4 in the funds shall be credited to the funds.

5 Sec. 78. NEW SECTION. 12I.5 **Cancellation of agreements.**

6 An account owner may cancel a participation agreement at
7 will. Upon cancellation of a participation agreement, an
8 account owner shall be entitled to the return of the account
9 owner's account balance.

10 Sec. 79. NEW SECTION. 12I.6 **Repayment and ownership of**
11 **payments and investment income — transfer of ownership rights.**

12 1. a. An account owner retains ownership of all
13 contributions made on behalf of a designated beneficiary under
14 a participation agreement up to the date of utilization for
15 payment of qualified disability expenses of the designated
16 beneficiary.

17 b. All income derived from the investment of the
18 contributions made on behalf of a designated beneficiary shall
19 be considered to be held in trust for the benefit of the
20 designated beneficiary.

21 2. In the event the trust is terminated prior to payment of
22 qualified disability expenses for the designated beneficiary,
23 the account owner is entitled to a refund of the account
24 owner's account balance.

25 3. Any amounts which may be paid to any person or persons
26 pursuant to the Iowa ABLE savings plan trust but which are not
27 listed in this section are owned by the trust.

28 4. An account owner may transfer ownership rights to
29 another designated beneficiary, including a gift of the
30 ownership rights to a designated beneficiary who is a minor, in
31 accordance with rules adopted by the treasurer of state and the
32 terms of the participation agreement, so long as the transfer
33 would be permitted by section 529A of the Internal Revenue
34 Code.

35 5. An account owner or designated beneficiary shall not be

1 entitled to utilize any interest in the trust as security for
2 a loan.

3 Sec. 80. NEW SECTION. 12I.7 Reports — annual audited
4 financial report — reports under federal law.

5 1. *a.* The treasurer of state shall submit an annual
6 audited financial report, prepared in accordance with generally
7 accepted accounting principles, on the operations of the trust
8 by November 1 to the governor and the general assembly.

9 *b.* The annual audit shall be made either by the auditor
10 of state or by an independent certified public accountant
11 designated by the auditor of state and shall include direct and
12 indirect costs attributable to the use of outside consultants,
13 independent contractors, and any other persons who are not
14 state employees.

15 2. The annual audit shall be supplemented by all of the
16 following information prepared by the treasurer of state:

17 *a.* Any related studies or evaluations prepared in the
18 preceding year.

19 *b.* A summary of the benefits provided by the trust,
20 including the number of account owners and designated
21 beneficiaries in the trust, or, if the trust has caused this
22 state to become a contracting state pursuant to section 12I.10,
23 a summary of the benefits provided to Iowa residents by the
24 contracted qualified ABLE program, including the number of
25 account owners and designated beneficiaries in the contracted
26 qualified ABLE program who are Iowa residents.

27 *c.* Any other information deemed relevant by the treasurer of
28 state in order to make a full, fair, and effective disclosure
29 of the operations of the trust or the contracted qualified ABLE
30 program if applicable.

31 3. The treasurer of state shall prepare and submit to the
32 secretary of the United States treasury or other required party
33 any reports, notices, or statements required under section 529A
34 of the Internal Revenue Code.

35 Sec. 81. NEW SECTION. 12I.8 Tax considerations.

1 1. For federal income tax purposes, the Iowa ABLE savings
2 plan trust shall be considered a qualified ABLE program exempt
3 from taxation pursuant to section 529A of the Internal Revenue
4 Code and shall be operated so that it meets the requirements of
5 section 529A of the Internal Revenue Code.

6 2. State income tax treatment of the Iowa ABLE savings plan
7 trust shall be as provided in section 422.7, subsections 34 and
8 34A.

9 3. State inheritance tax treatment of interests in Iowa ABLE
10 savings plans shall be as provided in section 450.4, subsection
11 9.

12 Sec. 82. NEW SECTION. **12I.9 Property rights to assets in**
13 **trust.**

14 1. The assets of the trust shall at all times be preserved,
15 invested, and expended solely and only for the purposes of the
16 trust and shall be held in trust for the account owners and
17 designated beneficiaries.

18 2. Except as provided in section 12I.4, subsection 3, no
19 property rights in the trust shall exist in favor of the state.

20 3. Except as provided in section 12I.4, subsection 3, the
21 assets of the trust shall not be transferred or used by the
22 state for any purposes other than the purposes of the trust.

23 Sec. 83. NEW SECTION. **12I.10 Implementation as a**
24 **contracting state — tax considerations.**

25 1. The general assembly acknowledges that section 529A of
26 the Internal Revenue Code permits access to qualified ABLE
27 programs by residents of a state without such a program. The
28 general assembly finds that becoming a contracting state may
29 accomplish the public purpose set forth in section 12I.1,
30 subsection 1, in the same manner as if the qualified ABLE
31 program under the Iowa ABLE savings plan trust were to be
32 implemented and administered by this state. To that end,
33 the treasurer of state, as trustee of the trust, may defer
34 implementation of the qualified ABLE program under the trust
35 and alternatively cause this state to become a contracting

1 state by entering into an agreement with another state with a
2 qualified ABLE program to provide Iowa residents access to that
3 state's qualified ABLE program. The trust shall not enter into
4 an agreement pursuant to this section unless the treasurer,
5 as trustee of the trust, determines that all of the following
6 requirements are satisfied:

7 *a.* The program is a qualified ABLE program.

8 *b.* The qualified ABLE program provides comparable benefits
9 and protections to Iowa residents as would be provided under
10 the Iowa ABLE savings plan trust.

11 *c.* That entering into an agreement for access to the
12 qualified ABLE program would not result in increased costs to
13 the state or to account owners and designated beneficiaries as
14 compared to the costs of implementing and administering the
15 qualified ABLE program under the Iowa ABLE savings plan trust.

16 *d.* The qualified ABLE program will be audited annually by
17 an independent certified public accountant or by the state
18 auditor, or similar public official, of the state that has
19 implemented the qualified ABLE program.

20 *e.* The qualified ABLE program will provide information to
21 the treasurer of state as trustee of the trust so as to allow
22 the trustee to fulfill the reporting requirements in section
23 12I.7.

24 2. *a.* The maximum amount that may be deducted per year for
25 Iowa income tax purposes by an individual for contributions on
26 behalf of any one designated beneficiary that is a resident of
27 this state to the qualified ABLE program with which the state
28 has contracted pursuant to this section shall not exceed the
29 maximum deductible amount determined for the year pursuant to
30 section 12D.3, subsection 1, paragraph "a".

31 *b.* State income tax treatment of the qualified ABLE program
32 with which the state has contracted pursuant to this section
33 shall be as provided in section 422.7, subsections 34 and 34A.

34 3. State inheritance tax treatment of interests in the
35 qualified ABLE program with which the state has contracted

1 pursuant to this section shall be as provided in section 450.4,
2 subsection 9.

3 Sec. 84. NEW SECTION. 12I.11 **Construction.**

4 This chapter shall be construed liberally in order to
5 effectuate its purpose.

6 Sec. 85. Section 422.7, Code 2015, is amended by adding the
7 following new subsections:

8 NEW SUBSECTION. 34. *a.* Subtract the amount contributed
9 during the tax year on behalf of a designated beneficiary
10 that is a resident of this state to the Iowa ABLE savings
11 plan trust or to the qualified ABLE program with which the
12 state has contracted pursuant to section 12I.10, not to exceed
13 the maximum contribution level established in section 12I.3,
14 subsection 1, paragraph "d", or section 12I.10, subsection 2,
15 paragraph "a", as applicable.

16 *b.* Add the amount resulting from the cancellation of a
17 participation agreement refunded to the taxpayer as an account
18 owner in the Iowa ABLE savings plan trust or the qualified
19 ABLE program with which the state has contracted pursuant to
20 section 12I.10 to the extent previously deducted pursuant
21 to this subsection by the taxpayer or any other person as a
22 contribution to the trust or qualified ABLE program.

23 *c.* Add the amount resulting from a withdrawal made by a
24 taxpayer from the Iowa ABLE savings plan trust or the qualified
25 ABLE program with which the state has contracted pursuant to
26 section 12I.10 for purposes other than the payment of qualified
27 disability expenses to the extent previously deducted pursuant
28 to this subsection by the taxpayer or any other person as a
29 contribution to the trust or qualified ABLE program.

30 NEW SUBSECTION. 34A. Subtract, to the extent included,
31 income from interest and earnings received from the Iowa ABLE
32 savings plan trust created in chapter 12I, or received by a
33 resident account owner from a qualified ABLE program with which
34 the state has contracted pursuant to section 12I.10.

35 Sec. 86. Section 450.4, Code 2015, is amended by adding the

1 following new subsection:

2 NEW SUBSECTION. 9. On the value of any interest in the Iowa
3 ABLE savings plan trust created in chapter 12I, or any interest
4 held by a resident account owner in a qualified ABLE program
5 with which the state has contracted pursuant to section 12I.10.

6 Sec. 87. CONTINGENT IMPLEMENTATION. The implementation of
7 chapter 12I as enacted in this division of this Act is subject
8 to an appropriation with the stated purpose of the Iowa ABLE
9 Savings Plan Trust.

10 Sec. 88. APPLICABILITY. The section of this division of
11 this Act amending section 450.4 applies to estates of decedents
12 dying on or after January 1, 2016.

13 Sec. 89. APPLICABILITY. The section of this division of
14 this Act amending section 422.7 applies to tax years beginning
15 on or after January 1, 2016.

16 DIVISION XVII

17 STATE CHILD CARE ASSISTANCE — INCOME ELIGIBILITY

18 Sec. 90. Section 237A.13, subsection 7, paragraph c, Code
19 2015, is amended to read as follows:

20 c. Families with an income of more than one hundred
21 percent but not more than one hundred ~~forty-five~~ sixty percent
22 of the federal poverty level whose members, for at least
23 twenty-eight hours per week in the aggregate, are employed
24 or are participating at a satisfactory level in an approved
25 training program or educational program.

26 Sec. 91. DIRECTIVE TO DEPARTMENT OF HUMAN SERVICES ON
27 CHILD CARE ASSISTANCE. The department of human services shall
28 amend its administrative rules relating to income eligibility
29 for state child care assistance, according to family size for
30 children needing basic care, to families whose nonexempt gross
31 monthly income does not exceed 160 percent of the federal
32 poverty level.

33 DIVISION XVIII

34 COUNTY MENTAL HEALTH AND DISABILITIES SERVICES FUNDING —
35 EQUALIZATION AND MEDICAID OFFSET

1 Sec. 92. Section 331.424A, subsection 8, unnumbered
2 paragraph 1, Code 2015, is amended to read as follows:

3 Notwithstanding subsection 6, for the fiscal years beginning
4 July 1, 2013, July 1, 2014, ~~and~~ July 1, 2015, and July 1, 2016,
5 county revenues from taxes levied by the county and credited
6 to the county services fund shall not exceed the lower of the
7 following amounts:

8 Sec. 93. Section 426B.3, subsection 1, Code 2015, is amended
9 to read as follows:

10 1. For the fiscal years beginning July 1, 2013, July
11 1, 2014, ~~and~~ July 1, 2015, and July 1, 2016, the state and
12 county funding for the mental health and disability services
13 administered or paid for by counties shall be provided based on
14 a statewide per capita expenditure target amount computed in
15 accordance with this section and section 331.424A.

16 Sec. 94. Section 426B.3, subsection 4, paragraph a, Code
17 2015, is amended to read as follows:

18 a. For the fiscal years beginning July 1, 2013, July 1,
19 2014, ~~and~~ July 1, 2015, and July 1, 2016, a county with a county
20 population expenditure target amount that exceeds the amount
21 of the county's base year expenditures for mental health and
22 disabilities services shall receive an equalization payment for
23 the difference.

24 Sec. 95. Section 426B.3, subsection 5, Code 2015, is amended
25 by striking the subsection.

26 DIVISION XIX

27 MEDICAID OFFSET PAYMENTS — PROPERTY TAX RELIEF FUND

28 APPROPRIATIONS

29 Sec. 96. MEDICAID OFFSET PAYMENTS — PROPERTY TAX RELIEF
30 FUND APPROPRIATION.

31 1. Of the moneys credited to the property tax relief fund
32 pursuant to section 426B.3, subsection 5, paragraph "e",
33 subparagraph (1), Code 2015, in the fiscal year beginning July
34 1, 2014, and ending June 30, 2015, there is appropriated to the
35 department of human services for the fiscal year beginning July

1 1, 2015, and ending June 30, 2016, the following amounts, to be
 2 used for the purposes designated, notwithstanding any contrary
 3 provision of chapter 426B:

4 a. For reductions in the waiting lists of all medical
 5 assistance home and community-based services waivers:
 6 \$ 5,092,000

7 b. For allocation to the department on aging for a grant
 8 to a nationally affiliated organization providing support and
 9 education to people living with Alzheimer's disease and other
 10 related dementias to be used for a statewide public awareness
 11 campaign regarding the signs of Alzheimer's disease and other
 12 related dementias and the resources available to such people:
 13 \$ 100,000

14 c. For development of an application for a planning
 15 grant through the substance abuse and mental health services
 16 administration of the United States department of health and
 17 human services to participate in a two-year pilot project for
 18 certified community behavioral health clinics under the federal
 19 Protecting Access to Medicare Act of 2014, Pub. L. No. 113-93:
 20 \$ 240,000

21 The department may use the funds allocated pursuant to this
 22 paragraph to contract for necessary support to develop and
 23 submit the application for the planning grant. The department
 24 shall submit the application for the planning grant to the
 25 centers for Medicare and Medicaid services of the United States
 26 department of health and human services upon completion of the
 27 application.

28 2. Of the moneys credited to the property tax relief
 29 fund pursuant to section 426B.3, subsection 5, paragraph e,
 30 subparagraph (1), Code 2015, in the fiscal year beginning July
 31 1, 2014, and ending June 30, 2015, there is appropriated to
 32 the department of human services for the fiscal year beginning
 33 July 1, 2015, and ending June 30, 2016, the following amount,
 34 or so much thereof as is necessary, to be used for the purpose
 35 designated:

1 a. For distribution to a mental health and disability
2 services region where 25 percent of a region's projected
3 expenditures exceeds the region's projected fund balance:
4 \$ 4,554,651

5 b. For purposes of this section:

6 (1) "Available funds" means a county mental health and
7 services fund balance on June 30, 2015, plus the maximum amount
8 a county was allowed to levy for the fiscal year beginning July
9 1, 2015.

10 (2) "Projected expenditures" means the actual expenditures
11 of a mental health and disability services region as of June
12 30, 2015, multiplied by an annual inflation rate equal to
13 2 percent plus the projected costs for core services and
14 additional core services administered by the region as provided
15 in a region's regional service system management plan approved
16 pursuant to section 331.393 for the fiscal year beginning July
17 1, 2015.

18 (3) "Projected fund balance" means the difference between a
19 mental health and disability services region's available funds
20 and projected expenditures.

21 c. If sufficient funds are not available to implement this
22 subsection, the department of human services shall distribute
23 funds to a region in proportion to the availability of funds.

24 DIVISION XX

25 PROPERTY TAX RELIEF FUND — BLOCK GRANT MONEYS — MENTAL HEALTH
26 INSTITUTES

27 Sec. 97. MENTAL HEALTH INSTITUTES. The moneys transferred
28 to the property tax relief fund for the fiscal year beginning
29 July 1, 2015, from the federal social services block grant
30 pursuant to 2015 Iowa Acts, House File 630, if enacted, and
31 from the federal temporary assistance for needy families block
32 grant, totaling at least \$11,774,275, are appropriated to the
33 department of human services for the fiscal year beginning July
34 1, 2015, and ending June 30, 2016, to be used for the purposes
35 designated:

1 1. For the state mental health institute at Clarinda for
2 salaries, support, maintenance, and miscellaneous purposes:
3 \$ 4,836,507
4 2. For the state mental health institute at Mount Pleasant
5 for salaries, support, maintenance, and miscellaneous purposes,
6 and for not more than the following full-time equivalent
7 positions:
8 \$ 6,937,768
9 FTEs 97.68

10 DIVISION XXI

11 STUDY — CHILD WELFARE ADVISORY COMMITTEE

12 Sec. 98. STUDY — CHILD WELFARE ADVISORY COMMITTEE. The
13 child welfare advisory committee of the council on human
14 services established pursuant to section 217.3A shall study
15 procedures in the department of human services for receiving
16 complaints from families involved in guardianship, placement,
17 and custody proceedings; the specificity and clarity of court
18 orders issued in foster care placements pursuant to the State
19 of Iowa Primary Review of Tit. IV-E Foster Care Eligibility
20 Report of Findings for October 1, 2012, through March 31, 2013;
21 caseload trends of social workers, including an analysis of how
22 Iowa compares nationally and with best practices as defined
23 by national associations; and immunity provisions for social
24 workers employed by the department of human services and basic
25 qualifications of social workers employed by the department
26 of human services. The committee shall submit a report with
27 findings and recommendations to the governor and general
28 assembly on or before December 15, 2015.

29 DIVISION XXII

30 COVERAGE OF SERVICES PROVIDED BY A PHYSICAL THERAPIST,
31 OCCUPATIONAL THERAPIST, OR SPEECH PATHOLOGIST

32 Sec. 99. NEW SECTION. 514C.30 Services provided by
33 a physical therapist, occupational therapist, or speech
34 pathologist.

35 1. Notwithstanding the uniformity of treatment requirements

1 of section 514C.6, a policy, contract, or plan providing
2 for third-party payment or prepayment of health or medical
3 expenses shall not impose a copayment or coinsurance amount
4 on an insured for services provided by a physical therapist
5 licensed pursuant to chapter 148A, by an occupational therapist
6 licensed pursuant to chapter 148B, or by a speech pathologist
7 licensed pursuant to 154F that is greater than the copayment or
8 coinsurance amount imposed on the insured for services provided
9 by a person engaged in the practice of medicine and surgery
10 or osteopathic medicine and surgery under chapter 148 for the
11 same or a similar diagnosed condition even if a different
12 nomenclature is used to describe the condition for which the
13 services are provided.

14 2. This section applies to the following classes of
15 third-party payment provider policies, contracts, or plans
16 delivered, issued for delivery, continued, or renewed in this
17 state on or after July 1, 2015:

18 a. Individual or group accident and sickness insurance
19 providing coverage on an expense-incurred basis.

20 b. An individual or group hospital or medical service
21 contract issued pursuant to chapter 509, 514, or 514A.

22 c. An individual or group health maintenance organization
23 contract regulated under chapter 514B.

24 d. A plan established pursuant to chapter 509A for public
25 employees.

26 e. An organized delivery system licensed by the director of
27 public health.

28 3. This section shall not apply to accident-only,
29 specified disease, short-term hospital or medical, hospital
30 confinement indemnity, credit, dental, vision, Medicare
31 supplement, long-term care, basic hospital and medical-surgical
32 expense coverage as defined by the commissioner, disability
33 income insurance coverage, coverage issued as a supplement
34 to liability insurance, workers' compensation or similar
35 insurance, or automobile medical payment insurance.

DIVISION XXIII

CHILDREN'S MENTAL HEALTH AND WELL-BEING WORKGROUP

1
2 CHILDREN'S MENTAL HEALTH AND WELL-BEING WORKGROUP
3 Sec. 100. CHILDREN'S MENTAL HEALTH AND WELL-BEING
4 WORKGROUP. The department of human services, in cooperation
5 with the departments of education and public health, shall
6 facilitate a workgroup of stakeholders to study and make
7 recommendations relating to children's mental health and
8 well-being in this state. The issues that may be considered
9 by the workgroup include developing a strategic plan for
10 data systems to provide for a comprehensive analysis of
11 the mental health and well-being of children in this state;
12 creating a comprehensive system of care for children that
13 incorporates a coordinated response to mental health issues
14 across many disciplines including education, public health,
15 mental health, child welfare, and child welfare systems
16 and services and that specifically addresses the effects of
17 adverse childhood experiences and extreme child poverty and
18 homelessness; and building interdepartmental awareness of
19 issues relating to child mental health and well-being and
20 creating interdepartmental strategies for helping improve
21 child mental health and well-being and understanding impacts
22 on education and employment outcomes; examining child care
23 quality and affordability; and determining how government can
24 create community partnerships to help address issues of child
25 mental health and well-being. In carrying out the charge
26 of the workgroup, the workgroup shall review a 2014 report
27 by the children's defense fund on the state of America's
28 children containing the most recent and reliable national and
29 state-by-state data on many complex issues affecting children's
30 health and well-being, including data on more than 7,000
31 homeless public school students in Iowa. The workgroup shall
32 develop and recommend proactive strategies across state systems
33 to address these most complex needs impacting children's mental
34 health and well-being which will also aid different populations
35 of children with fewer challenges. The workgroup shall submit

1 a report on the study and make recommendations to the governor
2 and the general assembly on or before December 15, 2015.

3 DIVISION XXIV

4 PREVENTION OF DISABILITIES POLICY COUNCIL

5 Sec. 101. NEW SECTION. 225B.101 Findings and intent.

6 1. The general assembly finds that:

7 a. Between ten and twenty percent of Iowans have a
8 disability that affects their ability to learn, work,
9 communicate, perform activities of daily living, and
10 participate in everyday community life. These disabilities
11 are the result of genetics, environmental factors, injury, or
12 illness; may occur at any point in life; may be mild, severe,
13 or intermittent; and are often very costly for the individuals
14 affected, their families, and government both in terms of
15 quality of life and financial expenditures.

16 b. Most disabilities are due to conditions that can be
17 prevented, can be minimized if recognized and treated early, or
18 can be reduced through appropriate accommodation.

19 c. A need exists to optimize the use of cost-effective
20 prevention of disability strategies in state policies and
21 programs in order to reduce the cost of disabilities to Iowa's
22 citizens and government.

23 2. It is the intent of the general assembly to establish
24 a structure and process to identify opportunities to enhance
25 prevention of disability efforts in Iowa, design cross-agency
26 strategies to address the prevention of disabilities, integrate
27 and coordinate proven prevention of disability strategies
28 within state programs, and inform the general assembly about
29 priority prevention of disability policies and programs.

30 Sec. 102. NEW SECTION. 225B.102 Definitions.

31 As used in this chapter, unless the context otherwise
32 requires:

33 1. "*Council*" means the prevention of disabilities policy
34 council.

35 2. "*Disability*" means an individual who meets the definition

1 in 42 U.S.C. §12102.

