

Senate File 2098 - Introduced

SENATE FILE 2098

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A BILL FOR

1 An Act relating to the direct care workforce including the
2 creation of a direct care worker database, inclusion of
3 direct care workers in state skilled workforce programs,
4 and the establishment of a direct care worker tuition grant
5 program and a direct care worker tuition tax credit.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

CENTRALIZED DIRECT CARE WORKFORCE DATABASE

Section 1. CENTRALIZED DIRECT CARE WORKFORCE DATABASE —
STAKEHOLDER WORKGROUP — IMPLEMENTATION PLAN.

1. The department of inspections and appeals shall convene a workgroup of stakeholders to develop a plan to implement a centralized direct care workforce database as an expansion of the Iowa direct care worker registry currently located within the department of inspections and appeals. The purposes of the database are:

a. To enable data-driven decision-making by providing a means for collecting data and analyzing emerging trends relating to the state’s direct care workforce in all settings; identifying, at a minimum, the current number of direct care workers in Iowa, the diversity in the direct care workforce, and the employment settings utilized; and addressing the growing demand for the direct care workforce.

b. To provide portability across employment settings and populations served of the permanent record of trainings, certifications, credentials, continuing education, and experience of direct care workers by maintaining such records in a central and secure location.

c. To improve the opportunity for consumers to engage direct care workers with the training, skills, and availability appropriate to their own situations.

d. To reduce the costs associated with repetitive training resulting from training portability.

e. To increase public protection by streamlining the process to enable completion of required background checks in a timely and efficient manner.

f. To accelerate the onboarding of newly employed direct care workers and direct care workers transitioning into new employment opportunities.

2. The members of the stakeholder workgroup shall include one representative of the department of education,

1 Iowa workforce development, the department on aging, the
2 department of public health, the department of human services,
3 the department of public safety, division of criminal
4 investigation, the Iowa caregivers, AARP Iowa, the Iowa center
5 for nursing workforce, everystep care and support services,
6 the brain injury alliance of Iowa, the national alliance on
7 mental illness-Iowa, leadingage Iowa, the Iowa association of
8 community providers, united way of central Iowa-central Iowa
9 works, the Iowa health care association, a rural community
10 college and an urban community college, a public health entity,
11 the Iowa hospital association, and the university of Iowa
12 college of public health midwestern public health training
13 center. Additionally, the task force shall include two direct
14 care workers who have graduated from the Iowa caregivers
15 toughest job you'll ever love leadership program and two
16 consumers.

17 3. The stakeholder workgroup shall do all of the following:

18 a. Review historical reports of efforts and recommendations
19 generated by previous state-led and federally funded
20 initiatives for consideration in informing future planning, and
21 assess whether the previous recommendations align with future
22 needs.

23 b. Review prior efforts including the results of the Iowa
24 better jobs better care program demonstration and the AMANDA
25 portal developed through the federal personal and home care
26 aide state training (PHCAST) grant to determine if these
27 technologies could be brought to scale or implemented to save
28 costs and resources in implementing the database.

29 c. Investigate initiatives by the centers for Medicare and
30 Medicaid services of the United States department of health and
31 human services relating to nurse aid registries.

32 d. Solicit input from stakeholders on the type of data to be
33 collected and the types of analyses to be performed in building
34 and retaining the high-demand direct care workforce.

35 e. Identify critical database system content and

1 functionality including but not limited to all of the
2 following:

3 (1) A direct care worker's verified education and training
4 records, credentials, certifications, and experience.

5 (2) A means to include existing qualified direct care
6 workers in the database through a phased-in grandfathering
7 process.

8 (3) An option for access to the database by employers and
9 consumers through a public portal to assist in identifying
10 direct care workers with particular knowledge and skills.

11 (4) Demographic and other information to assist in
12 workforce data collection and analysis.

13 (5) Accurate supply and demand projections regarding the
14 entirety of the direct care workforce.

15 f. Recommend strategies to provide state-recognized,
16 competency-based, comprehensive, cross-setting, portable
17 training approaches, including the prepare to care curriculum
18 and the mental health first aid curriculum, apprenticeships,
19 and other existing and new opportunities in order to provide a
20 recognized career path for, increase professionalism in, and
21 improve retention by, employers of the direct care workforce.

22 g. Explore state, federal, and other public sources
23 of funding and review the status of prior investments in
24 modifications to expand the Iowa direct care worker registry.

25 h. Solicit feedback from the public including through the
26 lifelong smiles coalition, united ways of Iowa, the university
27 of Iowa colleges of nursing and dentistry, Iowa state
28 university, the older Iowans legislature, the Olmstead consumer
29 task force, the Iowa assisted living association, the Iowa
30 public health association, the Iowa association of business and
31 industry, the Iowa developmental disabilities council, local
32 boards of health, county supervisors, and other persons deemed
33 appropriate by the workgroup.

34 4. The stakeholder workgroup shall convene no later than
35 September 1, 2020, and shall submit a phased-in implementation

1 plan and recommendations to the governor and the general
2 assembly by June 30, 2021.

