

House Study Bill 536 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON LUNDGREN)

A BILL FOR

- 1 An Act relating to the behavior analyst grants program.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 135.181, Code 2020, is amended to read
2 as follows:

3 **135.181 Board-certified behavior analyst and board-certified**
4 **assistant behavior analyst ~~grants stipends~~ program — fund.**

5 1. The Beginning July 1, 2020, the department
6 shall establish a board-certified behavior analyst and
7 board-certified assistant behavior analyst ~~grants stipends~~
8 program to provide ~~grants stipends~~ to Iowa resident and
9 nonresident applicants who have ~~been accepted for admission or~~
10 ~~are attending a university, community college, or an accredited~~
11 ~~private institution, within or outside the state of Iowa, are~~
12 ~~enrolled in~~ completed a program that is accredited and meets
13 coursework requirements to prepare the applicant to be eligible
14 for board certification as a behavior analyst or assistant
15 behavior analyst, ~~and demonstrate financial need, and complete~~
16 the required practice period as specified under the contract
17 entered into between the applicant and the department.

18 2. The department, in cooperation with the department
19 of education, shall adopt rules pursuant to **chapter 17A** to
20 establish minimum standards for applicants to be eligible for a
21 ~~grant stipend~~ that address all of the following:

22 a. Eligibility requirements for and qualifications of an
23 applicant to receive a ~~grant stipend~~. The applicant shall
24 agree to practice in the state of Iowa for a period of time,
25 ~~not to exceed four~~ of up to two years, as specified in the
26 contract entered into between the applicant and the department
27 at the time the ~~grant stipend~~ is awarded. In addition, the
28 applicant shall agree, as specified in the contract, that
29 during the contract period, the applicant will assist in
30 supervising an individual working toward board certification as
31 a behavior analyst or assistant behavior analyst or to consult
32 with schools and service providers that provide services and
33 supports to individuals with autism.

34 b. The application process for the ~~grant stipend~~.

35 c. Criteria for preference in awarding of the ~~grants~~

1 stipends. Priority in the awarding of a ~~grant~~ stipend shall be
2 given to applicants who are residents of Iowa.

3 *d.* Determination of the amount of a ~~grant~~ stipend. The
4 amount of funding awarded ~~to each applicant~~ shall be based on
5 the ~~applicant's enrollment status, the number of applicants,~~
6 and the total amount of available funds. The total amount of
7 funds awarded to an individual applicant shall not exceed fifty
8 ~~percent of the total costs attributable to program tuition~~
9 ~~and fees, annually~~ two thousand five hundred dollars for each
10 six-month period of completed practice during the two-year
11 contract period.

12 ~~*e.* Use of the funds awarded. Funds awarded may be used~~
13 ~~to offset the costs attributable to tuition and fees for the~~
14 ~~accredited behavior analyst or assistant behavior analyst~~
15 ~~program.~~

16 3. *a.* A board-certified behavior analyst and
17 board-certified assistant behavior analyst grants stipends
18 program fund is created in the state treasury as a separate
19 fund under the control of the department. The fund shall
20 consist of moneys appropriated from the general fund of the
21 state for the purposes of the fund and moneys from any other
22 public or private source available.

23 *b.* The department may receive contributions, grants, and
24 in-kind contributions to support the purposes of the fund. Not
25 more than five percent of the moneys in the fund may be used
26 annually for administrative costs.

27 *c.* The fund shall be separate from the general fund of the
28 state and shall not be considered part of the general fund of
29 the state. The moneys in the fund shall not be considered
30 revenue of the state, but rather shall be moneys of the fund.
31 Moneys within the fund are not subject to [section 8.33](#) and
32 shall not be transferred, used, obligated, appropriated, or
33 otherwise encumbered, except to provide for the purposes of
34 this section. Notwithstanding [section 12C.7, subsection 2,](#)
35 interest or earnings on moneys deposited in the fund shall be

1 credited to the fund.

2 *d.* The moneys in the fund are appropriated to the department
3 and shall be used to provide ~~grants~~ stipends to individuals who
4 meet the criteria established under this section.

5 4. The department shall submit a report to the governor and
6 the general assembly no later than January 1, annually, that
7 includes but is not limited to all of the following:

8 *a.* The number of applications received for the immediately
9 preceding fiscal year.