2 3. "*Prevention*" activities include policies, programs, and
3 practices that do any of the following:

4 a. Prevent a disability or a condition that leads to a
5 disability from occurring.

6 b. Identify a disability or a condition that leads to a
7 disability early on so that intervention can eliminate the risk
8 of a disability or minimize the disability's effect.

9 c. Reduce the effects of a disability on an individual's
10 health and independence.

11 Sec. 103. NEW SECTION. 225B.103 **Prevention of disabilities**
12 **policy council established — membership — duties.**

13 1. A prevention of disabilities policy council is
14 established to focus state prevention of disability efforts
15 and provide oversight in the development and operation of a
16 coordinated prevention of disabilities system. The council
17 shall consist of the following members:

18 a. Three providers of disability prevention services
19 appointed by the governor and confirmed by the senate. The
20 governor may consider recommendations from the prevention of
21 disabilities policy council in making appointments.

22 b. Three persons with expertise in priority prevention areas
23 appointed by the governor and confirmed by the senate. The
24 governor may consider recommendations from the prevention of
25 disabilities policy council in making appointments.

26 c. Three persons with disabilities or family members
27 of a person with disabilities appointed by the governor,
28 and confirmed by the senate. The governor may consider
29 recommendations from the prevention of disabilities policy
30 council in making appointments.

31 d. One representative each from the department on aging,
32 department of education, department of human services, and
33 department of public health appointed by the directors of the
34 respective agencies.

35 e. Two members of the senate appointed by the senate

1 majority leader and minority leader and two members of the
2 house of representatives appointed by the speaker of the house
3 and the house minority leader.

4 2. Members of the council appointed by the governor shall
5 serve three-year staggered terms for terms beginning and ending
6 as provided in section 69.19. Members representing the state
7 departments shall serve one-year terms and shall serve as ex
8 officio, nonvoting members. Members of the general assembly
9 appointed to the council shall serve two-year terms as provided
10 in section 69.16B and shall serve as ex officio, nonvoting
11 members. Vacancies on the council shall be filled in the same
12 manner as original appointments. Members are entitled to
13 reimbursement of actual expenses incurred in performance of
14 their official duties.

15 3. The council shall do all of the following:

16 *a.* Review the prevention of disabilities activities of
17 public and private entities and provide recommendations to
18 optimize the planning, implementation, and evaluation of
19 prevention of disabilities efforts.

20 *b.* Promote cooperative and complementary planning among the
21 public, nonpublic, and volunteer sectors involved in prevention
22 of disabilities activities.

23 *c.* Facilitate coordination of prevention of disabilities
24 activities among state departments to develop an integrated
25 system of care.

26 *d.* Provide support and technical assistance to public
27 or nonpublic entities to identify, seek, implement, and
28 evaluate state, federal, and private grants for prevention of
29 disabilities activities.

30 *e.* Encourage research into the causes and prevention of
31 disabilities, including methods to evaluate the effectiveness
32 of prevention efforts.

33 *f.* Promote professional and provider training in
34 evidence-based prevention of disabilities measures and assure
35 adequate dissemination of such to appropriate entities.

1 *g.* Submit to the governor and general assembly annually by
2 November 1 a report that includes all of the following:

3 (1) A summary of all disabilities prevention activities
4 conducted since the preceding annual report.

5 (2) Recommendations for policy and priorities for the
6 prevention of disabilities.

7 4. The council shall meet at least six times during the
8 year. A majority of the members of the council constitutes a
9 quorum and a quorum is necessary to act on matters within the
10 purview of the council.

11 Sec. 104. NEW SECTION. **225B.104 Rules.**

12 The department of human services shall adopt and update
13 administrative rules as necessary to implement the provisions
14 of this chapter. All rules adopted by the department of human
15 services pursuant to this section are subject to approval by
16 the council.

17 Sec. 105. NEW SECTION. **225B.105 Coordination with state**
18 **agencies.**

19 1. The directors or deputy directors of the state
20 departments on aging, and of education, human services, and
21 public health shall meet at least annually with the council and
22 shall do all of the following:

23 *a.* Provide an update to the council regarding the status
24 of prevention of disabilities policies and programs with
25 each respective department and provide recommendations about
26 priorities the council should consider in the next year.

27 *b.* Receive new policy and program recommendations from the
28 council regarding the prevention of disabilities.

29 2. The council may seek and receive data from state
30 departments that will aid in developing, implementing, and
31 evaluating prevention of disabilities efforts and systems in
32 Iowa.

33 Sec. 106. NEW SECTION. **225B.106 Coordination with**
34 **disability groups.**

35 The chairpersons and designated staff of chairpersons of

1 public and private state disabilities prevention groups shall
2 meet with the council at least annually to do all of the
3 following:

4 1. Identify ways to incorporate prevention of disabilities
5 activities within Iowa's disabilities services system.

6 2. Assist in developing a policy agenda for prevention of
7 disabilities services system improvements.

8 Sec. 107. NEW SECTION. 225B.107 Evaluation.

9 The state's prevention of disability effort and the council
10 are subject to review and evaluation by the governor and the
11 general assembly.

12 DIVISION XXV

13 FACILITY FOR PERSONS WITH AGGRESSIVE OR PSYCHIATRIC BEHAVIORS

14 — INTERIM COMMITTEE

15 Sec. 108. FACILITY FOR PERSONS WITH AGGRESSIVE OR
16 PSYCHIATRIC BEHAVIORS — INTERIM COMMITTEE — REPORT.

17 1. The legislative council is requested to establish an
18 interim study committee relating to the establishment of one
19 or more facilities to provide care and treatment for persons
20 who are sexually aggressive, combative, or who have unmet
21 geropsychiatric needs.

22 2. The study committee shall be composed of ten members
23 of the general assembly. Five members shall be members of
24 the senate, three of whom shall be appointed by the majority
25 leader of the senate, and two of whom shall be appointed by
26 the minority leader of the senate. Five members shall be
27 members of the house of representatives, three of whom shall
28 be appointed by the speaker of the house of representatives,
29 and two of whom shall be appointed by the minority leader of
30 the house of representatives.

31 3. The study committee shall receive testimony from
32 stakeholders with an interest or expertise relating to the
33 care and treatment of persons who are sexually aggressive,
34 combative, or who have unmet geropsychiatric needs including
35 health care providers, long-term care facilities, hospitals,

1 health systems, and other entities; consumers and families of
 2 consumers; individuals involved in the delivery and financing
 3 of related services and supports; and representatives of
 4 agencies responsible for oversight, funding, and regulation of
 5 such services and supports.

6 4. The study committee shall specifically address and
 7 make recommendations relating to the characteristics of the
 8 residents for such a facility and the size of the resident
 9 populations to be served; options for creating a new facility
 10 or expanding an existing facility; workforce recruitment,
 11 training, and compensation issues; requirements that the
 12 facility or facilities must meet in order to qualify for
 13 Medicaid reimbursement; and any other information deemed
 14 appropriate by the committee.

15 5. The study committee shall meet during the 2015
 16 legislative interim and shall submit a report and
 17 recommendations to the general assembly by January 1, 2016.

18 DIVISION XXVI

19 ANATOMICAL GIFT PUBLIC AWARENESS AND TRANSPLANTATION FUND

20 Sec. 109. Section 142C.15, subsection 4, paragraph c,
 21 unnumbered paragraph 1, Code 2015, is amended to read as
 22 follows:

23 ~~Not more than fifty percent of the~~ Any unobligated moneys
 24 in the fund annually may be expended in the form of grants to
 25 transplant recipients, transplant candidates, living organ
 26 donors, or to legal representatives on behalf of transplant
 27 recipients, transplant candidates, or living organ donors.
 28 Transplant recipients, transplant candidates, living organ
 29 donors, or the legal representatives of transplant recipients,
 30 transplant candidates, or living organ donors shall submit
 31 grant applications with supporting documentation provided
 32 by a hospital that performs transplants, verifying that the
 33 person by or for whom the application is submitted requires a
 34 transplant or is a living organ donor and specifying the amount
 35 of the costs associated with the following, if funds are not

1 available from any other third-party payor:

2 DIVISION XXVII

3 HOSPITAL AND LONG-TERM CARE PHARMACY PRACTICE —

4 PNEUMOCOCCAL VACCINES — BOARD OF PHARMACY RULES

5 Sec. 110. HOSPITAL AND LONG-TERM CARE PHARMACY PRACTICE —
6 PNEUMOCOCCAL VACCINES — BOARD OF PHARMACY RULES. The board
7 of pharmacy shall adopt rules pursuant to chapter 17A relating
8 to hospital and long-term care pharmacy practices that allow,
9 as authorized by federal law, in addition to influenza and
10 pneumococcal polysaccharide vaccines, that a written or verbal
11 patient-specific medication administration order shall not
12 be required prior to administration to an adult patient of
13 pneumococcal conjugate vaccine pursuant to physician-approved
14 hospital or facility policy and after the patient has been
15 assessed for contraindications.

16 DIVISION XXVIII

17 HEALTHY AND WELL KIDS IN IOWA PROGRAM — CONTINUED ENROLLMENT

18 Sec. 111. Section 514I.8, subsection 3, Code 2015, is
19 amended to read as follows:

20 3. In accordance with the rules adopted by the board, a
21 child may be determined to be presumptively eligible for the
22 program pending a final eligibility determination. Following
23 final determination of eligibility, a child shall be eligible
24 for a twelve-month period. At the end of the twelve-month
25 period, a review of the circumstances of the child's family
26 shall be conducted to establish eligibility and cost sharing
27 for the subsequent twelve-month period. Pending such review
28 of the circumstances of the child's family, the child shall
29 continue to be eligible for and remain enrolled in the same
30 plan if the family complies with requirements to provide
31 information and verification of income, otherwise cooperates
32 in the annual review process, and submits the completed
33 review form and any information necessary to establish
34 continued eligibility in a timely manner in accordance with
35 administrative rules.

1 DIVISION XXIX

2 PERSONNEL SETTLEMENT AGREEMENT PAYMENTS

3 Sec. 112. PERSONNEL SETTLEMENT AGREEMENT PAYMENTS. As a
4 condition of the appropriations in this 2015 Act, the moneys
5 appropriated and any other moneys available shall not be used
6 for payment of a personnel settlement agreement that contains a
7 confidentiality provision intended to prevent public disclosure
8 of the agreement or any terms of the agreement.

9 DIVISION XXX

10 MEDICAID REIMBURSEMENT — PSYCHIATRISTS

11 Sec. 113. Section 249A.15, Code 2015, is amended to read as
12 follows:

13 **249A.15 Licensed psychologists eligible for payment.**

14 The department shall adopt rules pursuant to chapter 17A
15 entitling psychologists who are licensed pursuant to chapter
16 154B and psychologists who are licensed in the state where
17 the services are provided and have a doctorate degree in
18 psychology, have had at least two years of clinical experience
19 in a recognized health setting, or have met the standards of a
20 national register of health service providers in psychology,
21 to payment for services provided to recipients of medical
22 assistance, subject to limitations and exclusions the
23 department finds necessary on the basis of federal laws and
24 regulations and of funds available for the medical assistance
25 program.

26 DIVISION XXXI

27 DEPARTMENT ON AGING — FY 2016-2017

28 Sec. 114. DEPARTMENT ON AGING. There is appropriated from
29 the general fund of the state to the department on aging for
30 the fiscal year beginning July 1, 2016, and ending June 30,
31 2017, the following amount, or so much thereof as is necessary,
32 to be used for the purposes designated:

33 For aging programs for the department on aging and area
34 agencies on aging to provide citizens of Iowa who are 60 years
35 of age and older with case management for frail elders, Iowa's

1 aging and disabilities resource center, and other services
 2 which may include but are not limited to adult day services,
 3 respite care, chore services, information and assistance,
 4 and material aid, for information and options counseling for
 5 persons with disabilities who are 18 years of age or older,
 6 and for salaries, support, administration, maintenance, and
 7 miscellaneous purposes, and for not more than the following
 8 full-time equivalent positions:

9	\$	5,718,033
10	FTEs	31.00

11 1. Funds appropriated in this section may be used to
 12 supplement federal funds under federal regulations. To
 13 receive funds appropriated in this section, a local area
 14 agency on aging shall match the funds with moneys from other
 15 sources according to rules adopted by the department. Funds
 16 appropriated in this section may be used for elderly services
 17 not specifically enumerated in this section only if approved
 18 by an area agency on aging for provision of the service within
 19 the area.

20 2. Of the funds appropriated in this section, \$139,973 is
 21 transferred to the economic development authority for the Iowa
 22 commission on volunteer services to be used for the retired and
 23 senior volunteer program.

24 3. a. The department on aging shall establish and enforce
 25 procedures relating to expenditure of state and federal funds
 26 by area agencies on aging that require compliance with both
 27 state and federal laws, rules, and regulations, including but
 28 not limited to all of the following:

29 (1) Requiring that expenditures are incurred only for goods
 30 or services received or performed prior to the end of the
 31 fiscal period designated for use of the funds.

32 (2) Prohibiting prepayment for goods or services not
 33 received or performed prior to the end of the fiscal period
 34 designated for use of the funds.

35 (3) Prohibiting the prepayment for goods or services

1 not defined specifically by good or service, time period, or
2 recipient.

3 (4) Prohibiting the establishment of accounts from which
4 future goods or services which are not defined specifically by
5 good or service, time period, or recipient, may be purchased.

6 b. The procedures shall provide that if any funds are
7 expended in a manner that is not in compliance with the
8 procedures and applicable federal and state laws, rules, and
9 regulations, and are subsequently subject to repayment, the
10 area agency on aging expending such funds in contravention of
11 such procedures, laws, rules and regulations, not the state,
12 shall be liable for such repayment.

13 4. Of the funds appropriated in this section, at least
14 \$125,000 shall be used to fund the unmet needs identified
15 through Iowa's aging and disability resource center network.

16 5. Of the funds appropriated in this section, at least
17 \$300,000 shall be used to fund home and community-based
18 services through the area agencies on aging that enable older
19 individuals to avoid more costly utilization of residential or
20 institutional services and remain in their own homes.

21 6. Of the funds appropriated in this section, \$425,000
22 shall be used for the purposes of chapter 231E and section
23 231.56A, of which \$162,500 shall be used for the office of
24 substitute decision maker pursuant to chapter 231E, and the
25 remainder shall be distributed equally to the area agencies on
26 aging to administer the prevention of elder abuse, neglect, and
27 exploitation program pursuant to section 231.56A, in accordance
28 with the requirements of the federal Older Americans Act of
29 1965, 42 U.S.C. §3001 et seq., as amended.

30 DIVISION XXXII

31 OFFICE OF LONG-TERM CARE OMBUDSMAN — FY 2016-2017

32 Sec. 115. OFFICE OF LONG-TERM CARE OMBUDSMAN.

33 1. There is appropriated from the general fund of the state
34 to the office of long-term care ombudsman for the fiscal year
35 beginning July 1, 2016, and ending June 30, 2017, the following

1 amount, or so much thereof as is necessary, to be used for the
2 purposes designated:

3 For salaries, support, administration, maintenance, and
4 miscellaneous purposes, and for not more than the following
5 full-time equivalent positions:

6	\$	753,392
7	FTEs	21.00

8 2. Of the funds appropriated in this section, \$225,000 shall
9 be used to continue to provide for additional local long-term
10 care ombudsmen.

11 DIVISION XXXIII

12 DEPARTMENT OF PUBLIC HEALTH — FY 2016-2017

13 Sec. 116. DEPARTMENT OF PUBLIC HEALTH. There is
14 appropriated from the general fund of the state to the
15 department of public health for the fiscal year beginning July
16 1, 2016, and ending June 30, 2017, the following amounts, or
17 so much thereof as is necessary, to be used for the purposes
18 designated:

19 1. ADDICTIVE DISORDERS

20 For reducing the prevalence of the use of tobacco, alcohol,
21 and other drugs, and treating individuals affected by addictive
22 behaviors, including gambling, and for not more than the
23 following full-time equivalent positions:

24	\$	13,631,845
25	FTEs	10.00

26 a. (1) Of the funds appropriated in this subsection,
27 \$2,624,181 shall be used for the tobacco use prevention
28 and control initiative, including efforts at the state and
29 local levels, as provided in chapter 142A. The commission
30 on tobacco use prevention and control established pursuant
31 to section 142A.3 shall advise the director of public health
32 in prioritizing funding needs and the allocation of moneys
33 appropriated for the programs and initiatives. Activities
34 of the programs and initiatives shall be in alignment with
35 the United States centers for disease control and prevention

1 best practices for comprehensive tobacco control programs that
2 include the goals of preventing youth initiation of tobacco
3 usage, reducing exposure to secondhand smoke, and promotion of
4 tobacco cessation.

5 (2) (a) Of the funds allocated in this paragraph "a",
6 \$226,534 is transferred to the alcoholic beverages division of
7 the department of commerce for enforcement of tobacco laws,
8 regulations, and ordinances and to engage in tobacco control
9 activities approved by the division of tobacco use prevention
10 and control of the department of public health as specified
11 in the memorandum of understanding entered into between the
12 divisions.

13 (b) For the fiscal year beginning July 1, 2016, and ending
14 June 30, 2017, the terms of the memorandum of understanding,
15 entered into between the division of tobacco use prevention
16 and control of the department of public health and the
17 alcoholic beverages division of the department of commerce,
18 governing compliance checks conducted to ensure licensed retail
19 tobacco outlet conformity with tobacco laws, regulations, and
20 ordinances relating to persons under eighteen years of age,
21 shall continue to restrict the number of such checks to one
22 check per retail outlet, and one additional check for any
23 retail outlet found to be in violation during the first check.

24 b. Of the funds appropriated in this subsection,
25 \$11,007,664 shall be used for problem gambling and
26 substance-related disorder prevention, treatment, and recovery
27 services, including a 24-hour helpline, public information
28 resources, professional training, and program evaluation.

29 (1) Of the funds allocated in this paragraph "b", \$9,451,857
30 shall be used for substance-related disorder prevention and
31 treatment.

32 (a) Of the funds allocated in this subparagraph (1),
33 \$449,650 shall be used for the public purpose of a grant
34 program to provide substance-related disorder prevention
35 programming for children.

1 (i) Of the funds allocated in this subparagraph division
2 (a), \$213,770 shall be used for grant funding for organizations
3 that provide programming for children by utilizing mentors.
4 Programs approved for such grants shall be certified or must
5 be certified within six months of receiving the grant award
6 by the Iowa commission on volunteer services as utilizing the
7 standards for effective practice for mentoring programs.

8 (ii) Of the funds allocated in this subparagraph division
9 (a), \$213,420 shall be used for grant funding for organizations
10 providing programming that includes youth development and
11 leadership services. The programs shall also be recognized as
12 being programs that are scientifically based with evidence of
13 their effectiveness in reducing substance-related disorders in
14 children.

15 (iii) The department of public health shall utilize a
16 request for proposals process to implement the grant program.

17 (iv) All grant recipients shall participate in a program
18 evaluation as a requirement for receiving grant funds.

19 (v) Of the funds allocated in this subparagraph division
20 (a), up to \$22,461 may be used to administer substance-related
21 disorder prevention grants and for program evaluations.

22 (b) Of the funds allocated in this subparagraph
23 (1), \$136,302 shall be used for culturally competent
24 substance-related disorder treatment pilot projects.

25 (i) The department shall utilize the amount allocated
26 in this subparagraph division (b) for at least three pilot
27 projects to provide culturally competent substance-related
28 disorder treatment in various areas of the state. Each pilot
29 project shall target a particular ethnic minority population.
30 The populations targeted shall include but are not limited to
31 African American, Asian, and Latino.

32 (ii) The pilot project requirements shall provide for
33 documentation or other means to ensure access to the cultural
34 competence approach used by a pilot project so that such
35 approach can be replicated and improved upon in successor

1 programs.

2 (2) Of the funds allocated in this paragraph "b", up
3 to \$1,555,807 may be used for problem gambling prevention,
4 treatment, and recovery services.

5 (a) Of the funds allocated in this subparagraph (2),
6 \$1,286,881 shall be used for problem gambling prevention and
7 treatment.

8 (b) Of the funds allocated in this subparagraph (2), up to
9 \$218,926 may be used for a 24-hour helpline, public information
10 resources, professional training, and program evaluation.

11 (c) Of the funds allocated in this subparagraph (2), up
12 to \$50,000 may be used for the licensing of problem gambling
13 treatment programs.

14 (3) It is the intent of the general assembly that from the
15 moneys allocated in this paragraph "b", persons with a dual
16 diagnosis of substance-related disorder and gambling addiction
17 shall be given priority in treatment services.

18 c. Notwithstanding any provision of law to the contrary,
19 to standardize the availability, delivery, cost of delivery,
20 and accountability of problem gambling and substance-related
21 disorder treatment services statewide, the department shall
22 continue implementation of a process to create a system
23 for delivery of treatment services in accordance with the
24 requirements specified in 2008 Iowa Acts, chapter 1187, section
25 3, subsection 4. To ensure the system provides a continuum
26 of treatment services that best meets the needs of Iowans,
27 the problem gambling and substance-related disorder treatment
28 services in any area may be provided either by a single agency
29 or by separate agencies submitting a joint proposal.

30 (1) The system for delivery of substance-related disorder
31 and problem gambling treatment shall include problem gambling
32 prevention.

33 (2) The system for delivery of substance-related disorder
34 and problem gambling treatment shall include substance-related
35 disorder prevention by July 1, 2017.

1 (3) Of the funds allocated in paragraph "b", the department
2 may use up to \$50,000 for administrative costs to continue
3 developing and implementing the process in accordance with this
4 paragraph "c".

5 d. The requirement of section 123.53, subsection 5, is met
6 by the appropriations and allocations made in this division of
7 this Act for purposes of substance-related disorder treatment
8 and addictive disorders for the fiscal year beginning July 1,
9 2016.

10 e. The department of public health shall work with all
11 other departments that fund substance-related disorder
12 prevention and treatment services and all such departments
13 shall, to the extent necessary, collectively meet the state
14 maintenance of effort requirements for expenditures for
15 substance-related disorder services as required under the
16 federal substance-related disorder prevention and treatment
17 block grant.