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DIVISION II

4 SKILLED WORKFORCE PROGRAMS — HIGH-DEMAND JOB DESIGNATION —
5 DIRECT CARE WORKERS

6 Sec. 2. DEPARTMENT OF WORKFORCE DEVELOPMENT — HIGH-DEMAND
7 JOB DESIGNATION — DIRECT CARE WORKERS. Notwithstanding any
8 provision to the contrary, the workforce development board,
9 pursuant to section 84A.1B, subsection 14, shall add to the
10 list of high-demand jobs statewide, the job of direct care
11 worker, for the purposes of the future ready Iowa registered
12 apprenticeship development program created in section 15C.1,
13 the summer youth intern pilot program established under section
14 84A.12, the Iowa employer innovation program established
15 under section 84A.13, the future ready Iowa skilled workforce
16 last-dollar scholarship program established under section
17 261.131, the future ready Iowa skilled workforce grant program
18 established under section 261.132, and postsecondary summer
19 classes for high school students as provided under section
20 261E.8, subsection 8. For the purposes of this section,
21 "direct care worker" means a home health aide, nursing
22 assistant, or personal care aide as identified by the United
23 States department of labor, bureau of labor statistics.

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DIVISION III

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DIRECT CARE WORKER TUITION GRANT PROGRAM

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27 Sec. 3. NEW SECTION. 261.133 Direct care worker tuition
28 grant program.

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30 1. For the purposes of this section, "direct care worker"
31 means a home health aide, nursing assistant, or personal care
32 aide as identified by the United States department of labor,
33 bureau of labor statistics.

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35 2. A direct care worker tuition grant may be awarded to
any resident of Iowa who is admitted and in attendance as a
full-time or part-time student in a direct care worker career
program to pursue an associate's degree or other training at a

1 community college in the state, and who establishes financial
2 need.

3 3. The amount of a direct care worker tuition grant shall
4 not exceed the lesser of one-half of a student's tuition and
5 fees for an approved direct care worker career program or the
6 amount of the student's established financial need.

7 4. All classes identified by the community college as
8 required for completion of the student's approved direct care
9 worker program shall be considered a part of the student's
10 direct care worker program for the purpose of determining the
11 student's eligibility for a grant. Notwithstanding subsection
12 4, if a student is making satisfactory academic progress but
13 the student cannot complete a direct care worker program in
14 the time frame allowed for a student to receive a tuition
15 grant as provided in subsection 4 because additional classes
16 are required to complete the program, the student may continue
17 to receive a tuition grant for not more than one additional
18 enrollment period.

19 5. *a.* A qualified full-time student may receive tuition
20 grants for not more than four semesters or the trimester or
21 quarter equivalent of two full years of study. A qualified
22 part-time student enrolled in a course of study including at
23 least three semester hours but fewer than twelve semester hours
24 or the trimester or quarter equivalent may receive tuition
25 grants for not more than eight semesters or the trimester or
26 quarter equivalent of two full years of full-time study.

27 *b.* However, if a student resumes study after at least a
28 two-year absence, the student may again be eligible for the
29 specified amount of time, except that the student shall not
30 receive assistance for courses for which credit was previously
31 received.

32 6. A direct care worker tuition grant shall be awarded
33 on an annual basis, requiring reapplication by the student
34 for each year. Payments under the grant shall be allocated
35 equally among the semesters or quarters of the year upon

1 certification by the community college that the student is
2 in full-time or part-time attendance in a direct care worker
3 program consistent with the requirements of this section. If
4 the student discontinues attendance before the end of any term
5 after receiving payment of the grant, the entire amount of any
6 refund due that student, up to the amount of any payments made
7 under the annual grant, shall be paid by the community college
8 to the state.

9 7. If a student receives financial aid under any other
10 program, the full amount of that financial aid shall be
11 considered part of the student's financial resources available
12 in determining the amount of the student's financial need for
13 that period.

14 8. The college student aid commission shall administer this
15 program and shall:

16 a. Provide application forms for distribution to students by
17 Iowa high schools and community colleges.

18 b. Adopt rules for approving direct care worker programs;
19 determining financial need; defining residence for the purposes
20 of this section; processing and approving applications for
21 grants; and determining priority for grants.

22 c. Approve and award grants on an annual basis.

23 d. Make an annual report to the governor and general
24 assembly, including the number of students receiving
25 assistance.

26 9. Each applicant, in accordance with the rules established
27 by the commission, shall:

28 a. Complete and file an application for a direct care worker
29 tuition grant.

30 b. Be responsible for the submission of the financial
31 information required for evaluation of the applicant's need for
32 a grant, on forms determined by the commission.

33 c. Report promptly to the college student aid commission any
34 information requested.

35 d. Submit a new application for reevaluation of the

1 applicant's eligibility to receive a second-year renewal of the
2 grant.

3 DIVISION IV

4 DIRECT CARE WORKER LOAN REPAYMENT PROGRAM

5 Sec. 4. NEW SECTION. 261.134 Direct care worker loan
6 repayment program.

7 1. For purposes of this section, "*direct care worker*" means
8 a home health aide, nursing assistant, or personal care aide as
9 identified by the United States department of labor, bureau of
10 labor statistics.