10 *b.* The number of applications approved and the total amount
11 of funding awarded in ~~grants~~ stipends in the immediately
12 preceding fiscal year.

13 *c.* The cost of administering the program in the immediately
14 preceding fiscal year.

15 *d.* Recommendations for any changes to the program.

16 Sec. 2. TRANSITION OF BOARD-CERTIFIED BEHAVIOR ANALYST
17 AND BOARD-CERTIFIED ASSISTANT BEHAVIOR ANALYST GRANTS PROGRAM
18 TO STIPENDS PROGRAM. The department of public health shall
19 continue to fund board-certified behavior analyst grants and
20 board-certified assistant behavior analyst grants awarded prior
21 to July 1, 2020, as provided pursuant to section 135.181, Code
22 2019, in accordance with the terms of the contract between the
23 department and the individual recipient of the grant award.
24 However, beginning July 1, 2020, the department shall award
25 stipends based upon section 135.181, as amended in this Act.

26 EXPLANATION

27 The inclusion of this explanation does not constitute agreement with
28 the explanation's substance by the members of the general assembly.

29 This bill replaces the board-certified behavior analyst
30 and board-certified assistant behavior analyst grants program
31 with a stipends program. Awards would be made to qualified
32 applicants not specifically to offset the costs attributable to
33 tuition and fees of the individual, but instead as a stipend
34 during the individual's two-year contracted service period.

35 Under current law, the grants program awards grants to Iowa

1 resident and nonresident applicants who have been accepted for
2 admission or are attending a university, community college, or
3 an accredited private institution, within or outside the state
4 of Iowa, are enrolled in a program that is accredited and meets
5 coursework requirements to prepare the applicant to be eligible
6 for board certification as a behavior analyst or assistant
7 behavior analyst, and demonstrate financial need. In order to
8 receive a grant, an applicant must agree to practice in the
9 state of Iowa for a period of time, not to exceed four years, as
10 specified in the contract entered into between the applicant
11 and the department of public health (DPH). In addition, the
12 applicant shall agree, as specified in the contract, that
13 during the contract period, the applicant will assist in
14 supervising an individual working toward board certification
15 as a behavior analyst or an assistant behavior analyst or
16 to consult with schools and service providers that provide
17 services and supports to individuals with autism. Priority in
18 the awarding of a grant shall be given to applicants who are
19 residents of Iowa. The amount of the grant awarded to each
20 applicant is based on the applicant's enrollment status, the
21 number of applicants, and the total amount of available funds.
22 The total amount of funds awarded to an individual applicant
23 shall not exceed 50 percent of the total costs attributable
24 to program tuition and fees, annually. Funds awarded may be
25 used to offset the costs attributable to tuition and fees for
26 the accredited behavior analyst or assistant behavior analyst
27 program.

28 Under the bill, beginning July 1, 2020, the program would
29 award stipends to individuals based upon completion of each
30 six months of required service in the state. Under the bill,
31 stipends would be awarded to Iowa resident and nonresident
32 applicants who have completed a program that is accredited and
33 meets coursework requirements to prepare the applicant to be
34 eligible for board certification as a behavior analyst or an
35 assistant behavior analyst, demonstrate financial need, and

1 complete the required service as specified under the contract
2 entered into between the applicant and DPH. In order to
3 receive a stipend, the applicant must meet certain requirements
4 including agreeing to practice in the state of Iowa for a
5 period of time of up to two years as specified in the contract
6 between the applicant and DPH. The amount of funding awarded
7 would be based on the number of applicants and the total amount
8 of available funds, and the total amount of funds awarded to an
9 individual applicant would not exceed \$2,500 for each six-month
10 period of completed service during the two-year contract
11 period.

12 The bill includes a provision to transition from a grants
13 program to a stipends program and provides that DPH shall
14 continue to fund board-certified behavior analyst grants and
15 board-certified assistant behavior analyst grants awarded prior
16 to July 1, 2020, as provided pursuant to Code section 135.181,
17 Code 2019, in accordance with the contract between the DPH and
18 the individual recipient of the award. However, beginning July
19 1, 2020, the department shall award stipends as provided in the
20 bill.