18 2. HEALTHY CHILDREN AND FAMILIES

19 For promoting the optimum health status for children,
20 adolescents from birth through 21 years of age, and families,
21 and for not more than the following full-time equivalent
22 positions:

23	\$	3,665,801
24	FTEs	13.00

25 a. Of the funds appropriated in this subsection, not more
26 than \$367,421 shall be used for the healthy opportunities for
27 parents to experience success (HOPES)-healthy families Iowa
28 (HFI) program established pursuant to section 135.106. The
29 funding shall be distributed to renew the grants that were
30 provided to the grantees that operated the program during the
31 fiscal year ending June 30, 2016.

32 b. In order to implement the legislative intent stated in
33 sections 135.106 and 256I.9, that priority for home visitation
34 program funding be given to programs using evidence-based or
35 promising models for home visitation, it is the intent of the

1 general assembly to phase in the funding priority in accordance
2 with 2012 Iowa Acts, chapter 1133, section 2, subsection 2,
3 paragraph 0b.

4 c. Of the funds appropriated in this subsection, \$2,456,444
5 shall be used to continue to expand statewide the department's
6 initiative to provide for adequate developmental surveillance
7 and screening during a child's first five years. The funds
8 shall be used first to fully fund the current sites to ensure
9 that the sites are fully operational, with the remaining
10 funds to be used for expansion to additional sites. The full
11 implementation and expansion shall include enhancing the scope
12 of the program through collaboration with the child health
13 specialty clinics to promote healthy child development through
14 early identification and response to both biomedical and social
15 determinants of healthy development; by monitoring child
16 health metrics to inform practice, document long-term health
17 impacts and savings, and provide for continuous improvement
18 through training, education, and evaluation; and by providing
19 for practitioner consultation particularly for children with
20 behavioral conditions and needs. The department of public
21 health shall also collaborate with the Iowa Medicaid enterprise
22 and the child health specialty clinics to integrate the
23 activities of the first five initiative into the establishment
24 of patient-centered medical homes, community utilities,
25 accountable care organizations, and other integrated care
26 models developed to improve health quality and population
27 health while reducing health care costs. To the maximum extent
28 possible, funding allocated in this paragraph shall be utilized
29 as matching funds for medical assistance program reimbursement.

30 d. Of the funds appropriated in this subsection, \$37,320
31 shall be distributed to a statewide dental carrier to provide
32 funds to continue the donated dental services program patterned
33 after the projects developed by the lifeline network to provide
34 dental services to indigent individuals who are elderly or with
35 disabilities.

1 e. Of the funds appropriated in this subsection, \$55,998
2 shall be used for childhood obesity prevention.

3 f. Of the funds appropriated in this subsection, \$81,384
4 shall be used to provide audiological services and hearing
5 aids for children. The department may enter into a contract
6 to administer this paragraph.

7 g. Of the funds appropriated in this subsection, \$12,500 is
8 transferred to the university of Iowa college of dentistry for
9 provision of primary dental services to children. State funds
10 shall be matched on a dollar-for-dollar basis. The university
11 of Iowa college of dentistry shall coordinate efforts with the
12 department of public health, bureau of oral and health delivery
13 systems, to provide dental care to underserved populations
14 throughout the state.

15 h. Of the funds appropriated in this subsection, \$25,000
16 shall be used to address youth suicide prevention.

17 i. Of the funds appropriated in this subsection, \$25,000
18 shall be used to support the Iowa effort to address the survey
19 of children who experience adverse childhood experiences known
20 as ACEs.

21 3. CHRONIC CONDITIONS

22 For serving individuals identified as having chronic
23 conditions or special health care needs, and for not more than
24 the following full-time equivalent positions:

25	\$	2,552,931
26	FTEs	5.00

27 a. Of the funds appropriated in this subsection, \$79,966
28 shall be used for grants to individual patients who have an
29 inherited metabolic disorder to assist with the costs of
30 medically necessary foods and formula.

31 b. Of the funds appropriated in this subsection, \$445,822
32 shall be used for the brain injury services program pursuant to
33 section 135.22B, including for continuation of the contracts
34 for resource facilitator services in accordance with section
35 135.22B, subsection 9, and to enhance brain injury training and

1 recruitment of service providers on a statewide basis. Of the
2 amount allocated in this paragraph, \$47,500 shall be used to
3 fund one full-time equivalent position to serve as the state
4 brain injury services program manager.

5 c. Of the funds appropriated in this subsection, \$273,991
6 shall be used as additional funding to leverage federal funding
7 through the federal Ryan White Care Act, Tit. II, AIDS drug
8 assistance program supplemental drug treatment grants.

9 d. Of the funds appropriated in this subsection, \$74,912
10 shall be used for the public purpose of continuing to contract
11 with an existing national-affiliated organization to provide
12 education, client-centered programs, and client and family
13 support for people living with epilepsy and their families.
14 The amount allocated in this paragraph in excess of \$50,000
15 shall be matched dollar-for-dollar by the organization
16 specified.

17 e. Of the funds appropriated in this subsection, \$392,557
18 shall be used for child health specialty clinics.

19 f. Of the funds appropriated in this subsection, \$200,000
20 shall be used by the regional autism assistance program
21 established pursuant to section 256.35, and administered by
22 the child health specialty clinic located at the university of
23 Iowa hospitals and clinics. The funds shall be used to enhance
24 interagency collaboration and coordination of educational,
25 medical, and other human services for persons with autism,
26 their families, and providers of services, including delivering
27 regionalized services of care coordination, family navigation,
28 and integration of services through the statewide system of
29 regional child health specialty clinics and fulfilling other
30 requirements as specified in chapter 225D. The university of
31 Iowa shall not receive funds allocated under this paragraph for
32 indirect costs associated with the regional autism assistance
33 program.

34 g. Of the funds appropriated in this subsection, \$285,497
35 shall be used for the comprehensive cancer control program to

1 reduce the burden of cancer in Iowa through prevention, early
2 detection, effective treatment, and ensuring quality of life.
3 Of the funds allocated in this paragraph "g", \$75,000 shall
4 be used to support a melanoma research symposium, a melanoma
5 biorepository and registry, basic and translational melanoma
6 research, and clinical trials.

7 h. Of the funds appropriated in this subsection, \$63,225
8 shall be used for cervical and colon cancer screening, and
9 \$150,000 shall be used to enhance the capacity of the cervical
10 cancer screening program to include provision of recommended
11 prevention and early detection measures to a broader range of
12 low-income women.

13 i. Of the funds appropriated in this subsection, \$338,432
14 shall be used for the center for congenital and inherited
15 disorders including to provide for surveillance of stillbirths
16 as defined in section 136A.2.

17 j. Of the funds appropriated in this subsection, \$64,706
18 shall be used for the prescription drug donation repository
19 program created in chapter 135M.

20 k. Of the funds appropriated in this subsection,
21 \$107,632 shall be used by the department of public health
22 for reform-related activities, including but not limited to
23 facilitation of communication to stakeholders at the state and
24 local level, administering the patient-centered health advisory
25 council pursuant to section 135.159, and involvement in health
26 care system innovation activities occurring across the state.

27 l. Of the funds appropriated in this subsection, \$12,500
28 shall be used for administration of chapter 124D, the medical
29 cannabidiol Act, or other Code provisions authorizing the
30 compassionate medical use of cannabis, if enacted by the 2016
31 regular session of the Eighty-sixth General Assembly.

32 4. COMMUNITY CAPACITY

33 For strengthening the health care delivery system at the
34 local level, and for not more than the following full-time
35 equivalent positions:

1 \$ 4,359,858
 2 FTEs 11.00
 3 a. Of the funds appropriated in this subsection, \$49,707
 4 is allocated for continuation of the child vision screening
 5 program implemented through the university of Iowa hospitals
 6 and clinics in collaboration with early childhood Iowa areas.
 7 The program shall submit a report to the individuals identified
 8 in this Act for submission of reports regarding the use of
 9 funds allocated under this paragraph "a". The report shall
 10 include the objectives and results for the program year
 11 including the target population and how the funds allocated
 12 assisted the program in meeting the objectives; the number,
 13 age, and location within the state of individuals served;
 14 the type of services provided to the individuals served; the
 15 distribution of funds based on service provided; and the
 16 continuing needs of the program.
 17 b. Of the funds appropriated in this subsection, \$55,328 is
 18 allocated for continuation of an initiative implemented at the
 19 university of Iowa and \$49,952 is allocated for continuation of
 20 an initiative at the state mental health institute at Cherokee
 21 to expand and improve the workforce engaged in mental health
 22 treatment and services. The initiatives shall receive input
 23 from the university of Iowa, the department of human services,
 24 the department of public health, and the mental health and
 25 disability services commission to address the focus of the
 26 initiatives.
 27 c. Of the funds appropriated in this subsection, \$582,314
 28 shall be used for essential public health services that promote
 29 healthy aging throughout one's lifespan, contracted through a
 30 formula for local boards of health, to enhance health promotion
 31 and disease prevention services.
 32 d. Of the funds appropriated in this section, \$49,643 shall
 33 be deposited in the governmental public health system fund
 34 created in section 135A.8 to be used for the purposes of the
 35 fund.

1 e. Of the funds appropriated in this subsection, \$52,724
2 shall be used to continue to address the shortage of mental
3 health professionals in the state.

4 f. Of the funds appropriated in this subsection,
5 \$25,000 shall be used for a grant to a statewide association
6 of psychologists that is affiliated with the American
7 psychological association to be used for continuation of a
8 program to rotate intern psychologists in placements in urban
9 and rural mental health professional shortage areas, as defined
10 in section 135.180.

11 g. (1) Of the funds appropriated in this subsection,
12 \$1,441,485 shall be allocated as a grant to the Iowa primary
13 care association to be used pursuant to section 135.153 for
14 the statewide coordination of the Iowa collaborative safety
15 net provider network. Coordination of the network shall
16 focus on increasing access by underserved populations to
17 health care services, increasing integration of the health
18 system and collaboration across the continuum of care with
19 a focus on safety net services, and enhancing the Iowa
20 collaborative safety net provider network's communication and
21 education efforts. The amount allocated as a grant under this
22 subparagraph (1) shall be used as follows to support the Iowa
23 collaborative safety net provider network goals of increased
24 access, health system integration, and engagement:

25 (a) For distribution to safety net partners in the state
26 that work to increase access of the underserved population to
27 health services:

28 \$ 512,743

29 (i) Of the amount allocated in this subparagraph
30 division (a), up to \$206,708 shall be distributed to the
31 Iowa prescription drug corporation for continuation of the
32 pharmaceutical infrastructure for safety net providers as
33 described in 2007 Iowa Acts, chapter 218, section 108.

34 (ii) Of the amount allocated in this subparagraph division
35 (a), up to \$174,161 shall be distributed to free clinics and

1 free clinics of Iowa for necessary infrastructure, statewide
 2 coordination, provider recruitment, service delivery, and
 3 provision of assistance to patients in securing a medical home
 4 inclusive of oral health care.

5 (iii) Of the amount allocated in this subparagraph
 6 division (a), up to \$25,000 shall be distributed to the
 7 Iowa coalition against sexual assault to continue a training
 8 program for sexual assault response team (SART) members,
 9 including representatives of law enforcement, victim advocates,
 10 prosecutors, and certified medical personnel.

11 (iv) Of the amount allocated in this subparagraph division
 12 (a), up to \$106,874 shall be distributed to the Polk county
 13 medical society for continuation of the safety net provider
 14 patient access to a specialty health care initiative as
 15 described in 2007 Iowa Acts, chapter 218, section 109.

16 (b) For distribution to safety net partners in the
 17 state that work to increase health system integration, care
 18 coordination, and collaboration across the continuum of care
 19 with a focus on safety net services. Such efforts shall
 20 include but not be limited to community care coordination team
 21 development and integration of medical and behavioral health
 22 services. Efforts shall also include working, in conjunction
 23 with the department of human services and the department
 24 of public health, to support Medicaid managed care efforts
 25 inclusive of the state innovation model through the continued
 26 development and implementation of community care coordination
 27 teams. Implementation of the community care coordination
 28 teams shall be accomplished through a statewide regionally
 29 based network that provides an integrated approach to health
 30 care delivery through care coordination that supports primary
 31 care providers and links patients with community resources
 32 necessary to empower patients in addressing biomedical and
 33 social determinants of health to improve health outcomes:

34 \$ 836,100

35 (c) For distribution to safety net partners in the state

1 that work to serve as a resource for credible, accurate
 2 information on health care-related needs and services
 3 for vulnerable populations in the state including the
 4 Iowa association of rural health clinics for necessary
 5 infrastructure and service delivery transformation and the Iowa
 6 primary care association to support partner engagement, program
 7 management, and statewide coordination of the network:

8 \$ 92,643

9 (2) The amount allocated under this paragraph "g" shall
 10 not be reduced for administrative or other costs prior to
 11 distribution. The Iowa collaborative safety net provider
 12 network may continue to distribute funds allocated pursuant to
 13 this paragraph "g" through existing contracts or renewal of
 14 existing contracts.

15 (3) For each goal of the Iowa collaborative safety net
 16 provider network, the Iowa primary care association shall
 17 submit a progress report to the individuals designated in this
 18 Act for submission of reports by December 15, 2016, including
 19 progress in developing and implementing the network, how the
 20 funds were distributed and used in developing and implementing
 21 the network, and the remaining needs identified to fully
 22 develop and implement the network.

23 h. Of the funds appropriated in this subsection, \$106,700
 24 shall be used for continuation of the work of the direct care
 25 worker advisory council established pursuant to 2008 Iowa Acts,
 26 chapter 1188, section 69, in implementing the recommendations
 27 in the final report submitted by the advisory council to the
 28 governor and the general assembly in March 2012, including
 29 by continuing to develop, promote, and make available on a
 30 statewide basis the prepare-to-care core curriculum and its
 31 associated modules and specialties through various formats
 32 including online access, community colleges, and other venues;
 33 exploring new and maintaining existing specialties including
 34 but not limited to oral health and dementia care; supporting
 35 instructor training; and assessing and making recommendations

1 concerning the Iowa care book and information technology
2 systems and infrastructure uses and needs.

3 i. (1) Of the funds appropriated in this subsection,
4 \$108,188 shall be used for allocation to an independent
5 statewide direct care worker organization under continuation
6 of the contract in effect during the fiscal year ending June
7 30, 2016.

8 (2) Of the funds appropriated in this subsection,
9 \$52,500 shall be used to provide scholarships or other
10 forms of subsidization for direct care worker educational
11 conferences, training, or outreach activities, and for the
12 mouth-care-matters oral health care project.

13 j. Of the funds appropriated in this subsection, the
14 department may use up to \$29,088 for up to one full-time
15 equivalent position to administer the volunteer health care
16 provider program pursuant to section 135.24.

17 k. Of the funds appropriated in this subsection, \$50,000
18 shall be used for a matching dental education loan repayment
19 program to be allocated to a dental nonprofit health service
20 corporation to continue to develop the criteria and implement
21 the loan repayment program.

22 l. Of the funds appropriated in this subsection, \$52,912 is
23 transferred to the college student aid commission for deposit
24 in the rural Iowa primary care trust fund created in section
25 261.113 to be used for the purposes of the fund.

26 m. Of the funds appropriated in this subsection, \$125,000
27 shall be used for the purposes of the Iowa donor registry as
28 specified in section 142C.18.

29 n. Of the funds appropriated in this subsection, \$50,000
30 shall be used for continuation of a grant to a nationally
31 affiliated volunteer eye organization that has an established
32 program for children and adults and that is solely dedicated to
33 preserving sight and preventing blindness through education,
34 nationally certified vision screening and training, and
35 community and patient service programs. The organization

1 shall submit a report to the individuals identified in this
 2 Act for submission of reports regarding the use of funds
 3 allocated under this paragraph "n". The report shall include
 4 the objectives and results for the program year including
 5 the target population and how the funds allocated assisted
 6 the program in meeting the objectives; the number, age, and
 7 location within the state of individuals served; the type of
 8 services provided to the individuals served; the distribution
 9 of funds based on services provided; and the continuing needs
 10 of the program.

11 o. Of the funds appropriated in this subsection, \$12,500
 12 shall be used for the continuation of a wellness council under
 13 the direction of the director of public health to increase
 14 support for wellness activities in the state.

15 p. Of the funds appropriated in this subsection, \$1,000,000
 16 shall be deposited in the medical residency training account
 17 created in section 135.175, subsection 5, paragraph "a", and
 18 is appropriated from the account to the department of public
 19 health to be used for the purposes of the medical residency
 20 training state matching grants program as specified in section
 21 135.176. However, notwithstanding any provision to the
 22 contrary in section 135.176, priority in the awarding of grants
 23 shall be given to sponsors that propose preference in the use
 24 of the grant funds for psychiatric residency positions and
 25 family practice residency positions.

26 5. HEALTHY AGING

27 To provide public health services that reduce risks and
 28 invest in promoting and protecting good health over the
 29 course of a lifetime with a priority given to older Iowans and
 30 vulnerable populations:

31 \$ 3,648,571

32 6. INFECTIOUS DISEASES

33 For reducing the incidence and prevalence of communicable
 34 diseases, and for not more than the following full-time
 35 equivalent positions:

1 \$ 667,578
 2 FTEs 4.00

3 7. PUBLIC PROTECTION

4 For protecting the health and safety of the public through
 5 establishing standards and enforcing regulations, and for not
 6 more than the following full-time equivalent positions:

7 \$ 2,169,596
 8 FTEs 135.50

9 a. Of the funds appropriated in this subsection, not more
 10 than \$227,350 shall be credited to the emergency medical
 11 services fund created in section 135.25. Moneys in the
 12 emergency medical services fund are appropriated to the
 13 department to be used for the purposes of the fund.

14 b. Of the funds appropriated in this subsection, \$101,516
 15 shall be used for sexual violence prevention programming
 16 through a statewide organization representing programs
 17 serving victims of sexual violence through the department's
 18 sexual violence prevention program. The amount allocated
 19 in this paragraph "b" shall not be used to supplant funding
 20 administered for other sexual violence prevention or victims
 21 assistance programs.

22 c. Of the funds appropriated in this subsection, \$299,376
 23 shall be used for the state poison control center. Pursuant
 24 to the directive under 2014 Iowa Acts, chapter 1140, section
 25 102, the federal matching funds available to the state poison
 26 control center from the department of human services under the
 27 federal Children's Health Insurance Program Reauthorization Act
 28 allotment shall be subject to the federal administrative cap
 29 rule of 10 percent applicable to funding provided under Tit.
 30 XXI of the federal Social Security Act and included within the
 31 department's calculations of the cap.

32 d. Of the funds appropriated in this subsection, \$268,875
 33 shall be used for childhood lead poisoning provisions.

34 8. RESOURCE MANAGEMENT

35 For establishing and sustaining the overall ability of the

1 department to deliver services to the public, and for not more
 2 than the following full-time equivalent positions:

3	\$	427,536
4	FTEs	4.00

5 The university of Iowa hospitals and clinics under the
 6 control of the state board of regents shall not receive
 7 indirect costs from the funds appropriated in this section.
 8 The university of Iowa hospitals and clinics billings to the
 9 department shall be on at least a quarterly basis.

10 DIVISION XXXIV

11 DEPARTMENT OF VETERANS AFFAIRS — FY 2016-2017

12 Sec. 117. DEPARTMENT OF VETERANS AFFAIRS. There is
 13 appropriated from the general fund of the state to the
 14 department of veterans affairs for the fiscal year beginning
 15 July 1, 2016, and ending June 30, 2017, the following amounts,
 16 or so much thereof as is necessary, to be used for the purposes
 17 designated:

18 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

19 For salaries, support, maintenance, and miscellaneous
 20 purposes, and for not more than the following full-time
 21 equivalent positions:

22	\$	600,273
23	FTEs	15.00

24 2. IOWA VETERANS HOME

25 For salaries, support, maintenance, and miscellaneous
 26 purposes:

27	\$	3,797,498
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28 a. The Iowa veterans home billings involving the department
 29 of human services shall be submitted to the department on at
 30 least a monthly basis.

31 b. If there is a change in the employer of employees
 32 providing services at the Iowa veterans home under a collective
 33 bargaining agreement, such employees and the agreement shall
 34 be continued by the successor employer as though there had not
 35 been a change in employer.

1 c. Within available resources and in conformance with
 2 associated state and federal program eligibility requirements,
 3 the Iowa veterans home may implement measures to provide
 4 financial assistance to or on behalf of veterans or their
 5 spouses who are participating in the community reentry program.

6 d. The Iowa veterans home expenditure report shall be
 7 submitted monthly to the legislative services agency.

8 3. HOME OWNERSHIP ASSISTANCE PROGRAM

9 For transfer to the Iowa finance authority for the
 10 continuation of the home ownership assistance program for
 11 persons who are or were eligible members of the armed forces of
 12 the United States, pursuant to section 16.54:

13 \$ 1,250,000

14 Sec. 118. LIMITATION OF COUNTY COMMISSIONS OF VETERAN
 15 AFFAIRS FUND STANDING APPROPRIATIONS. Notwithstanding the
 16 standing appropriation in section 35A.16 for the fiscal year
 17 beginning July 1, 2016, and ending June 30, 2017, the amount
 18 appropriated from the general fund of the state pursuant to
 19 that section for the following designated purposes shall not
 20 exceed the following amount:

21 For the county commissions of veteran affairs fund under
 22 section 35A.16:

23 \$ 495,000

24 DIVISION XXXV

25 DEPARTMENT OF HUMAN SERVICES — FY 2016-2017

26 Sec. 119. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
 27 GRANT. There is appropriated from the fund created in section
 28 8.41 to the department of human services for the fiscal year
 29 beginning July 1, 2016, and ending June 30, 2017, from moneys
 30 received under the federal temporary assistance for needy
 31 families (TANF) block grant pursuant to the federal Personal
 32 Responsibility and Work Opportunity Reconciliation Act of 1996,
 33 Pub. L. No. 104-193, and successor legislation, the following
 34 amounts, or so much thereof as is necessary, to be used for the
 35 purposes designated:

1 1. To be credited to the family investment program account
2 and used for assistance under the family investment program
3 under chapter 239B:
4 \$ 2,568,498
5 2. To be credited to the family investment program account
6 and used for the job opportunities and basic skills (JOBS)
7 program and implementing family investment agreements in
8 accordance with chapter 239B:
9 \$ 5,069,089
10 3. To be used for the family development and
11 self-sufficiency grant program in accordance with section
12 216A.107:
13 \$ 1,449,490
14 Notwithstanding section 8.33, moneys appropriated in this
15 subsection that remain unencumbered or unobligated at the close
16 of the fiscal year shall not revert but shall remain available
17 for expenditure for the purposes designated until the close of
18 the succeeding fiscal year. However, unless such moneys are
19 encumbered or obligated on or before September 30, 2016, the
20 moneys shall revert.
21 4. For field operations:
22 \$ 15,648,116
23 5. For general administration:
24 \$ 1,872,000
25 6. For state child care assistance:
26 \$ 17,523,555
27 a. Of the funds appropriated in this subsection,
28 \$13,164,049 is transferred to the child care and development
29 block grant appropriation made by the Eighty-sixth General
30 Assembly, 2016 Session, for the federal fiscal year beginning
31 October 1, 2016, and ending September 30, 2017. Of this
32 amount, \$100,000 shall be used for provision of educational
33 opportunities to registered child care home providers in order
34 to improve services and programs offered by this category
35 of providers and to increase the number of providers. The

1 department may contract with institutions of higher education
 2 or child care resource and referral centers to provide
 3 the educational opportunities. Allowable administrative
 4 costs under the contracts shall not exceed 5 percent. The
 5 application for a grant shall not exceed two pages in length.

6 b. Any funds appropriated in this subsection remaining
 7 unallocated shall be used for state child care assistance
 8 payments for families who are employed including but not
 9 limited to individuals enrolled in the family investment
 10 program.

11 7. For distribution to counties and regions through the
 12 property tax relief fund for mental health and disability
 13 services as provided in an appropriation made for this purpose:
 14 \$ 2,447,026

15 8. For child and family services:
 16 \$ 16,042,215

17 9. For child abuse prevention grants:
 18 \$ 62,500

19 10. For pregnancy prevention grants on the condition that
 20 family planning services are funded:
 21 \$ 965,034

22 Pregnancy prevention grants shall be awarded to programs
 23 in existence on or before July 1, 2016, if the programs have
 24 demonstrated positive outcomes. Grants shall be awarded to
 25 pregnancy prevention programs which are developed after July
 26 1, 2016, if the programs are based on existing models that
 27 have demonstrated positive outcomes. Grants shall comply with
 28 the requirements provided in 1997 Iowa Acts, chapter 208,
 29 section 14, subsections 1 and 2, including the requirement that
 30 grant programs must emphasize sexual abstinence. Priority in
 31 the awarding of grants shall be given to programs that serve
 32 areas of the state which demonstrate the highest percentage of
 33 unplanned pregnancies of females of childbearing age within the
 34 geographic area to be served by the grant.

35 11. For technology needs and other resources necessary

1 to meet federal welfare reform reporting, tracking, and case
2 management requirements:

3 \$ 518,593

4 12. For the family investment program share of the costs to
5 continue to develop and maintain a new, integrated eligibility
6 determination system:

7 \$ 3,327,440

8 13. a. Notwithstanding any provision to the contrary,
9 including but not limited to requirements in section 8.41 or
10 provisions in 2015 or 2016 Iowa Acts regarding the receipt and
11 appropriation of federal block grants, federal funds from the
12 temporary assistance for needy families block grant received by
13 the state and not otherwise appropriated in this section and
14 remaining available for the fiscal year beginning July 1, 2016,
15 are appropriated to the department of human services to the
16 extent as may be necessary to be used in the following priority
17 order: the family investment program, for state child care
18 assistance program payments for families who are employed, and
19 for the family investment program share of costs to develop and
20 maintain a new, integrated eligibility determination system.
21 The federal funds appropriated in this paragraph "a" shall be
22 expended only after all other funds appropriated in subsection
23 1 for the assistance under the family investment program,
24 in subsection 6 for child care assistance, or in subsection
25 12 for the family investment program share of the costs to
26 continue to develop and maintain a new, integrated eligibility
27 determination system, as applicable, have been expended. For
28 the purposes of this subsection, the funds appropriated in
29 subsection 6, paragraph "a", for transfer to the child care
30 and development block grant appropriation are considered fully
31 expended when the full amount has been transferred.

32 b. The department shall, on a quarterly basis, advise the
33 legislative services agency and department of management of
34 the amount of funds appropriated in this subsection that was
35 expended in the prior quarter.

1 14. Of the amounts appropriated in this section, \$6,481,004
 2 for the fiscal year beginning July 1, 2016, is transferred to
 3 the appropriation of the federal social services block grant
 4 made to the department of human services for that fiscal year.

5 15. For continuation of the program providing categorical
 6 eligibility for the food assistance program as specified for
 7 the program in the section of this division of this 2016 Act
 8 relating to the family investment program account:

9 \$ 12,500

10 16. The department may transfer funds allocated in this
 11 section to the appropriations made in this division of this Act
 12 for the same fiscal year for general administration and field
 13 operations for resources necessary to implement and operate the
 14 services referred to in this section and those funded in the
 15 appropriation made in this division of this Act for the same
 16 fiscal year for the family investment program from the general
 17 fund of the state.

18 Sec. 120. FAMILY INVESTMENT PROGRAM ACCOUNT.

19 1. Moneys credited to the family investment program (FIP)
 20 account for the fiscal year beginning July 1, 2016, and
 21 ending June 30, 2017, shall be used to provide assistance in
 22 accordance with chapter 239B.

23 2. The department may use a portion of the moneys credited
 24 to the FIP account under this section as necessary for
 25 salaries, support, maintenance, and miscellaneous purposes.

26 3. The department may transfer funds allocated in
 27 subsection 4 to the appropriations made in this division of
 28 this Act for the same fiscal year for general administration
 29 and field operations for resources necessary to implement and
 30 operate the family investment program services referred to in
 31 this section and those funded in the appropriation made in this
 32 division of this Act for the same fiscal year for the family
 33 investment program from the general fund of the state.

34 4. Moneys appropriated in this division of this Act and
 35 credited to the FIP account for the fiscal year beginning July

1 1, 2016, and ending June 30, 2017, are allocated as follows:

2 a. To be retained by the department of human services to
3 be used for coordinating with the department of human rights
4 to more effectively serve participants in FIP and other shared
5 clients and to meet federal reporting requirements under the
6 federal temporary assistance for needy families block grant:

7 \$ 10,000

8 b. To the department of human rights for staffing,
9 administration, and implementation of the family development
10 and self-sufficiency grant program in accordance with section
11 216A.107:

12 \$ 3,196,417

13 (1) Of the funds allocated for the family development
14 and self-sufficiency grant program in this paragraph "b",
15 not more than 5 percent of the funds shall be used for the
16 administration of the grant program.

17 (2) The department of human rights may continue to implement
18 the family development and self-sufficiency grant program
19 statewide during fiscal year 2016-2017.

20 (3) The department of human rights may engage in activities
21 to strengthen and improve family outcomes measures and
22 data collection systems under the family development and
23 self-sufficiency grant program.

24 c. For the diversion subaccount of the FIP account:

25 \$ 407,500

26 A portion of the moneys allocated for the subaccount may
27 be used for field operations, salaries, data management
28 system development, and implementation costs and support
29 deemed necessary by the director of human services in order
30 to administer the FIP diversion program. To the extent
31 moneys allocated in this paragraph "c" are not deemed by the
32 department to be necessary to support diversion activities,
33 such moneys may be used for other efforts intended to increase
34 engagement by family investment program participants in work,
35 education, or training activities.

1 d. For the food assistance employment and training program:
 2 \$ 33,294

3 (1) The department shall apply the federal supplemental
 4 nutrition assistance program (SNAP) employment and training
 5 state plan in order to maximize to the fullest extent permitted
 6 by federal law the use of the 50 percent federal reimbursement
 7 provisions for the claiming of allowable federal reimbursement
 8 funds from the United States department of agriculture
 9 pursuant to the federal SNAP employment and training program
 10 for providing education, employment, and training services
 11 for eligible food assistance program participants, including
 12 but not limited to related dependent care and transportation
 13 expenses.

14 (2) The department shall continue the categorical federal
 15 food assistance program eligibility at 160 percent of the
 16 federal poverty level and continue to eliminate the asset test
 17 from eligibility requirements, consistent with federal food
 18 assistance program requirements. The department shall include
 19 as many food assistance households as is allowed by federal
 20 law. The eligibility provisions shall conform to all federal
 21 requirements including requirements addressing individuals who
 22 are incarcerated or otherwise ineligible.

23 e. For the JOBS program:
 24 \$ 8,770,199

25 5. Of the child support collections assigned under FIP,
 26 an amount equal to the federal share of support collections
 27 shall be credited to the child support recovery appropriation
 28 made in this division of this Act. Of the remainder of the
 29 assigned child support collections received by the child
 30 support recovery unit, a portion shall be credited to the FIP
 31 account, a portion may be used to increase recoveries, and a
 32 portion may be used to sustain cash flow in the child support
 33 payments account. If as a consequence of the appropriations
 34 and allocations made in this section the resulting amounts
 35 are insufficient to sustain cash assistance payments and meet

1 federal maintenance of effort requirements, the department
 2 shall seek supplemental funding. If child support collections
 3 assigned under FIP are greater than estimated or are otherwise
 4 determined not to be required for maintenance of effort, the
 5 state share of either amount may be transferred to or retained
 6 in the child support payments account.

7 6. The department may adopt emergency rules for the family
 8 investment, JOBS, food assistance, and medical assistance
 9 programs if necessary to comply with federal requirements.

10 Sec. 121. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
 11 is appropriated from the general fund of the state to the
 12 department of human services for the fiscal year beginning July
 13 1, 2016, and ending June 30, 2017, the following amount, or
 14 so much thereof as is necessary, to be used for the purpose
 15 designated:

16 To be credited to the family investment program (FIP)
 17 account and used for family investment program assistance under
 18 chapter 239B:

19 \$ 24,546,938

20 1. Of the funds appropriated in this section, \$3,701,110 is
 21 allocated for the JOBS program.

22 2. Of the funds appropriated in this section, \$1,756,927 is
 23 allocated for the family development and self-sufficiency grant
 24 program.

25 3. Notwithstanding section 8.39, for the fiscal year
 26 beginning July 1, 2016, if necessary to meet federal
 27 maintenance of effort requirements or to transfer federal
 28 temporary assistance for needy families block grant funding
 29 to be used for purposes of the federal social services block
 30 grant or to meet cash flow needs resulting from delays in
 31 receiving federal funding or to implement, in accordance with
 32 this division of this Act, activities currently funded with
 33 juvenile court services, county, or community moneys and state
 34 moneys used in combination with such moneys, the department
 35 of human services may transfer funds within or between any

1 of the appropriations made in this division of this Act and
2 appropriations in law for the federal social services block
3 grant to the department for the following purposes, provided
4 that the combined amount of state and federal temporary
5 assistance for needy families block grant funding for each
6 appropriation remains the same before and after the transfer:

- 7 a. For the family investment program.
 - 8 b. For child care assistance.
 - 9 c. For child and family services.
 - 10 d. For field operations.
 - 11 e. For general administration.
 - 12 f. For distribution to counties or regions through the
13 property tax relief fund for mental health and disability
14 services as provided in an appropriation for this purpose.
- 15 This subsection shall not be construed to prohibit the use
16 of existing state transfer authority for other purposes. The
17 department shall report any transfers made pursuant to this
18 subsection to the legislative services agency.
- 19 4. Of the funds appropriated in this section, \$97,839 shall
20 be used for continuation of a grant to an Iowa-based nonprofit
21 organization with a history of providing tax preparation
22 assistance to low-income Iowans in order to expand the usage of
23 the earned income tax credit. The purpose of the grant is to
24 supply this assistance to underserved areas of the state.
- 25 5. Of the funds appropriated in this section, \$40,000 shall
26 be used for the continuation of an unfunded pilot project, as
27 defined in 441 IAC 100.1, relating to parental obligations,
28 in which the child support recovery unit participates, to
29 support the efforts of a nonprofit organization committed to
30 strengthening the community through youth development, healthy
31 living, and social responsibility headquartered in a county
32 with a population over 350,000. The funds allocated in this
33 subsection shall be used by the recipient organization to
34 develop a larger community effort, through public and private
35 partnerships, to support a broad-based multi-county fatherhood

1 initiative that promotes payment of child support obligations,
2 improved family relationships, and full-time employment.

3 6. Of the funds appropriated in this section, \$100,000
4 shall be used to continue a grant to a nonprofit organization
5 organized under section 501(c)(4) of the Internal Revenue Code
6 to continue a youth development strategy through after-school
7 programming that promotes academic success, healthy lifestyles,
8 good character, and citizenship. The organization shall meet
9 all of the following criteria:

10 a. Operate statewide and provide services through more than
11 one location.

12 b. Provide the after-school programming for students ages
13 five through eighteen years of age who are members of families
14 eligible for the federal temporary assistance for needy
15 families program.

16 c. Provide evidence, based on measurable outcomes, that the
17 after-school programming provided results in increased student
18 achievement.

19 7. The department may transfer funds appropriated in this
20 section to the appropriations made in this division of this Act
21 for general administration and field operations as necessary
22 to administer this section and the overall family investment
23 program.

24 Sec. 122. CHILD SUPPORT RECOVERY. There is appropriated
25 from the general fund of the state to the department of human
26 services for the fiscal year beginning July 1, 2016, and ending
27 June 30, 2017, the following amount, or so much thereof as is
28 necessary, to be used for the purposes designated:

29 For child support recovery, including salaries, support,
30 maintenance, and miscellaneous purposes, and for not more than
31 the following full-time equivalent positions:

32	\$	7,331,687
33	FTEs	464.00

34 1. The department shall expend up to \$12,165, including
35 federal financial participation, for the fiscal year beginning

1 July 1, 2016, for a child support public awareness campaign.
2 The department and the office of the attorney general shall
3 cooperate in continuation of the campaign. The public
4 awareness campaign shall emphasize, through a variety of
5 media activities, the importance of maximum involvement of
6 both parents in the lives of their children as well as the
7 importance of payment of child support obligations.

8 2. Federal access and visitation grant moneys shall be
9 issued directly to private not-for-profit agencies that provide
10 services designed to increase compliance with the child access
11 provisions of court orders, including but not limited to
12 neutral visitation sites and mediation services.

13 3. The appropriation made to the department for child
14 support recovery may be used throughout the fiscal year in the
15 manner necessary for purposes of cash flow management, and for
16 cash flow management purposes the department may temporarily
17 draw more than the amount appropriated, provided the amount
18 appropriated is not exceeded at the close of the fiscal year.

19 4. With the exception of the funding amount specified, the
20 requirements established under 2001 Iowa Acts, chapter 191,
21 section 3, subsection 5, paragraph "c", subparagraph (3), shall
22 be applicable to parental obligation pilot projects for the
23 fiscal year beginning July 1, 2016, and ending June 30, 2017.
24 Notwithstanding 441 IAC 100.8, providing for termination of
25 rules relating to the pilot projects, the rules shall remain
26 in effect until June 30, 2017.

27 Sec. 123. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE —
28 FY 2016-2017. Any funds remaining in the health care trust
29 fund created in section 453A.35A for the fiscal year beginning
30 July 1, 2016, and ending June 30, 2017, are appropriated to
31 the department of human services to supplement the medical
32 assistance program appropriations made in this division of this
33 Act, for medical assistance reimbursement and associated costs,
34 including program administration and costs associated with
35 program implementation.

1 Sec. 124. MEDICAID FRAUD FUND — MEDICAL ASSISTANCE — FY
 2 2016-2017. Any funds remaining in the Medicaid fraud fund
 3 created in section 249A.50 for the fiscal year beginning
 4 July 1, 2016, and ending June 30, 2017, are appropriated to
 5 the department of human services to supplement the medical
 6 assistance appropriations made in this division of this Act,
 7 for medical assistance reimbursement and associated costs,
 8 including program administration and costs associated with
 9 program implementation.

10 Sec. 125. MEDICAL ASSISTANCE.

11 1. There is appropriated from the general fund of the
 12 state to the department of human services for the fiscal year
 13 beginning July 1, 2016, and ending June 30, 2017, the following
 14 amount, or so much thereof as is necessary, to be used for the
 15 purpose designated:

16 For medical assistance program reimbursement and associated
 17 costs as specifically provided in the reimbursement
 18 methodologies in effect on June 30, 2016, except as otherwise
 19 expressly authorized by law, including reimbursement for
 20 abortion services which shall be available under the medical
 21 assistance program only for those abortions which are medically
 22 necessary:

23 \$673,176,820

24 2. Medically necessary abortions are those performed under
 25 any of the following conditions:

26 a. The attending physician certifies that continuing the
 27 pregnancy would endanger the life of the pregnant woman.

28 b. The attending physician certifies that the fetus is
 29 physically deformed, mentally deficient, or afflicted with a
 30 congenital illness.

31 c. The pregnancy is the result of a rape which is reported
 32 within 45 days of the incident to a law enforcement agency or
 33 public or private health agency which may include a family
 34 physician.

35 d. The pregnancy is the result of incest which is reported

1 within 150 days of the incident to a law enforcement agency
2 or public or private health agency which may include a family
3 physician.

4 e. Any spontaneous abortion, commonly known as a
5 miscarriage, if not all of the products of conception are
6 expelled.

7 3. a. Iowans support reducing the number of abortions
8 performed in our state. For an abortion covered under the
9 program, except in the case of a medical emergency, as defined
10 in section 135L.1, for any woman, the physician shall certify
11 both of the following:

12 (1) That the woman has been given the opportunity to view an
13 ultrasound image of the fetus as part of the standard of care
14 before an abortion is performed.

15 (2) That the woman has been provided information regarding
16 the options relative to a pregnancy, including continuing the
17 pregnancy to term and retaining parental rights following the
18 child's birth, continuing the pregnancy to term and placing the
19 child for adoption, and terminating the pregnancy.

20 b. The provisions of this section relating to abortions
21 shall also apply to the Iowa health and wellness plan created
22 pursuant to chapter 249N.

23 4. The department shall utilize not more than \$30,000 of
24 the funds appropriated in this section to continue the AIDS/HIV
25 health insurance premium payment program as established in 1992
26 Iowa Acts, Second Extraordinary Session, chapter 1001, section
27 409, subsection 6. Of the funds allocated in this subsection,
28 not more than \$2,500 may be expended for administrative
29 purposes.

30 5. Of the funds appropriated in this Act to the department
31 of public health for addictive disorders, \$475,000 for
32 the fiscal year beginning July 1, 2016, is transferred
33 to the department of human services for an integrated
34 substance-related disorder managed care system. The department
35 shall not assume management of the substance-related disorder

1 system in place of the managed care contractor unless such
2 a change in approach is specifically authorized in law.
3 The departments of human services and public health shall
4 work together to maintain the level of mental health and
5 substance-related disorder treatment services provided by the
6 managed care contractor through the Iowa plan for behavioral
7 health. Each department shall take the steps necessary to
8 continue the federal waivers as necessary to maintain the level
9 of services.

10 6. a. The department shall aggressively pursue options for
11 providing medical assistance or other assistance to individuals
12 with special needs who become ineligible to continue receiving
13 services under the early and periodic screening, diagnostic,
14 and treatment program under the medical assistance program
15 due to becoming 21 years of age who have been approved for
16 additional assistance through the department's exception to
17 policy provisions, but who have health care needs in excess
18 of the funding available through the exception to policy
19 provisions.

20 b. Of the funds appropriated in this section, \$50,000
21 shall be used for participation in one or more pilot projects
22 operated by a private provider to allow the individual or
23 individuals to receive service in the community in accordance
24 with principles established in *Olmstead v. L.C.*, 527 U.S. 581
25 (1999), for the purpose of providing medical assistance or
26 other assistance to individuals with special needs who become
27 ineligible to continue receiving services under the early and
28 periodic screening, diagnostic, and treatment program under
29 the medical assistance program due to becoming 21 years of
30 age who have been approved for additional assistance through
31 the department's exception to policy provisions, but who have
32 health care needs in excess of the funding available through
33 the exception to the policy provisions.

34 7. Of the funds appropriated in this section, up to
35 \$1,525,041 may be transferred to the field operations or

1 general administration appropriations in this division of this
2 Act for operational costs associated with Part D of the federal
3 Medicare Prescription Drug Improvement and Modernization Act
4 of 2003, Pub. L. No. 108-173.

5 8. Of the funds appropriated in this section, up to \$221,050
6 may be transferred to the appropriation in this division
7 of this Act for medical contracts to be used for clinical
8 assessment services and prior authorization of services.

9 9. A portion of the funds appropriated in this section
10 may be transferred to the appropriations in this division of
11 this Act for general administration, medical contracts, the
12 children's health insurance program, or field operations to be
13 used for the state match cost to comply with the payment error
14 rate measurement (PERM) program for both the medical assistance
15 and children's health insurance programs as developed by the
16 centers for Medicare and Medicaid services of the United States
17 department of health and human services to comply with the
18 federal Improper Payments Information Act of 2002, Pub. L. No.
19 107-300.

20 10. The department shall continue to implement the
21 recommendations of the assuring better child health and
22 development initiative II (ABCDII) clinical panel to the
23 Iowa early and periodic screening, diagnostic, and treatment
24 services healthy mental development collaborative board
25 regarding changes to billing procedures, codes, and eligible
26 service providers.

27 11. Of the funds appropriated in this section, a sufficient
28 amount is allocated to supplement the incomes of residents of
29 nursing facilities, intermediate care facilities for persons
30 with mental illness, and intermediate care facilities for
31 persons with an intellectual disability, with incomes of less
32 than \$50 in the amount necessary for the residents to receive a
33 personal needs allowance of \$50 per month pursuant to section
34 249A.30A.

35 12. Of the funds appropriated in this section, the following

1 amounts are transferred to the appropriations made in this
2 division of this Act for the state mental health institutes:

3 a. Cherokee mental health institute..... \$ 4,549,213
4 b. Clarinda mental health institute..... \$ 988,653
5 c. Independence mental health institute..... \$ 4,522,947

6 13. a. Of the funds appropriated in this section,
7 \$4,298,325 is allocated for the state match for a
8 disproportionate share hospital payment of \$9,566,715 to
9 hospitals that meet both of the conditions specified in
10 subparagraphs (1) and (2). In addition, the hospitals that
11 meet the conditions specified shall either certify public
12 expenditures or transfer to the medical assistance program
13 an amount equal to provide the nonfederal share for a
14 disproportionate share hospital payment of \$3,750,000. The
15 hospitals that meet the conditions specified shall receive and
16 retain 100 percent of the total disproportionate share hospital
17 payment of \$13,316,715.

18 (1) The hospital qualifies for disproportionate share and
19 graduate medical education payments.

20 (2) The hospital is an Iowa state-owned hospital with more
21 than 500 beds and eight or more distinct residency specialty
22 or subspecialty programs recognized by the American college of
23 graduate medical education.

24 b. Distribution of the disproportionate share payments
25 shall be made on a monthly basis. The total amount of
26 disproportionate share payments including graduate medical
27 education, enhanced disproportionate share, and Iowa
28 state-owned teaching hospital payments shall not exceed the
29 amount of the state's allotment under Pub. L. No. 102-234.
30 In addition, the total amount of all disproportionate
31 share payments shall not exceed the hospital-specific
32 disproportionate share limits under Pub. L. No. 103-66.

33 c. The university of Iowa hospitals and clinics shall either
34 certify public expenditures or transfer to the appropriations
35 made in this division of this Act for medical assistance an

1 amount equal to provide the nonfederal share for increased
2 medical assistance payments for inpatient and outpatient
3 hospital services of \$4,950,000. The university of Iowa
4 hospitals and clinics shall receive and retain 100 percent of
5 the total increase in medical assistance payments.

6 d. Program payments for disproportionate share hospitals
7 and graduate medical education, and the upper payment limits
8 applicable to these programs shall be held harmless from the
9 impacts of Medicaid managed care and the governor's Medicaid
10 modernization initiative. Payment methodologies utilized
11 for these programs may be adjusted or converted to other
12 methodologies or payment types in order to comply with this
13 hold harmless requirement.

14 14. One hundred percent of the nonfederal share of payments
15 to area education agencies that are medical assistance
16 providers for medical assistance-covered services provided to
17 medical assistance-covered children, shall be made from the
18 appropriation made in this section.

19 15. Any new or renewed contract entered into by the
20 department with a third party to administer behavioral health
21 services under the medical assistance program shall provide
22 that any interest earned on payments from the state during
23 the state fiscal year shall be remitted to the department
24 and treated as recoveries to offset the costs of the medical
25 assistance program.

26 16. A portion of the funds appropriated in this section
27 may be transferred to the appropriation in this division of
28 this Act for medical contracts to be used for administrative
29 activities associated with the money follows the person
30 demonstration project.

31 17. Of the funds appropriated in this section, \$174,506
32 shall be used for the administration of the health insurance
33 premium payment program, including salaries, support,
34 maintenance, and miscellaneous purposes.

35 18. a. The department may increase the amounts allocated

1 for salaries, support, maintenance, and miscellaneous purposes
2 associated with the medical assistance program, as necessary,
3 to implement cost containment strategies. The department shall
4 report any such increase to the legislative services agency and
5 the department of management.

6 b. If the savings to the medical assistance program from
7 cost containment efforts exceed the cost for the fiscal
8 year beginning July 1, 2016, the department may transfer any
9 savings generated for the fiscal year due to medical assistance
10 program cost containment efforts to the appropriation
11 made in this division of this Act for medical contracts or
12 general administration to defray the increased contract costs
13 associated with implementing such efforts.

14 c. The department of human services shall not implement
15 the following cost containment measures as recommended by the
16 governor for the fiscal year beginning July 1, 2016:

17 (1) A measure to provide uniform rates of \$.575 per mile
18 based on the 2015 Internal Revenue Service mileage rate and
19 of \$9.29, the current statewide average, per one-way trip for
20 Medicaid program home and community-based services waivers.

21 (2) A measure to cap the total costs of all services
22 received by a recipient of the home and community-based
23 services waiver for individuals with an intellectual disability
24 at the daily intermediate care facility for persons with an
25 intellectual disability (ICF/ID) per diem rate of \$346.39 per
26 day based on the 80th percentile of all ICF/ID rates.

27 (3) A measure to align individual requests for exceptions to
28 policy with the capped total cost of services for a recipient
29 of the home and community-based services waiver for individuals
30 with an intellectual disability as computed under subparagraph
31 (2).

32 (4) A measure to utilize the supports intensity scale
33 to determine payment amounts and a tiered payment system
34 for the services provided to adults served under the home
35 and community-based services waiver for individuals with an

1 intellectual disability.

2 (5) A measure to reallocate funding for community-based
3 systems of care to instead support integrated health homes.

4 (6) A measure to increase the university of Iowa hospitals
5 and clinics state share responsibility for the supplemental
6 disproportionate share hospital payment to the university of
7 Iowa hospitals and clinics for the fiscal year beginning July
8 1, 2016.

9 d. The department shall report the implementation of
10 any cost containment strategies under this subsection to
11 the individuals specified in this division of this Act for
12 submission of reports on a quarterly basis.

13 19. For the fiscal year beginning July 1, 2016, and ending
14 June 30, 2017, the replacement generation tax revenues required
15 to be deposited in the property tax relief fund pursuant to
16 section 437A.8, subsection 4, paragraph "d", and section
17 437A.15, subsection 3, paragraph "f", shall instead be credited
18 to and supplement the appropriation made in this section and
19 used for the allocations made in this section.

20 20. The department shall continue to administer the state
21 balancing incentive payments program as specified in 2012 Iowa
22 Acts, chapter 1133, section 14.

23 21. a. Of the funds appropriated in this section, \$450,000
24 shall be used for continued implementation of the children's
25 mental health home project proposed by the department of human
26 services and reported to the general assembly's mental health
27 and disability services study committee in December 2011. Of
28 this amount, up to \$25,000 may be transferred by the department
29 to the appropriation made in this division of this Act to the
30 department for the same fiscal year for general administration
31 to be used for associated administrative expenses and for not
32 more than one full-time equivalent position, in addition to
33 those authorized for the same fiscal year, to be assigned to
34 implementing the project.

35 b. Of the funds appropriated in this section, up to \$200,000

1 may be transferred by the department to the appropriation made
2 to the department in this division of this Act for the same
3 fiscal year for Medicaid program-related general administration
4 planning and implementation activities. The funds may be used
5 for contracts or for personnel in addition to the amounts
6 appropriated for and the positions authorized for general
7 administration for the fiscal year.

8 c. Of the funds appropriated in this section, up to
9 \$1,500,000 may be transferred by the department to the
10 appropriations made in this division of this Act for the same
11 fiscal year for general administration or medical contracts
12 to be used to support the development and implementation of
13 standardized assessment tools for persons with mental illness,
14 an intellectual disability, a developmental disability, or a
15 brain injury.

16 22. Of the funds appropriated in this section, \$125,000
17 shall be used for lodging expenses associated with care
18 provided at the university of Iowa hospitals and clinics for
19 patients with cancer whose travel distance is 30 miles or more
20 and whose income is at or below 200 percent of the federal
21 poverty level as defined by the most recently revised poverty
22 income guidelines published by the United States department of
23 health and human services. The department of human services
24 shall establish the maximum number of overnight stays and the
25 maximum rate reimbursed for overnight lodging, which may be
26 based on the state employee rate established by the department
27 of administrative services. The funds allocated in this
28 subsection shall not be used as nonfederal share matching
29 funds.

30 23. a. For inpatient and outpatient services provided by
31 hospitals on or after July 1, 2016, the department of human
32 services shall continue to recalculate and prospectively
33 apply an updated cost-to-charge ratio upon the request of a
34 hospital to implement price or charge reductions, if all of the
35 following criteria are met:

1 (1) The recalculation of an updated cost-to-charge ratio is
 2 budget neutral to the state funding amount appropriated for the
 3 respective fiscal year and maintains budget neutral payments or
 4 revenue to all hospitals.

5 (2) The hospital requesting the price or charge reduction
 6 submits a proforma cost report and charge master that reflects
 7 the anticipated cost-to-charge reduction.

8 b. Based upon the proforma cost report submitted by the
 9 requesting hospital, the department of human services shall
 10 prospectively apply the recalculated cost-to-charge ratio as
 11 appropriate to submitted claims for health care services.

12 24. The department of human services shall not adopt
 13 emergency rules to implement Medicaid managed care or the
 14 governor's Medicaid modernization initiative.

15 25. The number of home and community-based services waiver
 16 slots available during the fiscal year beginning July 1, 2016,
 17 shall not be reduced below the number of such slots available
 18 on January 1, 2015.

19 Sec. 126. MEDICAL CONTRACTS. There is appropriated from the
 20 general fund of the state to the department of human services
 21 for the fiscal year beginning July 1, 2016, and ending June 30,
 22 2017, the following amount, or so much thereof as is necessary,
 23 to be used for the purpose designated:

24 For medical contracts:

25 \$ 11,076,792

26 1. The department of inspections and appeals shall
 27 provide all state matching funds for survey and certification
 28 activities performed by the department of inspections
 29 and appeals. The department of human services is solely
 30 responsible for distributing the federal matching funds for
 31 such activities.

32 2. Of the funds appropriated in this section, \$25,000 shall
 33 be used for continuation of home and community-based services
 34 waiver quality assurance programs, including the review and
 35 streamlining of processes and policies related to oversight and

1 quality management to meet state and federal requirements.

2 3. Of the amount appropriated in this section, up to
3 \$100,000 may be transferred to the appropriation for general
4 administration in this division of this Act to be used for
5 additional full-time equivalent positions in the development of
6 key health initiatives such as cost containment, development
7 and oversight of managed care programs, and development of
8 health strategies targeted toward improved quality and reduced
9 costs in the Medicaid program.

10 4. Of the funds appropriated in this section, \$500,000 shall
11 be used for planning and development, in cooperation with the
12 department of public health, of a phased-in program to provide
13 a dental home for children.

14 5. Of the funds appropriated in this section, \$1,000,000
15 shall be used for the autism support program created in chapter
16 225D.

17 Sec. 127. STATE SUPPLEMENTARY ASSISTANCE.

18 1. There is appropriated from the general fund of the
19 state to the department of human services for the fiscal year
20 beginning July 1, 2016, and ending June 30, 2017, the following
21 amount, or so much thereof as is necessary, to be used for the
22 purpose designated:

23 For the state supplementary assistance program:

24 \$ 6,498,594

25 2. The department shall increase the personal needs
26 allowance for residents of residential care facilities by the
27 same percentage and at the same time as federal supplemental
28 security income and federal social security benefits are
29 increased due to a recognized increase in the cost of living.
30 The department may adopt emergency rules to implement this
31 subsection.

32 3. If during the fiscal year beginning July 1, 2016,
33 the department projects that state supplementary assistance
34 expenditures for a calendar year will not meet the federal
35 pass-through requirement specified in Tit. XVI of the federal

1 Social Security Act, section 1618, as codified in 42 U.S.C.
 2 §1382g, the department may take actions including but not
 3 limited to increasing the personal needs allowance for
 4 residential care facility residents and making programmatic
 5 adjustments or upward adjustments of the residential care
 6 facility or in-home health-related care reimbursement rates
 7 prescribed in this division of this Act to ensure that federal
 8 requirements are met. In addition, the department may make
 9 other programmatic and rate adjustments necessary to remain
 10 within the amount appropriated in this section while ensuring
 11 compliance with federal requirements. The department may adopt
 12 emergency rules to implement the provisions of this subsection.

13 Sec. 128. CHILDREN'S HEALTH INSURANCE PROGRAM.

14 1. There is appropriated from the general fund of the
 15 state to the department of human services for the fiscal year
 16 beginning July 1, 2016, and ending June 30, 2017, the following
 17 amount, or so much thereof as is necessary, to be used for the
 18 purpose designated:

19 For maintenance of the healthy and well kids in Iowa (hawk-i)
 20 program pursuant to chapter 514I, including supplemental dental
 21 services, for receipt of federal financial participation under
 22 Tit. XXI of the federal Social Security Act, which creates the
 23 children's health insurance program:

24 \$ 10,581,922

25 2. Of the funds appropriated in this section, \$21,400 is
 26 allocated for continuation of the contract for outreach with
 27 the department of public health.

28 Sec. 129. CHILD CARE ASSISTANCE. There is appropriated
 29 from the general fund of the state to the department of human
 30 services for the fiscal year beginning July 1, 2016, and ending
 31 June 30, 2017, the following amount, or so much thereof as is
 32 necessary, to be used for the purpose designated:

33 For child care programs:

34 \$ 28,319,015

35 1. Of the funds appropriated in this section, \$24,409,301

1 shall be used for state child care assistance in accordance
2 with section 237A.13.

3 2. Nothing in this section shall be construed or is
4 intended as or shall imply a grant of entitlement for services
5 to persons who are eligible for assistance due to an income
6 level consistent with the waiting list requirements of section
7 237A.13. Any state obligation to provide services pursuant to
8 this section is limited to the extent of the funds appropriated
9 in this section.

10 3. Of the funds appropriated in this section, \$216,227
11 is allocated for the statewide grant program for child care
12 resource and referral services under section 237A.26. A list
13 of the registered and licensed child care facilities operating
14 in the area served by a child care resource and referral
15 service shall be made available to the families receiving state
16 child care assistance in that area.

17 4. Of the funds appropriated in this section, \$468,487
18 is allocated for child care quality improvement initiatives
19 including but not limited to the voluntary quality rating
20 system in accordance with section 237A.30.

21 5. Of the funds appropriated in this section, \$3,175,000
22 shall be credited to the early childhood programs grants
23 account in the early childhood Iowa fund created in section
24 256I.11. The moneys shall be distributed for funding of
25 community-based early childhood programs targeted to children
26 from birth through five years of age developed by early
27 childhood Iowa areas in accordance with approved community
28 plans as provided in section 256I.8.

29 6. The department may use any of the funds appropriated
30 in this section as a match to obtain federal funds for use in
31 expanding child care assistance and related programs. For
32 the purpose of expenditures of state and federal child care
33 funding, funds shall be considered obligated at the time
34 expenditures are projected or are allocated to the department's
35 service areas. Projections shall be based on current and

1 projected caseload growth, current and projected provider
2 rates, staffing requirements for eligibility determination
3 and management of program requirements including data systems
4 management, staffing requirements for administration of the
5 program, contractual and grant obligations and any transfers
6 to other state agencies, and obligations for decategorization
7 or innovation projects.

8 7. A portion of the state match for the federal child care
9 and development block grant shall be provided as necessary to
10 meet federal matching funds requirements through the state
11 general fund appropriation made for child development grants
12 and other programs for at-risk children in section 279.51.

13 8. If a uniform reduction ordered by the governor under
14 section 8.31 or other operation of law, transfer, or federal
15 funding reduction reduces the appropriation made in this
16 section for the fiscal year, the percentage reduction in the
17 amount paid out to or on behalf of the families participating
18 in the state child care assistance program shall be equal to or
19 less than the percentage reduction made for any other purpose
20 payable from the appropriation made in this section and the
21 federal funding relating to it. The percentage reduction to
22 the other allocations made in this section shall be the same as
23 the uniform reduction ordered by the governor or the percentage
24 change of the federal funding reduction, as applicable.

25 If there is an unanticipated increase in federal funding
26 provided for state child care assistance, the entire amount
27 of the increase shall be used for state child care assistance
28 payments. If the appropriations made for purposes of the
29 state child care assistance program for the fiscal year are
30 determined to be insufficient, it is the intent of the general
31 assembly to appropriate sufficient funding for the fiscal year
32 in order to avoid establishment of waiting list requirements.

33 9. Notwithstanding section 8.33, moneys advanced for
34 purposes of the programs developed by early childhood Iowa
35 areas, advanced for purposes of wraparound child care, or

1 received from the federal appropriations made for the purposes
2 of this section that remain unencumbered or unobligated at the
3 close of the fiscal year shall not revert to any fund but shall
4 remain available for expenditure for the purposes designated
5 until the close of the succeeding fiscal year.

6 10. Of the funds appropriated in this section, \$50,000
7 is transferred to the department of public health to be used
8 to continue a program to assist parents in this state with
9 costs resulting from the death of a child in accordance with
10 this subsection. If it is less costly than administering the
11 program directly, the department shall issue a request for
12 proposals and issue a grant to an appropriate organization to
13 administer the program.

14 a. The program funding shall be used to assist parents who
15 reside in this state with costs incurred for a funeral, burial
16 or cremation, cemetery costs, or grave marker costs associated
17 with the unintended death of a child of the parent or a child
18 under the care of a guardian or custodian. The department
19 shall consider the following eligibility factors in developing
20 program requirements:

21 (1) The child was a stillborn infant or was less than age
22 eighteen at the time of death.

23 (2) The request for assistance was approved by the local
24 board or department of health or the county general assistance
25 director and may have been referred by a local funeral home.

26 (3) To be eligible, the parent, guardian, or custodian must
27 have an annual household income that is less than 145 percent
28 of the federal poverty level based on the number of people
29 in the applicant's household as defined by the most recently
30 revised poverty income guidelines published by the United
31 States department of health and human services.

32 (4) The maximum amount of grant assistance provided to a
33 parent, guardian, or custodian associated with the death of
34 a child is \$2,000. If the death is a multiple death and the
35 infants or children are being cremated, or buried together, the

1 same limitation applies.

2 (5) To the extent the overall amount of assistance received
3 by a recipient for the costs addressed under this subsection
4 does not exceed the overall total of the costs, the recipient
5 may receive other public or private assistance in addition to
6 grant assistance under this section.

7 b. Notwithstanding section 8.33, moneys transferred by this
8 subsection that remain unencumbered or unobligated at the close
9 of the fiscal year shall not revert but shall remain available
10 for expenditure for the purposes designated until expended.

11 Sec. 130. JUVENILE INSTITUTIONS. There is appropriated
12 from the general fund of the state to the department of human
13 services for the fiscal year beginning July 1, 2016, and ending
14 June 30, 2017, the following amounts, or so much thereof as is
15 necessary, to be used for the purposes designated:

16 1. For the costs of security, building and grounds
17 maintenance, utilities, salary, and support for the facilities
18 located at the Iowa juvenile home at Toledo and for salaries,
19 support, maintenance, and miscellaneous purposes, and for not
20 more than the following full-time equivalent positions:

21	\$	186,383
22	FTEs	2.00

23 2. For operation of the state training school at Eldora and
24 for salaries, support, maintenance, and miscellaneous purposes,
25 and for not more than the following full-time equivalent
26 positions:

27	\$	6,222,776
28	FTEs	169.30

29 Of the funds appropriated in this subsection, \$45,575 shall
30 be used for distribution to licensed classroom teachers at this
31 and other institutions under the control of the department of
32 human services based upon the average student yearly enrollment
33 at each institution as determined by the department.

34 Sec. 131. CHILD AND FAMILY SERVICES.

35 1. There is appropriated from the general fund of the

1 state to the department of human services for the fiscal year
2 beginning July 1, 2016, and ending June 30, 2017, the following
3 amount, or so much thereof as is necessary, to be used for the
4 purpose designated:

5 For child and family services:

6 \$ 49,091,090

7 2. Up to \$2,600,000 of the amount of federal temporary
8 assistance for needy families block grant funding appropriated
9 in this division of this Act for child and family services
10 shall be made available for purposes of juvenile delinquent
11 graduated sanction services.

12 3. The department may transfer funds appropriated in this
13 section as necessary to pay the nonfederal costs of services
14 reimbursed under the medical assistance program, state child
15 care assistance program, or the family investment program which
16 are provided to children who would otherwise receive services
17 paid under the appropriation in this section. The department
18 may transfer funds appropriated in this section to the
19 appropriations made in this division of this Act for general
20 administration and for field operations for resources necessary
21 to implement and operate the services funded in this section.

22 4. a. Of the funds appropriated in this section, up to
23 \$17,910,893 is allocated as the statewide expenditure target
24 under section 232.143 for group foster care maintenance and
25 services. If the department projects that such expenditures
26 for the fiscal year will be less than the target amount
27 allocated in this paragraph "a", the department may reallocate
28 the excess to provide additional funding for shelter care
29 or the child welfare emergency services addressed with the
30 allocation for shelter care.

31 b. If at any time after September 30, 2016, annualization
32 of a service area's current expenditures indicates a service
33 area is at risk of exceeding its group foster care expenditure
34 target under section 232.143 by more than 5 percent, the
35 department and juvenile court services shall examine all

1 group foster care placements in that service area in order to
2 identify those which might be appropriate for termination.
3 In addition, any aftercare services believed to be needed
4 for the children whose placements may be terminated shall be
5 identified. The department and juvenile court services shall
6 initiate action to set dispositional review hearings for the
7 placements identified. In such a dispositional review hearing,
8 the juvenile court shall determine whether needed aftercare
9 services are available and whether termination of the placement
10 is in the best interest of the child and the community.

11 5. In accordance with the provisions of section 232.188,
12 the department shall continue the child welfare and juvenile
13 justice funding initiative during fiscal year 2016-2017. Of
14 the funds appropriated in this section, \$858,877 is allocated
15 specifically for expenditure for fiscal year 2016-2017 through
16 the decategorization services funding pools and governance
17 boards established pursuant to section 232.188.

18 6. A portion of the funds appropriated in this section
19 may be used for emergency family assistance to provide other
20 resources required for a family participating in a family
21 preservation or reunification project or successor project to
22 stay together or to be reunified.

23 7. Notwithstanding section 234.35 or any other provision
24 of law to the contrary, state funding for shelter care and
25 the child welfare emergency services contracting implemented
26 to provide for or prevent the need for shelter care shall be
27 limited to \$4,034,237.

28 8. Federal funds received by the state during the fiscal
29 year beginning July 1, 2016, as the result of the expenditure
30 of state funds appropriated during a previous state fiscal
31 year for a service or activity funded under this section are
32 appropriated to the department to be used as additional funding
33 for services and purposes provided for under this section.
34 Notwithstanding section 8.33, moneys received in accordance
35 with this subsection that remain unencumbered or unobligated at

1 the close of the fiscal year shall not revert to any fund but
2 shall remain available for the purposes designated until the
3 close of the succeeding fiscal year.

4 9. a. Of the funds appropriated in this section, up to
5 \$1,645,000 is allocated for the payment of the expenses of
6 court-ordered services provided to juveniles who are under
7 the supervision of juvenile court services, which expenses
8 are a charge upon the state pursuant to section 232.141,
9 subsection 4. Of the amount allocated in this paragraph "a",
10 up to \$778,144 shall be made available to provide school-based
11 supervision of children adjudicated under chapter 232, of which
12 not more than \$7,500 may be used for the purpose of training.
13 A portion of the cost of each school-based liaison officer
14 shall be paid by the school district or other funding source as
15 approved by the chief juvenile court officer.

16 b. Of the funds appropriated in this section, up to \$374,493
17 is allocated for the payment of the expenses of court-ordered
18 services provided to children who are under the supervision
19 of the department, which expenses are a charge upon the state
20 pursuant to section 232.141, subsection 4.

21 c. Notwithstanding section 232.141 or any other provision
22 of law to the contrary, the amounts allocated in this
23 subsection shall be distributed to the judicial districts
24 as determined by the state court administrator and to the
25 department's service areas as determined by the administrator
26 of the department of human services' division of child and
27 family services. The state court administrator and the
28 division administrator shall make the determination of the
29 distribution amounts on or before June 15, 2016.

30 d. Notwithstanding chapter 232 or any other provision of
31 law to the contrary, a district or juvenile court shall not
32 order any service which is a charge upon the state pursuant
33 to section 232.141 if there are insufficient court-ordered
34 services funds available in the district court or departmental
35 service area distribution amounts to pay for the service. The

1 chief juvenile court officer and the departmental service area
2 manager shall encourage use of the funds allocated in this
3 subsection such that there are sufficient funds to pay for
4 all court-related services during the entire year. The chief
5 juvenile court officers and departmental service area managers
6 shall attempt to anticipate potential surpluses and shortfalls
7 in the distribution amounts and shall cooperatively request the
8 state court administrator or division administrator to transfer
9 funds between the judicial districts' or departmental service
10 areas' distribution amounts as prudent.

11 e. Notwithstanding any provision of law to the contrary,
12 a district or juvenile court shall not order a county to pay
13 for any service provided to a juvenile pursuant to an order
14 entered under chapter 232 which is a charge upon the state
15 under section 232.141, subsection 4.

16 f. Of the funds allocated in this subsection, not more than
17 \$41,500 may be used by the judicial branch for administration
18 of the requirements under this subsection.

19 g. Of the funds allocated in this subsection, \$8,500
20 shall be used by the department of human services to support
21 the interstate commission for juveniles in accordance with
22 the interstate compact for juveniles as provided in section
23 232.173.

24 10. Of the funds appropriated in this section, \$4,026,614 is
25 allocated for juvenile delinquent graduated sanctions services.
26 Any state funds saved as a result of efforts by juvenile court
27 services to earn a federal Tit. IV-E match for juvenile court
28 services administration may be used for the juvenile delinquent
29 graduated sanctions services.

30 11. Of the funds appropriated in this section, \$804,143 is
31 transferred to the department of public health to be used for
32 the child protection center grant program for child protection
33 centers located in Iowa in accordance with section 135.118.
34 The grant amounts under the program shall be equalized so that
35 each center receives a uniform base amount of \$122,500, and

1 the remaining funds shall be awarded through a funding formula
2 based upon the volume of children served.

3 12. If the department receives federal approval to
4 implement a waiver under Tit. IV-E of the federal Social
5 Security Act to enable providers to serve children who remain
6 in the children's families and communities, for purposes of
7 eligibility under the medical assistance program through 25
8 years of age, children who participate in the waiver shall be
9 considered to be placed in foster care.

10 13. Of the funds appropriated in this section, \$2,012,584 is
11 allocated for the preparation for adult living program pursuant
12 to section 234.46.

13 14. Of the funds appropriated in this section, \$260,075
14 shall be used for juvenile drug courts. The amount allocated
15 in this subsection shall be distributed as follows:

16 To the judicial branch for salaries to assist with the
17 operation of juvenile drug court programs operated in the
18 following jurisdictions:

19 a. Marshall county:

20 \$ 31,354

21 b. Woodbury county:

22 \$ 62,841

23 c. Polk county:

24 \$ 97,946

25 d. The third judicial district:

26 \$ 33,967

27 e. The eighth judicial district:

28 \$ 33,967

29 15. Of the funds appropriated in this section, \$113,669
30 shall be used for the public purpose of continuing a grant to
31 a nonprofit human services organization providing services to
32 individuals and families in multiple locations in southwest
33 Iowa and Nebraska for support of a project providing immediate,
34 sensitive support and forensic interviews, medical exams, needs
35 assessments, and referrals for victims of child abuse and their

1 nonoffending family members.

2 16. Of the funds appropriated in this section, \$150,310
3 is allocated for the foster care youth council approach of
4 providing a support network to children placed in foster care.

5 17. Of the funds appropriated in this section, \$101,000 is
6 allocated for use pursuant to section 235A.1 for continuation
7 of the initiative to address child sexual abuse implemented
8 pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection
9 21.

10 18. Of the funds appropriated in this section, \$315,120 is
11 allocated for the community partnership for child protection
12 sites.

13 19. Of the funds appropriated in this section, \$185,625
14 is allocated for the department's minority youth and family
15 projects under the redesign of the child welfare system.

16 20. Of the funds appropriated in this section, \$593,298
17 is allocated for funding of the community circle of care
18 collaboration for children and youth in northeast Iowa.

19 21. Of the funds appropriated in this section, at least
20 \$73,579 shall be used for the continuation of the child
21 welfare provider training academy, a collaboration between the
22 coalition for family and children's services in Iowa and the
23 department.

24 22. Of the funds appropriated in this section, \$12,500
25 shall be used for the public purpose of continuation of a
26 grant to a child welfare services provider headquartered in a
27 county with a population between 205,000 and 215,000 in the
28 latest certified federal census that provides multiple services
29 including but not limited to a psychiatric medical institution
30 for children, shelter, residential treatment, after school
31 programs, school-based programming, and an Asperger's syndrome
32 program, to be used for support services for children with
33 autism spectrum disorder and their families.

34 23. Of the funds appropriated in this section, \$12,500
35 shall be used for the public purpose of continuing a grant to

1 a hospital-based provider headquartered in a county with a
2 population between 90,000 and 95,000 in the latest certified
3 federal census that provides multiple services including
4 but not limited to diagnostic, therapeutic, and behavioral
5 services to individuals with autism spectrum disorder across
6 one's lifespan. The grant recipient shall utilize the funds
7 to continue the pilot project to determine the necessary
8 support services for children with autism spectrum disorder and
9 their families to be included in the children's disabilities
10 services system. The grant recipient shall submit findings and
11 recommendations based upon the results of the pilot project
12 to the individuals specified in this division of this Act for
13 submission of reports by December 31, 2016.

14 24. Of the funds appropriated in this section, \$105,936
15 shall be used for continuation of the central Iowa system of
16 care program grant through June 30, 2017.

17 25. Of the funds appropriated in this section, \$125,000
18 shall be used for the public purpose of the continuation
19 and expansion of a system of care program grant implemented
20 in Cerro Gordo and Linn counties to utilize a comprehensive
21 and long-term approach for helping children and families by
22 addressing the key areas in a child's life of childhood basic
23 needs, education and work, family, and community.

24 26. Of the funds appropriated in this section, at least
25 \$12,500 shall be used to continue and to expand the foster
26 care respite pilot program in which postsecondary students in
27 social work and other human services-related programs receive
28 experience by assisting family foster care providers with
29 respite and other support.

30 27. Of the funds appropriated in this section, \$55,000
31 shall be used for the public purpose of funding community-based
32 services and other supports with a system of care approach
33 for children with a serious emotional disturbance and their
34 families through a nonprofit provider of child welfare services
35 that has been in existence for more than 115 years, is located

1 in a county with a population of more than 200,000 but less
 2 than 220,000 according to the latest census information
 3 issued by the United States census bureau, is licensed as a
 4 psychiatric medical institution for children, and was a system
 5 of care grantee prior to July 1, 2016.

6 Sec. 132. ADOPTION SUBSIDY.

7 1. There is appropriated from the general fund of the
 8 state to the department of human services for the fiscal year
 9 beginning July 1, 2016, and ending June 30, 2017, the following
 10 amount, or so much thereof as is necessary, to be used for the
 11 purpose designated:

12 For adoption subsidy payments and services:

13 \$ 21,499,143

14 2. The department may transfer funds appropriated in
 15 this section to the appropriation made in this division of
 16 this Act for general administration for costs paid from the
 17 appropriation relating to adoption subsidy.

18 3. Federal funds received by the state during the
 19 fiscal year beginning July 1, 2016, as the result of the
 20 expenditure of state funds during a previous state fiscal
 21 year for a service or activity funded under this section are
 22 appropriated to the department to be used as additional funding
 23 for the services and activities funded under this section.
 24 Notwithstanding section 8.33, moneys received in accordance
 25 with this subsection that remain unencumbered or unobligated
 26 at the close of the fiscal year shall not revert to any fund
 27 but shall remain available for expenditure for the purposes
 28 designated until the close of the succeeding fiscal year.

29 Sec. 133. JUVENILE DETENTION HOME FUND. Moneys deposited
 30 in the juvenile detention home fund created in section 232.142
 31 during the fiscal year beginning July 1, 2016, and ending June
 32 30, 2017, are appropriated to the department of human services
 33 for the fiscal year beginning July 1, 2016, and ending June 30,
 34 2017, for distribution of an amount equal to a percentage of
 35 the costs of the establishment, improvement, operation, and

1 maintenance of county or multicounty juvenile detention homes
 2 in the fiscal year beginning July 1, 2015. Moneys appropriated
 3 for distribution in accordance with this section shall be
 4 allocated among eligible detention homes, prorated on the basis
 5 of an eligible detention home's proportion of the costs of all
 6 eligible detention homes in the fiscal year beginning July
 7 1, 2015. The percentage figure shall be determined by the
 8 department based on the amount available for distribution for
 9 the fund. Notwithstanding section 232.142, subsection 3, the
 10 financial aid payable by the state under that provision for the
 11 fiscal year beginning July 1, 2016, shall be limited to the
 12 amount appropriated for the purposes of this section.

13 Sec. 134. FAMILY SUPPORT SUBSIDY PROGRAM.

14 1. There is appropriated from the general fund of the
 15 state to the department of human services for the fiscal year
 16 beginning July 1, 2016, and ending June 30, 2017, the following
 17 amount, or so much thereof as is necessary, to be used for the
 18 purpose designated:

19 For the family support subsidy program subject to the
 20 enrollment restrictions in section 225C.37, subsection 3:

21 \$ 536,966

22 2. The department shall use at least \$320,750 of the moneys
 23 appropriated in this section for the family support center
 24 component of the comprehensive family support program under
 25 section 225C.47. Not more than \$12,500 of the amount allocated
 26 in this subsection shall be used for administrative costs.

27 3. If at any time during the fiscal year, the amount of
 28 funding available for the family support subsidy program
 29 is reduced from the amount initially used to establish the
 30 figure for the number of family members for whom a subsidy
 31 is to be provided at any one time during the fiscal year,
 32 notwithstanding section 225C.38, subsection 2, the department
 33 shall revise the figure as necessary to conform to the amount
 34 of funding available.

35 Sec. 135. CONNER DECREE. There is appropriated from the

1 general fund of the state to the department of human services
 2 for the fiscal year beginning July 1, 2016, and ending June 30,
 3 2017, the following amount, or so much thereof as is necessary,
 4 to be used for the purpose designated:

5 For building community capacity through the coordination
 6 and provision of training opportunities in accordance with the
 7 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
 8 Iowa, July 14, 1994):

9 \$ 16,816

10 Sec. 136. MENTAL HEALTH INSTITUTES. There is appropriated
 11 from the general fund of the state to the department of human
 12 services for the fiscal year beginning July 1, 2016, and ending
 13 June 30, 2017, the following amounts, or so much thereof as is
 14 necessary, to be used for the purposes designated:

15 1. For the state mental health institute at Cherokee for
 16 salaries, support, maintenance, and miscellaneous purposes, and
 17 for not more than the following full-time equivalent positions:

18 \$ 2,772,808

19 FTEs 169.20

20 2. For the state mental health institute at Clarinda for
 21 salaries, support, maintenance, and miscellaneous purposes, and
 22 for not more than the following full-time equivalent positions:

23 \$ 906,450

24 FTEs 86.10

25 3. For the state mental health institute at Independence for
 26 salaries, support, maintenance, and miscellaneous purposes, and
 27 for not more than the following full-time equivalent positions:

28 \$ 5,195,387

29 FTEs 233.00

30 Sec. 137. STATE RESOURCE CENTERS.

31 1. There is appropriated from the general fund of the
 32 state to the department of human services for the fiscal year
 33 beginning July 1, 2016, and ending June 30, 2017, the following
 34 amounts, or so much thereof as is necessary, to be used for the
 35 purposes designated:

1 a. For the state resource center at Glenwood for salaries,
2 support, maintenance, and miscellaneous purposes:
3 \$ 11,012,241

4 b. For the state resource center at Woodward for salaries,
5 support, maintenance, and miscellaneous purposes:
6 \$ 7,466,903

7 2. The department may continue to bill for state resource
8 center services utilizing a scope of services approach used for
9 private providers of intermediate care facilities for persons
10 with an intellectual disability services, in a manner which
11 does not shift costs between the medical assistance program,
12 counties, or other sources of funding for the state resource
13 centers.

14 3. The state resource centers may expand the time-limited
15 assessment and respite services during the fiscal year.

16 4. If the department's administration and the department
17 of management concur with a finding by a state resource
18 center's superintendent that projected revenues can reasonably
19 be expected to pay the salary and support costs for a new
20 employee position, or that such costs for adding a particular
21 number of new positions for the fiscal year would be less
22 than the overtime costs if new positions would not be added,
23 the superintendent may add the new position or positions. If
24 the vacant positions available to a resource center do not
25 include the position classification desired to be filled, the
26 state resource center's superintendent may reclassify any
27 vacant position as necessary to fill the desired position. The
28 superintendents of the state resource centers may, by mutual
29 agreement, pool vacant positions and position classifications
30 during the course of the fiscal year in order to assist one
31 another in filling necessary positions.

32 5. If existing capacity limitations are reached in
33 operating units, a waiting list is in effect for a service or
34 a special need for which a payment source or other funding
35 is available for the service or to address the special need,

1 and facilities for the service or to address the special need
 2 can be provided within the available payment source or other
 3 funding, the superintendent of a state resource center may
 4 authorize opening not more than two units or other facilities
 5 and begin implementing the service or addressing the special
 6 need during fiscal year 2016-2017.

7 Sec. 138. SEXUALLY VIOLENT PREDATORS.

8 1. There is appropriated from the general fund of the
 9 state to the department of human services for the fiscal year
 10 beginning July 1, 2016, and ending June 30, 2017, the following
 11 amount, or so much thereof as is necessary, to be used for the
 12 purpose designated:

13 For costs associated with the commitment and treatment of
 14 sexually violent predators in the unit located at the state
 15 mental health institute at Cherokee, including costs of legal
 16 services and other associated costs, including salaries,
 17 support, maintenance, and miscellaneous purposes, and for not
 18 more than the following full-time equivalent positions:

19	\$	4,946,540
20	FTEs	132.50

21 2. Unless specifically prohibited by law, if the amount
 22 charged provides for recoupment of at least the entire amount
 23 of direct and indirect costs, the department of human services
 24 may contract with other states to provide care and treatment
 25 of persons placed by the other states at the unit for sexually
 26 violent predators at Cherokee. The moneys received under
 27 such a contract shall be considered to be repayment receipts
 28 and used for the purposes of the appropriation made in this
 29 section.

30 Sec. 139. FIELD OPERATIONS. There is appropriated from the
 31 general fund of the state to the department of human services
 32 for the fiscal year beginning July 1, 2016, and ending June 30,
 33 2017, the following amount, or so much thereof as is necessary,
 34 to be used for the purposes designated:

35 For field operations, including salaries, support,

1 maintenance, and miscellaneous purposes, and for not more than
2 the following full-time equivalent positions:

3 \$ 29,460,488
4 FTEs 1,837.00

5 1. As a condition of this appropriation, the department
6 shall make every possible effort to fill the entire number of
7 positions authorized by this section and, unless specifically
8 provided otherwise by an applicable collective bargaining
9 agreement, the department is not subject to any approval
10 requirement external to the department to fill a field
11 operations vacancy within the number of full-time equivalent
12 positions authorized by this section. The department shall
13 report on the first of each month to the chairpersons and
14 ranking members of the appropriations committees of the senate
15 and house of representatives, and the persons designated by
16 this Act for submission of reports concerning the status of
17 filling the positions.

18 2. Priority in filling full-time equivalent positions
19 shall be given to those positions related to child protection
20 services and eligibility determination for low-income families.

21 Sec. 140. GENERAL ADMINISTRATION. There is appropriated
22 from the general fund of the state to the department of human
23 services for the fiscal year beginning July 1, 2016, and ending
24 June 30, 2017, the following amount, or so much thereof as is
25 necessary, to be used for the purpose designated:

26 For general administration, including salaries, support,
27 maintenance, and miscellaneous purposes, and for not more than
28 the following full-time equivalent positions:

29 \$ 7,580,871
30 FTEs 309.00

31 1. Of the funds appropriated in this section, \$19,272 is
32 allocated for the prevention of disabilities policy council
33 created in section 225B.103, if enacted in this or any other
34 Act.

35 2. The department shall report at least monthly to the

1 legislative services agency concerning the department's
2 operational and program expenditures.

3 3. Of the funds appropriated in this section, \$75,000 shall
4 be used to continue the contract for the provision of a program
5 to provide technical assistance, support, and consultation to
6 providers of habilitation services and home and community-based
7 services waiver services for adults with disabilities under the
8 medical assistance program.

9 4. Of the funds appropriated in this section, \$25,000
10 is transferred to the Iowa finance authority to be used
11 for administrative support of the council on homelessness
12 established in section 16.2D and for the council to fulfill its
13 duties in addressing and reducing homelessness in the state.

14 5. Of the funds appropriated in this section, \$125,000
15 is allocated to an Iowa food bank association selected by
16 the department for the purchase of food on behalf of an Iowa
17 emergency feeding organization or for the distribution of
18 moneys to the Iowa emergency feeding organization for the
19 purchase of food. The moneys allocated in this subsection
20 shall be allocated only to the extent that the allocated moneys
21 are matched on a dollar-for-dollar basis. Notwithstanding
22 section 8.33, moneys allocated in this subsection that remain
23 unencumbered or unobligated at the close of the fiscal year
24 shall not revert but shall remain available for expenditure for
25 the purposes designated until the close of the following fiscal
26 year.

27 6. Of the funds appropriated in this section, \$125,000 shall
28 be transferred to and deposited in the administrative fund of
29 the Iowa ABLE savings plan trust created in section 12I.4, if
30 enacted in this or any other Act, to be used for implementation
31 and administration activities of the Iowa ABLE savings plan
32 trust.

33 Sec. 141. VOLUNTEERS. There is appropriated from the
34 general fund of the state to the department of human services
35 for the fiscal year beginning July 1, 2016, and ending June 30,

1 2017, the following amount, or so much thereof as is necessary,
2 to be used for the purpose designated:

3 For development and coordination of volunteer services:

4 \$ 42,343

5 Sec. 142. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
6 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
7 DEPARTMENT OF HUMAN SERVICES.

8 1. a. (1) For the fiscal year beginning July 1, 2016,
9 the total state funding amount for the nursing facility budget
10 shall not exceed \$160,950,003.

11 (2) The department, in cooperation with nursing facility
12 representatives, shall review projections for state funding
13 expenditures for reimbursement of nursing facilities on a
14 quarterly basis and the department shall determine if an
15 adjustment to the medical assistance reimbursement rate is
16 necessary in order to provide reimbursement within the state
17 funding amount for the fiscal year. Notwithstanding 2001
18 Iowa Acts, chapter 192, section 4, subsection 2, paragraph
19 "c", and subsection 3, paragraph "a", subparagraph (2),
20 if the state funding expenditures for the nursing facility
21 budget for the fiscal year are projected to exceed the amount
22 specified in subparagraph (1), the department shall adjust
23 the reimbursement for nursing facilities reimbursed under the
24 case-mix reimbursement system to maintain expenditures of the
25 nursing facility budget within the specified amount for the
26 fiscal year.

27 (3) For the fiscal year beginning July 1, 2016, special
28 population nursing facilities shall be reimbursed in accordance
29 with the methodology in effect on June 30, 2016.

30 (4) For any open or unsettled nursing facility cost report
31 for a fiscal year prior to and including the fiscal year
32 beginning July 1, 2015, including any cost report remanded on
33 judicial review for inclusion of prescription drug, laboratory,
34 or x-ray costs, the department shall offset all reported
35 prescription drug, laboratory, and x-ray costs with any revenue

1 received from Medicare or other revenue source for any purpose.
2 For purposes of this subparagraph, a nursing facility cost
3 report is not considered open or unsettled if the facility did
4 not initiate an administrative appeal under chapter 17A or if
5 any appeal rights initiated have been exhausted.

6 b. (1) For the fiscal year beginning July 1, 2016,
7 the department shall establish the pharmacy dispensing fee
8 reimbursement at \$11.73 per prescription, until a cost of
9 dispensing survey is completed. The actual dispensing fee
10 shall be determined by a cost of dispensing survey performed
11 by the department and required to be completed by all medical
12 assistance program participating pharmacies every two years,
13 adjusted as necessary to maintain expenditures within the
14 amount appropriated to the department for this purpose for the
15 fiscal year.

16 (2) The department shall utilize an average acquisition
17 cost reimbursement methodology for all drugs covered under the
18 medical assistance program in accordance with 2012 Iowa Acts,
19 chapter 1133, section 33.

20 (3) Notwithstanding subparagraph (2), if the centers for
21 Medicare and Medicaid services of the United States department
22 of health and human services (CMS) requires, as a condition
23 of federal Medicaid funding, that the department implement an
24 aggregate federal upper limit (FUL) for drug reimbursement
25 based on the average manufacturer's price (AMP), the department
26 may utilize a reimbursement methodology for all drugs covered
27 under the Medicaid program based on the national average drug
28 acquisition cost (NADAC) methodology published by CMS, in order
29 to assure compliance with the aggregate FUL, minimize outcomes
30 of drug reimbursements below pharmacy acquisition costs, limit
31 administrative costs, and minimize any change in the aggregate
32 reimbursement for drugs. The department may adopt emergency
33 rules to implement this subparagraph.

34 c. (1) For the fiscal year beginning July 1, 2016,
35 reimbursement rates for outpatient hospital services shall

1 remain at the rates in effect on June 30, 2016, subject
2 to Medicaid program upper payment limit rules and adjusted
3 as necessary to maintain expenditures within the amount
4 appropriated to the department for this purpose for the fiscal
5 year.

6 (2) For the fiscal year beginning July 1, 2016,
7 reimbursement rates for inpatient hospital services shall
8 remain at the rates in effect on June 30, 2016, subject
9 to Medicaid program upper payment limit rules and adjusted
10 as necessary to maintain expenditures within the amount
11 appropriated to the department for this purpose for the fiscal
12 year.

13 (3) For the fiscal year beginning July 1, 2016, the graduate
14 medical education and disproportionate share hospital fund
15 shall remain at the amount in effect on June 30, 2016, except
16 that the portion of the fund attributable to graduate medical
17 education shall be reduced in an amount that reflects the
18 elimination of graduate medical education payments made to
19 out-of-state hospitals.

20 (4) In order to ensure the efficient use of limited state
21 funds in procuring health care services for low-income Iowans,
22 funds appropriated in this Act for hospital services shall
23 not be used for activities which would be excluded from a
24 determination of reasonable costs under the federal Medicare
25 program pursuant to 42 U.S.C. §1395x(v)(1)(N).

26 d. For the fiscal year beginning July 1, 2016, reimbursement
27 rates for rural health clinics, hospices, and acute mental
28 hospitals shall be increased in accordance with increases under
29 the federal Medicare program or as supported by their Medicare
30 audited costs.

31 e. For the fiscal year beginning July 1, 2016, independent
32 laboratories and rehabilitation agencies shall be reimbursed
33 using the same methodology in effect on June 30, 2016.

34 f. (1) For the fiscal year beginning July 1, 2016,
35 reimbursement rates for home health agencies shall continue to

1 be based on the Medicare low utilization payment adjustment
2 (LUPA) methodology with state geographic wage adjustments, and
3 updated to reflect the most recent Medicare LUPA rates.

4 (2) For the fiscal year beginning July 1, 2016, rates for
5 private duty nursing and personal care services under the early
6 and periodic screening, diagnostic, and treatment program
7 benefit shall be calculated based on the methodology in effect
8 on June 30, 2016.

9 g. For the fiscal year beginning July 1, 2016, federally
10 qualified health centers shall receive cost-based reimbursement
11 for 100 percent of the reasonable costs for the provision of
12 services to recipients of medical assistance.

13 h. For the fiscal year beginning July 1, 2016, the
14 reimbursement rates for dental services shall remain at the
15 rates in effect on June 30, 2016.

16 i. (1) For the fiscal year beginning July 1, 2016,
17 state-owned psychiatric medical institutions for children shall
18 receive cost-based reimbursement for 100 percent of the actual
19 and allowable costs for the provision of services to recipients
20 of medical assistance.

21 (2) For the nonstate-owned psychiatric medical institutions
22 for children, reimbursement rates shall be based on the
23 reimbursement methodology developed by the department as
24 required for federal compliance.

25 (3) As a condition of participation in the medical
26 assistance program, enrolled providers shall accept the medical
27 assistance reimbursement rate for any covered goods or services
28 provided to recipients of medical assistance who are children
29 under the custody of a psychiatric medical institution for
30 children.

31 j. For the fiscal year beginning July 1, 2016, unless
32 otherwise specified in this Act, all noninstitutional medical
33 assistance provider reimbursement rates shall remain at the
34 rates in effect on June 30, 2016, except for area education
35 agencies, local education agencies, infant and toddler

1 services providers, home and community-based services providers
2 including consumer-directed attendant care providers under a
3 section 1915(c) or 1915(i) waiver, targeted case management
4 providers, and those providers whose rates are required to be
5 determined pursuant to section 249A.20.

6 k. Notwithstanding any provision to the contrary, for the
7 fiscal year beginning July 1, 2016, the reimbursement rate for
8 anesthesiologists shall remain at the rate in effect on June
9 30, 2016.

10 l. Notwithstanding section 249A.20, for the fiscal year
11 beginning July 1, 2016, the average reimbursement rate for
12 health care providers eligible for use of the federal Medicare
13 resource-based relative value scale reimbursement methodology
14 under section 249A.20 shall remain at the rate in effect on
15 June 30, 2016; however, this rate shall not exceed the maximum
16 level authorized by the federal government.

17 m. For the fiscal year beginning July 1, 2016, the
18 reimbursement rate for residential care facilities shall not
19 be less than the minimum payment level as established by the
20 federal government to meet the federally mandated maintenance
21 of effort requirement. The flat reimbursement rate for
22 facilities electing not to file annual cost reports shall not
23 be less than the minimum payment level as established by the
24 federal government to meet the federally mandated maintenance
25 of effort requirement.

26 n. For the fiscal year beginning July 1, 2016, the
27 reimbursement rates for inpatient mental health services
28 provided at hospitals shall remain at the rates in effect on
29 June 30, 2016, subject to Medicaid program upper payment limit
30 rules; and psychiatrists shall be reimbursed at the medical
31 assistance program fee-for-service rate in effect on June 30,
32 2016.

33 o. For the fiscal year beginning July 1, 2016, community
34 mental health centers may choose to be reimbursed for the
35 services provided to recipients of medical assistance through

1 either of the following options:

2 (1) For 100 percent of the reasonable costs of the services.

3 (2) In accordance with the alternative reimbursement rate
4 methodology established by the medical assistance program's
5 managed care contractor for mental health services and approved
6 by the department of human services.

7 p. For the fiscal year beginning July 1, 2016, the
8 reimbursement rate for providers of family planning services
9 that are eligible to receive a 90 percent federal match shall
10 remain at the rates in effect on June 30, 2016.

11 q. For the fiscal year beginning July 1, 2016, the upper
12 limits on reimbursement rates for providers of home and
13 community-based services waiver services shall remain at the
14 limits in effect on June 30, 2016.

15 r. For the fiscal year beginning July 1, 2016, the
16 reimbursement rates for emergency medical service providers
17 shall remain at the rates in effect on June 30, 2016.

18 s. For the fiscal year beginning July 1, 2016, reimbursement
19 rates for substance-related disorder treatment programs
20 licensed under section 125.13 shall remain at the rates in
21 effect on June 30, 2016.

22 2. For the fiscal year beginning July 1, 2016, the
23 reimbursement rate for providers reimbursed under the
24 in-home-related care program shall not be less than the minimum
25 payment level as established by the federal government to meet
26 the federally mandated maintenance of effort requirement.

27 3. Unless otherwise directed in this section, when the
28 department's reimbursement methodology for any provider
29 reimbursed in accordance with this section includes an
30 inflation factor, this factor shall not exceed the amount
31 by which the consumer price index for all urban consumers
32 increased during the calendar year ending December 31, 2002.

33 4. For the fiscal year beginning July 1, 2016, the foster
34 family basic daily maintenance rate and the maximum adoption
35 subsidy rate for children ages 0 through 5 years shall be

1 \$16.78, the rate for children ages 6 through 11 years shall be
 2 \$17.45, the rate for children ages 12 through 15 years shall
 3 be \$19.10, and the rate for children and young adults ages 16
 4 and older shall be \$19.35. For youth ages 18 to 21 who have
 5 exited foster care, the preparation for adult living program
 6 maintenance rate shall be \$602.70 per month. The maximum
 7 payment for adoption subsidy nonrecurring expenses shall be
 8 limited to \$500 and the disallowance of additional amounts
 9 for court costs and other related legal expenses implemented
 10 pursuant to 2010 Iowa Acts, chapter 1031, section 408, shall
 11 be continued.

12 5. For the fiscal year beginning July 1, 2016, the maximum
 13 reimbursement rates for social services providers under
 14 contract shall remain at the rates in effect on June 30, 2016,
 15 or the provider's actual and allowable cost plus inflation for
 16 each service, whichever is less. However, if a new service
 17 or service provider is added after June 30, 2016, the initial
 18 reimbursement rate for the service or provider shall be based
 19 upon a weighted average of provider rates for similar services.

20 6. For the fiscal year beginning July 1, 2016, the
 21 reimbursement rates for resource family recruitment and
 22 retention contractors, child welfare emergency services
 23 contractors, and supervised apartment living foster care
 24 providers shall remain at the rates in effect on June 30, 2016.

25 7. For the fiscal year beginning July 1, 2016, the
 26 reimbursement rate for safety plan services and family safety,
 27 risk, and permanency services (family-centered) shall be as
 28 follows:

29 a. The statewide base monthly payment amount for all
 30 family safety, risk, and permanency services (family-centered)
 31 contractors shall be the rate in effect on June 30, 2016.

32 (1) Family safety, risk, and permanency services
 33 Performance Measure 1 payments shall be the rate in effect on
 34 June 30, 2016.

35 (2) Family safety, risk, and permanency services

1 Performance Measure 2 payments shall be the rate in effect on
2 June 30, 2016.

3 (3) Family safety, risk, and permanency services
4 Performance Measure 3 payments shall be the rate in effect on
5 June 30, 2016.

6 (4) Family safety, risk, and permanency services
7 Performance Measure 4 payments shall be the rate in effect on
8 June 30, 2016.

9 b. The maximum reimbursement unit rate for safety plan
10 services shall be the rate in effect on June 30, 2016.

11 (1) Safety plan services Performance Measure 1 payments
12 shall be the rate in effect on June 30, 2016.

13 (2) Safety plan services Performance Measure 2 payments
14 shall be the rate in effect on June 30, 2016.

15 8. a. For the purposes of this subsection, "combined
16 reimbursement rate" means the combined service and maintenance
17 reimbursement rate for a service level under the department's
18 reimbursement methodology. Effective July 1, 2016, the
19 combined reimbursement rate for a group foster care service
20 level shall be the amount designated in this subsection.
21 However, if a group foster care provider's reimbursement rate
22 for a service level as of June 30, 2016, is more than the rate
23 designated in this subsection, the provider's reimbursement
24 shall remain at the higher rate.

25 b. Unless a group foster care provider is subject to the
26 exception provided in paragraph "a", effective July 1, 2016,
27 the combined reimbursement rates for the service levels under
28 the department's reimbursement methodology shall be as follows:

29 (1) For service level, community - D1, the daily rate shall
30 be at least \$84.17.

31 (2) For service level, comprehensive - D2, the daily rate
32 shall be at least \$119.09.

33 (3) For service level, enhanced - D3, the daily rate shall
34 be at least \$131.09.

35 9. The group foster care reimbursement rates paid for

1 placement of children out of state shall be calculated
2 according to the same rate-setting principles as those used for
3 in-state providers, unless the director of human services or
4 the director's designee determines that appropriate care cannot
5 be provided within the state. The payment of the daily rate
6 shall be based on the number of days in the calendar month in
7 which service is provided.

8 10. a. For the fiscal year beginning July 1, 2016, the
9 reimbursement rate paid for shelter care and the child welfare
10 emergency services implemented to provide or prevent the need
11 for shelter care shall be established by contract.

12 b. For the fiscal year beginning July 1, 2016, the combined
13 service and maintenance components of the reimbursement rate
14 paid for shelter care services shall be based on the financial
15 and statistical report submitted to the department. The
16 maximum reimbursement rate shall be \$101.83 per day. The
17 department shall reimburse a shelter care provider at the
18 provider's actual and allowable unit cost, plus inflation, not
19 to exceed the maximum reimbursement rate.

20 c. Notwithstanding section 232.141, subsection 8, for the
21 fiscal year beginning July 1, 2016, the amount of the statewide
22 average of the actual and allowable rates for reimbursement of
23 juvenile shelter care homes that is utilized for the limitation
24 on recovery of unpaid costs shall remain at the amount in
25 effect for this purpose in the fiscal year beginning July 1,
26 2015.

27 11. For the fiscal year beginning July 1, 2016, the
28 department shall calculate reimbursement rates for intermediate
29 care facilities for persons with an intellectual disability
30 at the 80th percentile. Beginning July 1, 2016, the rate
31 calculation methodology shall utilize the consumer price index
32 inflation factor applicable to the fiscal year beginning July
33 1, 2016.

34 12. For the fiscal year beginning July 1, 2016, for child
35 care providers reimbursed under the state child care assistance

1 program, the department shall set provider reimbursement
2 rates based on the rate reimbursement survey completed in
3 December 2004. Effective July 1, 2016, the child care provider
4 reimbursement rates shall remain at the rates in effect on June
5 30, 2016. The department shall set rates in a manner so as
6 to provide incentives for a nonregistered provider to become
7 registered by applying the increase only to registered and
8 licensed providers.

9 13. For the fiscal year beginning July 1, 2016, if the
10 centers for Medicare and Medicaid services of the United
11 States department of health and human services approves the
12 waivers necessary to implement medical assistance program
13 managed care applicable to any providers or services subject to
14 reimbursement under this section, notwithstanding any provision
15 to the contrary under this section, affected providers or
16 services shall instead be reimbursed as follows:

17 a. For fee-for-service claims, reimbursement rates shall
18 be calculated based on the methodology otherwise specified in
19 this section for the fiscal year beginning July 1, 2016, for
20 the respective provider or service.

21 b. For claims subject to a managed care contract,
22 reimbursement shall be based on the actuarially sound
23 capitation rates established under the contract. However,
24 any reimbursement established under such contract shall not
25 be lower than the reimbursement otherwise specified in this
26 section for the fiscal year beginning July 1, 2016, for the
27 respective provider or service.

28 14. The department may adopt emergency rules to implement
29 this section.

30 Sec. 143. EMERGENCY RULES.

31 1. If specifically authorized by a provision of this
32 division of this Act, the department of human services or
33 the mental health and disability services commission may
34 adopt administrative rules under section 17A.4, subsection
35 3, and section 17A.5, subsection 2, paragraph "b", to

1 implement the provisions of this division of this Act and
2 the rules shall become effective immediately upon filing or
3 on a later effective date specified in the rules, unless the
4 effective date of the rules is delayed or the applicability
5 of the rules is suspended by the administrative rules review
6 committee. Any rules adopted in accordance with this section
7 shall not take effect before the rules are reviewed by the
8 administrative rules review committee. The delay authority
9 provided to the administrative rules review committee under
10 section 17A.4, subsection 7, and section 17A.8, subsection 9,
11 shall be applicable to a delay imposed under this section,
12 notwithstanding a provision in those sections making them
13 inapplicable to section 17A.5, subsection 2, paragraph "b".
14 Any rules adopted in accordance with the provisions of this
15 section shall also be published as a notice of intended action
16 as provided in section 17A.4.

17 2. If during a fiscal year, the department of human
18 services is adopting rules in accordance with this section
19 or as otherwise directed or authorized by state law, and the
20 rules will result in an expenditure increase beyond the amount
21 anticipated in the budget process or if the expenditure was
22 not addressed in the budget process for the fiscal year, the
23 department shall notify the persons designated by this division
24 of this Act for submission of reports, the chairpersons and
25 ranking members of the committees on appropriations, and
26 the department of management concerning the rules and the
27 expenditure increase. The notification shall be provided at
28 least 30 calendar days prior to the date notice of the rules
29 is submitted to the administrative rules coordinator and the
30 administrative code editor.

31 Sec. 144. REPORTS. Any reports or other information
32 required to be compiled and submitted under this Act during the
33 fiscal year beginning July 1, 2016, shall be submitted to the
34 chairpersons and ranking members of the joint appropriations
35 subcommittee on health and human services, the legislative

1 services agency, and the legislative caucus staffs on or
2 before the dates specified for submission of the reports or
3 information.

4 Sec. 145. EFFECTIVE UPON ENACTMENT. The following
5 provisions of this division of this Act, being deemed of
6 immediate importance, take effect upon enactment:

7 1. The provision relating to section 232.141 and directing
8 the state court administrator and the division administrator of
9 the department of human services division of child and family
10 services to make the determination, by June 15, 2016, of the
11 distribution of funds allocated for the payment of the expenses
12 of court-ordered services provided to juveniles which are a
13 charge upon the state.

14 DIVISION XXXVI

15 HEALTH CARE ACCOUNTS AND FUNDS — FY 2016-2017

16 Sec. 146. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
17 appropriated from the pharmaceutical settlement account created
18 in section 249A.33 to the department of human services for the
19 fiscal year beginning July 1, 2016, and ending June 30, 2017,
20 the following amount, or so much thereof as is necessary, to be
21 used for the purpose designated:

22 Notwithstanding any provision of law to the contrary, to
23 supplement the appropriations made in this Act for medical
24 contracts under the medical assistance program for the fiscal
25 year beginning July 1, 2016, and ending June 30, 2017:

26 \$ 250,000

27 Sec. 147. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF
28 HUMAN SERVICES. Notwithstanding any provision to the contrary
29 and subject to the availability of funds, there is appropriated
30 from the quality assurance trust fund created in section
31 249L.4 to the department of human services for the fiscal year
32 beginning July 1, 2016, and ending June 30, 2017, the following
33 amounts, or so much thereof as is necessary, for the purposes
34 designated:

35 To supplement the appropriation made in this Act from the

1 general fund of the state to the department of human services
 2 for medical assistance for the same fiscal year:
 3 \$ 18,352,604

4 Sec. 148. HOSPITAL HEALTH CARE ACCESS TRUST FUND —
 5 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to
 6 the contrary and subject to the availability of funds, there is
 7 appropriated from the hospital health care access trust fund
 8 created in section 249M.4 to the department of human services
 9 for the fiscal year beginning July 1, 2016, and ending June
 10 30, 2017, the following amounts, or so much thereof as is
 11 necessary, for the purposes designated:

12 To supplement the appropriation made in this Act from the
 13 general fund of the state to the department of human services
 14 for medical assistance for the same fiscal year:
 15 \$ 17,350,000

16 Sec. 149. MEDICAL ASSISTANCE PROGRAM — NONREVERSION
 17 FOR FY 2016-2017. Notwithstanding section 8.33, if moneys
 18 appropriated for purposes of the medical assistance program for
 19 the fiscal year beginning July 1, 2016, and ending June 30,
 20 2017, from the general fund of the state, the quality assurance
 21 trust fund and the hospital health care access trust fund, are
 22 in excess of actual expenditures for the medical assistance
 23 program and remain unencumbered or unobligated at the close
 24 of the fiscal year, the excess moneys shall not revert but
 25 shall remain available for expenditure for the purposes of the
 26 medical assistance program until the close of the succeeding
 27 fiscal year.

28 DIVISION XXXVII

29 PROPERTY TAX RELIEF FUND — BLOCK GRANT MONEYS — MENTAL HEALTH
 30 INSTITUTES

31 Sec. 150. MENTAL HEALTH INSTITUTES. The moneys transferred
 32 to the property tax relief fund for the fiscal year beginning
 33 July 1, 2016, from the federal social services block grant
 34 pursuant to 2015 Iowa Acts, House File 630, if enacted, and
 35 from the federal temporary assistance for needy families block

1 grant, totaling at least \$11,774,275, are appropriated to the
2 department of human services for the fiscal year beginning July
3 1, 2016, and ending June 30, 2017, to be used for the purposes
4 designated:

5 1. For the state mental health institute at Clarinda for
6 salaries, support, maintenance, and miscellaneous purposes:
7 \$ 2,418,254

8 2. For the state mental health institute at Mount Pleasant
9 for salaries, support, maintenance, and miscellaneous purposes,
10 and for not more than the following full-time equivalent
11 positions:
12 \$ 3,468,884
13 FTEs 97.68

14 DIVISION XXXVIII

15 PERSONNEL SETTLEMENT AGREEMENT PAYMENTS

16 Sec. 151. PERSONNEL SETTLEMENT AGREEMENT PAYMENTS. As a
17 condition of the appropriations in this 2016 Act, the moneys
18 appropriated and any other moneys available shall not be used
19 for payment of a personnel settlement agreement that contains a
20 confidentiality provision intended to prevent public disclosure
21 of the agreement or any terms of the agreement.

22 EXPLANATION

23 The inclusion of this explanation does not constitute agreement with
24 the explanation's substance by the members of the general assembly.

25 This bill relates to appropriations for health and human
26 services made in fiscal years 2015-2016 and 2016-2017 to the
27 department of veterans affairs, Iowa veterans home, department
28 on aging (IDA), office of long-term care ombudsman, department
29 of public health (DPH), Iowa finance authority, department of
30 human rights, and department of human services (DHS).

31 The bill is organized into divisions.

32 DEPARTMENT ON AGING. These divisions make appropriations
33 from the general fund of the state for the department on aging
34 for FY 2015-2016 and FY 2016-2017.

35 OFFICE OF LONG-TERM CARE OMBUDSMAN. These divisions make

1 appropriations from the general fund of the state for the
2 office of long-term care ombudsman for FY 2015-2016 and FY
3 2016-2017.

4 DEPARTMENT OF PUBLIC HEALTH. These divisions make
5 appropriations from the general fund of the state for the
6 department of public health for FY 2015-2016 and FY 2016-2017.

7 DEPARTMENT OF VETERANS AFFAIRS AND IOWA VETERANS HOME.
8 These divisions make appropriations from the general fund
9 of the state for the department of veterans affairs for
10 FY 2015-2016 and FY 2016-2017 for administration, the Iowa
11 veterans home, for transfer to the Iowa finance authority for
12 the home ownership assistance program, and for the county
13 commissions of veterans affairs.

14 DEPARTMENT OF HUMAN SERVICES. These divisions make
15 appropriations from the general fund of the state and the
16 federal temporary assistance for needy families block grant to
17 DHS for FY 2015-2016 and FY 2016-2017. The allocation for the
18 family development and self-sufficiency grant program is made
19 directly to the department of human rights. The reimbursement
20 section addresses reimbursement for providers reimbursed by the
21 department of human services. The bill provides for separate
22 appropriations for medical assistance program costs and other
23 departmental expenditures associated with the redesign of
24 mental health and disability services and for Iowa health and
25 wellness plan expenditures.

26 HEALTH CARE ACCOUNTS AND FUND. These divisions make
27 certain health-related appropriations for FY 2015-2016 and
28 FY 2016-2017. A number of the appropriations are made for
29 purposes of the medical assistance (Medicaid) program in
30 addition to the general fund appropriations made for this
31 purpose for the same fiscal year.

32 MEDICAL ASSISTANCE PROGRAM NONREVERSION. These divisions
33 provide that if the total amounts appropriated from all sources
34 for the Medicaid program for FY 2015-2016 or FY 2016-2017
35 exceed the amount needed, the excess remains available to be

1 used for the program in the succeeding fiscal year.

2 MEDICAL HOME SYSTEM ADVISORY COUNCIL. This division amends
3 the Code to rename the medical home system advisory council the
4 patient-centered health advisory council.

5 PRIOR YEAR APPROPRIATIONS AND OTHER PRIOR PROVISIONS. This
6 division includes amendments to appropriations and other
7 provisions made in prior years. The division is effective upon
8 enactment and is retroactively applicable to July 1, 2014, and
9 includes:

10 DECATEGORIZATION CARRYOVER FUNDING. This division directs
11 that moneys remaining in the funding pool that are unencumbered
12 or unobligated at the close of FY 2012-2013 and were deemed
13 carryover funds do not revert to the general fund of the state
14 but are transferred to the Medicaid program for FY 2014-2015.

15 ADJUSTMENT OF AMOUNTS OF PRIOR APPROPRIATIONS AND
16 ALLOCATIONS. The division adjusts amounts appropriated
17 and allocated for FY 2014-2015 for community mental health
18 services, the temporary assistance for needy families program,
19 the child support recovery unit, Medicaid, medical contracts,
20 state supplementary assistance, the children's health insurance
21 program/healthy and well kids in Iowa program, child care
22 assistance, juvenile child in need of assistance placements,
23 child and family services, adoption subsidy, family support
24 subsidy, field operations, general administration, the
25 pharmaceutical settlement account, and the quality assurance
26 trust fund.

27 MENTAL HEALTH AND DISABILITY SERVICES REGIONAL FUNDING
28 APPROPRIATION. This division provides that for FFY 2014-2015,
29 FFY 2015-2016, and FFY 2016-2017, from the federal social
30 services block grant, if allocated, moneys in an amount
31 totaling at least \$11,774,275 annually, are appropriated to DHS
32 for each of the state fiscal years beginning July 1, 2015, and
33 July 1, 2016, to be distributed to mental health and disability
34 service regions through the property tax relief fund for mental
35 health and disability services in accordance with Code section

1 426B.3.

2 QUALITY ASSURANCE ASSESSMENT. This division establishes
3 the aggregate quality assurance assessments imposed on nursing
4 facilities at 3 percent of the aggregate non-Medicare revenues
5 of a nursing facility. Current law provides for a range in
6 establishing the amount.

7 HEALTH OVERSIGHT. This division establishes a committee
8 comprised of legislators to provide oversight for health
9 policy in the state. The division also specifies limitations
10 on the use of capitated payments to Medicaid managed care
11 organizations. The division provides for an interagency study
12 to develop a proposal for a health consumer ombudsman alliance,
13 for third-party assessment of consumer service plans, and for
14 assistance and advocacy relating to long-term services and
15 supports.

16 AUTISM. This division amends provisions of the autism
17 support program (Code chapter 225D). The division amends
18 the definition of "autism service provider" to include a
19 board-certified assistant behavior analyst who performs duties
20 under the supervision of a board-certified behavior analyst
21 and eliminates the inclusion of a health professional licensed
22 under Code chapter 147 from the definition. The division also
23 increases the age limit for an eligible child from 9 to 15
24 years, and provides that proof of eligibility for the program
25 includes a written denial or a coverage of benefits summary
26 that indicates that applied behavioral analysis treatment is
27 not covered under the individual's coverage.

28 OFFICE OF SUBSTITUTE DECISION MAKER. This division extends
29 from July 1, 2015, to July 1, 2017, the date by which local
30 offices of the office of substitute decision maker are to be
31 established statewide.

32 DEMENTIA WORKFORCE. This division provides for the
33 establishment of an interagency dementia-proficient workforce
34 task force to review recommendations for a standard curriculum
35 model for dementia education, identify staff who should

1 have some level of dementia proficiency, and develop an
2 implementation plan to transition toward competency-based
3 dementia curricula and training to achieve dementia proficiency
4 across the care continuum. The task force is directed to
5 submit its recommendations to the governor and the general
6 assembly by December 15, 2015.

7 PHARMACEUTICAL COLLECTION AND DISPOSAL PROGRAM. This
8 division increases the codified limitation on the portion
9 of certain fees collected by the board of pharmacy that may
10 be used for administering the pharmaceutical collection and
11 disposal program from \$125,000 to \$175,000.

12 MEDICAID STATE PLAN — FAMILY PLANNING. This division
13 directs the department of human services to amend the Medicaid
14 state plan to include the eligibility provisions of the Iowa
15 family planning network section 1115 demonstration waiver in
16 effect on January 1, 2015. The state plan amendment would be
17 effective no later than January 1, 2016. DHS is to implement
18 the state plan amendment upon receipt of federal approval.
19 This division takes effect upon enactment.

20 IOWA ABLE SAVINGS PLAN TRUST. This division creates an
21 Iowa ABLE (Achieving A Better Life Experience) savings plan
22 trust and provides for various Iowa individual income tax and
23 inheritance tax benefits.

24 BACKGROUND. On December 19, 2014, the federal Achieving
25 A Better Life Experience Act of 2014 (ABLE Act) was enacted
26 as part of the federal Tax Increase Prevention Act of 2014
27 (Pub. L. No. 113-295). The ABLE Act allows states to create
28 programs to assist individuals in saving private funds for
29 the purpose of supporting individuals with disabilities.
30 Qualifying state programs will allow for the establishment
31 of accounts into which eligible disabled individuals or
32 others may make contributions for the payment of future
33 disability-related expenses of the eligible disabled
34 individual. Funds and earnings in accounts established
35 under qualifying state programs are afforded federal benefits

1 in certain circumstances, including federal tax exemption,
2 bankruptcy protection, and exclusion from consideration under
3 certain means-tested programs, such as Medicaid or supplemental
4 security income.

5 IOWA ABLE SAVINGS PLAN TRUST. The division creates the Iowa
6 ABLE savings plan trust (trust) under the treasurer of state
7 (state treasurer) that will meet the requirements of §529A of
8 the Internal Revenue Code (federal ABLE program). The state
9 treasurer is the trustee of the trust and has numerous powers,
10 as specified in the division, for the purpose of carrying out
11 the purpose of the trust.

12 The trust is authorized to enter into participation
13 agreements beginning July 1, 2016, with individuals for the
14 payment of future qualified disability expenses, and to enter
15 into contracts with other states (contracting state) to allow
16 these states' residents access to the Iowa ABLE program.
17 "Qualified disability expenses" means the same as defined
18 under the federal ABLE program, which generally defines the
19 term to include expenses related to a designated beneficiary's
20 education, housing, transportation, employment training and
21 support, assistive technology and personal support services,
22 health, prevention and wellness, financial management and
23 administrative services, legal fees, expenses for oversight and
24 monitoring, funeral and burial expenses, and other expenses
25 approved by the secretary of the United States treasury
26 (secretary).

27 Unless otherwise allowed under the federal ABLE program,
28 the person with whom the state treasurer enters into a
29 participation agreement must be both the account owner and
30 designated beneficiary. However, the division allows a trustee
31 or legal guardian to be designated as custodian of an account
32 for a designated beneficiary who is a minor or who lacks
33 capacity to enter into a participation agreement, provided
34 such designation would be allowed under the federal ABLE
35 program. "Designated beneficiary" is defined in the division

1 as a person who is a resident of Iowa or a contracting state
2 and who qualifies as an eligible individual under the federal
3 ABLE program, which includes individuals who are entitled
4 to benefits based on blindness or disability under Title II
5 (disability insurance) or Title XVI (supplemental security
6 income) of the federal Social Security Act if such blindness
7 or disability occurred before attaining 26 years of age, and
8 if such individual files a disability certification with the
9 secretary.

10 The division requires the state treasurer to maintain a
11 separate account in the trust for each designated beneficiary
12 of a participation agreement. Unless otherwise allowed under
13 the federal ABLE program, only one participation agreement
14 shall be allowed per designated beneficiary. Any person is
15 allowed to make contributions in the form of cash to an account
16 on behalf of a designated beneficiary. The trust is required
17 to maintain limits on the annual contributions to an account,
18 and the aggregate balance in an account, matching those set
19 forth in the federal ABLE program, which prohibits annual
20 contributions to an account from exceeding the annual gift tax
21 exclusion amount (\$14,000 for 2015), and prohibits an aggregate
22 account balance from exceeding the limit set by a state under
23 its qualified tuition program (currently \$320,000 for Iowa).

24 The division also permits the treasurer of state to defer
25 implementation of the Iowa ABLE program and alternatively enter
26 into an agreement with another state's qualified ABLE program
27 to provide Iowa residents access to that state's program, if
28 certain requirements specified in the division are satisfied.

29 The division provides other various terms and conditions for
30 participation agreements, use and segregation of trust funds,
31 cancellation of agreements and refund of account balances, and
32 ownership rights in the trust. The division provides that
33 an account may be claimed by the Iowa Medicaid program upon
34 the death of the designated beneficiary, in accordance with
35 the federal ABLE program. The division requires the state

1 treasurer to prepare and submit audited financial reports to
2 the governor and general assembly, and further requires the
3 state treasurer to comply with any reporting requirements of
4 the federal ABLE program.

5 IOWA TAX BENEFITS. The division provides several tax
6 benefits under the trust. First, the value of any interest
7 in the trust or other contracted state's qualified ABLE
8 program of a decedent who was an Iowa resident dying on or
9 after January 1, 2016, is excluded from the Iowa inheritance
10 tax. Second, contributions to the trust or other contracted
11 state's qualified ABLE program made on or after January 1,
12 2016, on behalf of a designated beneficiary who is an Iowa
13 resident are deductible from the Iowa individual income tax
14 up to the maximum amount allowed per beneficiary per year for
15 purposes of the Iowa educational savings plan trust in Code
16 chapter 12D. For 2015, that amount is set at \$3,163. Any
17 amounts refunded to a taxpayer from the cancellation of a
18 participation agreement or that are withdrawn for purposes
19 other than the payment of qualified disability expenses of the
20 designated beneficiary must be included in Iowa net income to
21 the extent they were previously deducted by the taxpayer or any
22 other person as a contribution. Third, income and earnings
23 from the trust or received by resident account owners from a
24 contracted state's qualified ABLE program are exempt from the
25 Iowa individual income tax. The individual income tax benefits
26 apply to tax years beginning on or after January 1, 2016.

27 CONTINGENT IMPLEMENTATION. The implementation of the
28 division is subject to an appropriation with the purpose of the
29 trust stated.

30 CHILD CARE ASSISTANCE. The division requires the department
31 of human services to amend its administrative rules relating to
32 income eligibility for state child care assistance, according
33 to family size for children needing basic care, to families
34 whose nonexempt gross monthly income does not exceed 160
35 percent of the federal poverty level. The division makes a

1 conforming Code change to Code section 237A.13 relating to
 2 waiting lists for state child care assistance.

3 COUNTY MENTAL HEALTH AND DISABILITIES SERVICES FUNDING
 4 — EQUALIZATION AND MEDICAID OFFSET. The mental health and
 5 disability services (MH/DS) levy limitations and equalization
 6 payment provisions based on general population funding of
 7 \$47.28 per capita are currently in effect through FY 2015-2016.
 8 This division amends Code sections 331.424A, relating to
 9 the MH/DS levy, and 426B.3, relating to per capita funding,
 10 equalization, and Medicaid offset, to extend these provisions
 11 by one year to FY 2016-2017. The division eliminates the
 12 county repayment of Medicaid offset amounts in Code section
 13 426B.3, subsection 5, to the state effective July 1, 2015.

14 MEDICAID OFFSET PAYMENTS — PROPERTY TAX RELIEF FUND
 15 APPROPRIATIONS. This division makes appropriations from the
 16 moneys credited to the property tax relief fund in the form
 17 of county Medicaid offset payments for the FY 2015-2016. The
 18 moneys are appropriated to DHS for reductions in the waiting
 19 lists of all Medicaid home and community-based services
 20 waivers; for a grant for a public awareness campaign regarding
 21 the signs of Alzheimer's disease and other related dementias
 22 and the resources available to people living with Alzheimer's
 23 disease and other related dementias; for development of an
 24 application for a planning grant through the substance abuse
 25 and mental health services administration of the United States
 26 department of health and human services to participate in
 27 a two-year pilot for certified community behavioral health
 28 clinics. The division provides that moneys credited to
 29 the property tax relief fund in the form of county Medicaid
 30 offset payments for FY 2015-2016 shall be distributed to a
 31 mental health and disability services region if 25 percent of
 32 the region's FY 2015-2016 projected expenditures exceed the
 33 region's FY 2015-2016 projected fund balance.

34 PROPERTY TAX RELIEF FUND — BLOCK GRANT FUNDS — MENTAL
 35 HEALTH INSTITUTES APPROPRIATIONS. This division provides for

1 the appropriation of moneys transferred to the property tax
2 relief fund from the federal social services block grant for
3 FY 2015-2016 to the mental health institutes at Mount Pleasant
4 and Clarinda.

5 CHILD WELFARE ADVISORY COMMITTEE. This division requires
6 the child welfare advisory committee of the council on human
7 services to study procedures in the department of human
8 services for receiving complaints from families involved
9 in guardianship, placement, and custody proceedings, the
10 specificity and clarity of court orders issued in foster care
11 placement cases, caseload trends of social workers including
12 an analysis of how Iowa compares nationally and with best
13 practices as defined by national associations, and immunity
14 provisions for social workers employed by the department of
15 human services and basic qualifications of social workers
16 employed by the department of human services. The committee is
17 required to submit a report with findings and recommendations
18 to the governor and general assembly on or before December 15,
19 2015.

20 COVERAGE OF SERVICES PROVIDED BY A PHYSICAL THERAPIST,
21 OCCUPATIONAL THERAPIST, OR SPEECH PATHOLOGIST. This division
22 provides that a policy, contract, or plan providing for
23 third-party payment or prepayment of health or medical
24 expenses shall not impose a copayment or coinsurance amount
25 on an insured for services provided by a physical therapist,
26 occupational therapist, or speech pathologist that is greater
27 than the copayment or coinsurance amount imposed on the insured
28 for services rendered by a person engaged in the practice of
29 medicine and surgery or osteopathic medicine and surgery for
30 the same or a similar diagnosed condition even if a different
31 nomenclature is used to describe the condition for which the
32 services are provided.

33 The division applies to specified individual and group
34 policies, contracts, and plans that are issued for delivery,
35 continued, or renewed in this state on or after July 1, 2015.

1 CHILDREN'S MENTAL HEALTH AND WELL-BEING WORKGROUP. This
2 division directs the department of human services, in
3 cooperation with the departments of education and public
4 health, to facilitate a workgroup of stakeholders to study
5 and make recommendations relating to children's mental health
6 and well-being in the state. The division specifies the
7 issues that may be considered by the workgroup, including a
8 strategic plan for data systems; a comprehensive system of
9 care for children that incorporates a coordinated response to
10 mental health issues across many disciplines, and specifically
11 addresses the effects of adverse childhood experiences
12 and extreme child poverty and homelessness; and increasing
13 awareness of and creating strategies to address child mental
14 health and well-being. The workgroup is directed to review
15 the 2014 report of the children's defense fund on the state
16 of America's children and the most complex issues affecting
17 children's health and well-being and to develop and recommend
18 proactive strategies to address the information presented. The
19 workgroup is directed to submit a report to the governor and
20 the general assembly by December 15, 2015.

21 PREVENTION OF DISABILITIES POLICY COUNCIL. This division
22 relates to the prevention of disabilities policy council.

23 In 1991, the general assembly established the prevention
24 of disabilities council (council) in Code chapter 225B. The
25 council was created to establish a system to coordinate
26 prevention of disability activities among state departments and
27 to assist the governor and the general assembly in determining
28 priorities and establishing policies for the prevention of
29 disabilities.

30 The division amends provisions in Code chapter 225B relating
31 to prevention activities of the council, council membership,
32 duties, and coordination efforts with state agencies and
33 disability groups, and related definitions.

34 The division defines prevention activities of the council
35 to include policies, programs, and practices that prevent a

1 disability or a condition that leads to a disability from
2 occurring; that identify a disability or a condition that leads
3 to a disability early on so that the intervention can eliminate
4 the risk of a disability or minimize the disability's effect;
5 or that reduce the effects of a disability on an individual's
6 health and independence. The division amends the definition of
7 a disability to be the same as the federal definition under the
8 federal Americans with Disabilities Act (42 U.S.C. §12102).

9 The division provides that the council replaces the current
10 Iowa developmental disabilities council, to be abolished by
11 law July 1, 2015, in providing recommendations for individual
12 appointments of voting members to the council and council
13 membership is expanded to include ex officio representatives
14 from the department on aging, and the departments of education,
15 public health, and human services.

16 The duties of the council are expanded to include reviewing
17 the prevention of disabilities activities of public and
18 private entities and providing recommendations to optimize
19 the planning, implementation, and evaluation of prevention of
20 disabilities efforts; promoting cooperative and complementary
21 planning among the public, nonpublic, and volunteer sectors
22 involved in prevention of disabilities activities; facilitating
23 coordination of prevention of disabilities activities
24 among state departments to develop an integrated system of
25 care; providing support and technical assistance to public
26 or nonpublic entities to identify, seek, implement, and
27 evaluate state, federal, and private grants for prevention
28 of disabilities activities; encouraging research into the
29 causes and prevention of disabilities, including methods to
30 evaluate the effectiveness of prevention efforts; and promoting
31 professional and provider training in evidence-based prevention
32 of disabilities measures and assure adequate dissemination of
33 such to appropriate entities.

34 The division provides that the directors or deputy directors
35 of the state department on aging, and the departments of

1 education, human services, and public health shall meet at
2 least annually with the council to provide updates to the
3 council regarding the status of prevention of disabilities
4 policies and receive new policy and program recommendations
5 from the council regarding the prevention of disabilities.
6 Chairpersons and staff of public and private state disability
7 groups are encouraged to meet with the council annually
8 to identify ways to incorporate prevention of disabilities
9 activities within Iowa's disabilities services system and
10 to assist in developing a policy agenda for prevention of
11 disabilities system improvements.

12 The division directs the department of human services to
13 adopt rules to implement the division, subject to council
14 approval.

15 FACILITY FOR PERSONS WITH AGGRESSIVE OR PSYCHIATRIC
16 BEHAVIORS — INTERIM COMMITTEE — REPORT. This division
17 relates to the housing of persons who are sexually aggressive
18 or combative or who have unmet geropsychiatric needs. The
19 division requests the legislative council to establish
20 an interim legislative study committee relating to the
21 establishment of one or more facilities to provide care and
22 treatment for persons who are sexually aggressive, combative,
23 or who have unmet geropsychiatric needs. The study committee
24 shall receive testimony from certain stakeholders with
25 interests or expertise in the resident population identified
26 for care and treatment, and shall specifically address and
27 make recommendations relating to the characteristics of the
28 residents for such a facility and the size of the resident
29 population to be served; options for creating a new facility
30 or expanding an existing facility; workforce recruitment,
31 training, and compensation issues; Medicaid reimbursement
32 qualifications; and any other information deemed appropriate
33 by the committee.

34 The committee must provide a report of findings and
35 recommendations to the governor and general assembly by January

1 1, 2016.

2 ANATOMICAL GIFT PUBLIC AWARENESS AND TRANSPLANTATION FUND.
3 This division provides that instead of a limitation of not
4 more than 50 percent, any unobligated moneys in the anatomical
5 gift public awareness and transplantation fund, annually, may
6 be expended in the form of grants to transplant recipients,
7 transplant candidates, or living organ donors, or to legal
8 representatives on behalf of transplant recipients, transplant
9 candidates, or living organ donors. Such grants are based on
10 grant applications submitted with supporting documentation
11 provided by a hospital that performs transplants, verifying
12 that the person by or for whom the application is submitted
13 requires a transplant or is a living organ donor and specifying
14 the amount of the costs associated with the costs of the organ
15 transplantation procedure, the costs of post-transplantation
16 drug or other therapy, and other transplantation costs
17 including but not limited to food, lodging, and transportation,
18 if funds are not available from any other third-party payor.
19 Under current law, not more than 5 percent of the moneys in
20 the fund may be used by the Iowa department of public health
21 for administrative costs and of the remaining moneys in the
22 fund, not more than 20 percent annually may be expended in
23 the form of grants to state agencies or to nonprofit legal
24 entities with an interest in anatomical gift public awareness
25 and transplantation to conduct public awareness projects; and
26 not more than 30 percent annually may be expended in the form
27 of grants to hospitals for reimbursement for costs directly
28 related to the development of in-hospital anatomical gift
29 public awareness projects, anatomical gift referral protocols,
30 and associated administrative expenses.

31 HOSPITAL AND LONG-TERM CARE PHARMACY PRACTICE —
32 PNEUMOCOCCAL VACCINES. This division directs the board of
33 pharmacy to adopt rules pursuant to chapter 17A relating to
34 hospital and long-term care pharmacy practice that allow,
35 as authorized by federal law, in addition to influenza and

1 pneumococcal polysaccharide vaccines, that a written or verbal
2 patient-specific medication administration order shall not
3 be required prior to administration to an adult patient of
4 pneumococcal conjugate vaccine pursuant to physician-approved
5 hospital or facility policy and after the patient has been
6 assessed for contraindications.

7 HEALTHY AND WELL KIDS IN IOWA PROGRAM — CONTINUED

8 ENROLLMENT. This division provides that at the end of the
9 12-month eligibility period when a child's family circumstances
10 are subject to review to determine continued eligibility,
11 pending such review, the child shall continue to be eligible
12 for and remain enrolled in the same plan if the family complies
13 with requirements to provide information and verification of
14 income, otherwise cooperates in the annual review process,
15 and submits the completed review form and any information
16 necessary to establish continued eligibility in a timely manner
17 in accordance with administrative rules.

18 PERSONNEL SETTLEMENT AGREEMENT PAYMENTS. This division
19 provides that as a condition of the appropriations in the
20 Act, the moneys appropriated and any other moneys available
21 shall not be used for payment of a personnel settlement
22 agreement that contains a confidentiality provision intended to
23 prevent public disclosure of the agreement or any terms of the
24 agreement.

25 MEDICAID REIMBURSEMENT — PSYCHOLOGISTS. The division
26 provides that in addition to psychologists who are licensed
27 in the state where the services are provided and meet other
28 specifications, psychologists who are licensed under Code
29 chapter 154B (psychologists) are entitled to payment for
30 services provided to recipients of Medicaid, subject to
31 limitations and exclusions the department of human services
32 finds necessary based on federal law and funds available.