11 2. A direct care worker loan repayment program is
12 established to be administered by the college student aid
13 commission to increase the number of direct care workers in
14 the state. Under the program, loan repayment may be made to
15 a recipient for loans for educational expenses incurred while
16 completing an approved direct care worker career program.

17 3. Each applicant for loan repayment shall, in accordance
18 with the rules of the college student aid commission, do the
19 following:

20 a. Complete and file an application for loan repayment. The
21 individual shall be responsible for the prompt submission of
22 any information required by the college student aid commission.

23 b. File a new application and submit information as required
24 by the college student aid commission annually on the basis
25 of which the applicant's eligibility for the renewed loan
26 repayment will be evaluated and determined.

27 c. Complete and return, on a form approved by the college
28 student aid commission, an affidavit of employment verifying
29 that the applicant is a direct care worker who is practicing
30 full-time in this state.

31 4. The annual amount of loan repayment provided to a
32 recipient under this section shall not exceed twenty percent
33 of the recipient's total eligible loan. A recipient is
34 eligible for the loan repayment program for not more than five
35 consecutive years.

1 5. The college student aid commission shall adopt rules
2 pursuant to chapter 17A to administer this section and shall
3 establish by rule eligible loans and the evaluation criteria
4 to be used in evaluating applications submitted under this
5 section. Priority shall be given to applicants who are
6 residents of Iowa.

7 6. A direct care worker loan repayment fund is created
8 for deposit of moneys appropriated to or received by the
9 college student aid commission for use under the program.
10 Notwithstanding section 8.33, moneys deposited in the direct
11 care worker loan repayment fund shall not revert to any fund
12 of the state at the end of any fiscal year but shall remain in
13 the loan repayment fund and be continuously available for loan
14 repayment under the program. Notwithstanding section 12C.7,
15 subsection 2, interest or earnings on moneys deposited in the
16 health care loan fund shall be credited to the fund.

17 7. The college student aid commission shall submit in a
18 report to the general assembly by January 1, annually, the
19 number of individuals who received loan repayment pursuant
20 to this section, where the participants were employed, the
21 amount paid to each program participant, and other information
22 identified by the commission as indicators of outcomes of the
23 program.

24 DIVISION V

25 DIRECT CARE WORKER TUITION TAX CREDIT

26 Sec. 5. NEW SECTION. 422.120 School tuition organization
27 tax credit.

28 1. For purposes of this section:

29 a. "Direct care worker" means home health aides, nursing
30 assistants, and personal care aides as identified by the United
31 States department of labor, bureau of labor statistics.

32 b. "Eligible student taxpayer" means a student who is a
33 member of a household whose total annual income during the
34 calendar year before the student receives a tuition grant
35 for purposes of this section does not exceed an amount equal

1 to four times the most recently published federal poverty
2 guidelines in the federal register by the United States
3 department of health and human services.

4 2. The taxes imposed under this division, less the credits
5 allowed under section 422.12, shall be reduced by a direct care
6 worker tuition tax credit equal to sixty-five percent of the
7 amount of the payments made by the eligible student taxpayer
8 during the tax year for tuition for a direct care worker career
9 program to pursue an associate's degree or other training at
10 a community college in the state. The tax credit shall be
11 claimed by use of a tax credit certificate as provided in
12 subsection 4.

13 3. Any credit in excess of the tax liability is not
14 refundable but the excess for the tax year may be credited to
15 the tax liability for the following five tax years or until
16 depleted, whichever is the earlier.

17 4. a. In order for the eligible student taxpayer to claim
18 the tax credit under subsection 1, a tax credit certificate
19 issued by the community college to which the tuition payment
20 was made shall be included with the person's tax return. The
21 tax credit certificate shall contain the taxpayer's name,
22 address, tax identification number, the amount of the tuition
23 payment, the amount of the credit, and other information
24 required by the department.

25 b. The department shall authorize a community college to
26 issue tax credit certificates for tuition payments made to the
27 community college.

28 EXPLANATION

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

31 This bill relates to the direct care worker workforce.

32 DIVISION I. Division I of the bill relates to development
33 of a plan for implementation of a centralized direct care
34 workforce database.

35 The division requires the department of inspections and

1 appeals to convene a stakeholder workgroup to develop a
2 plan and make recommendations for a centralized direct care
3 workforce database as an expansion of the Iowa direct care
4 worker registry.

5 The division specifies the purposes of the database and the
6 membership and duties of the workgroup.

7 The division requires the stakeholder workgroup to convene
8 no later than September 1, 2020, and to submit a phased-in
9 implementation plan for the centralized direct care workforce
10 database, to the governor and the general assembly by June 30,
11 2021.

12 DIVISION II. Division II of the bill relates to skilled
13 workforce programs and the designation of high-demand
14 jobs. The bill requires the workforce development board,
15 notwithstanding any provision to the contrary, to add to the
16 list of high-demand jobs statewide the job of direct care
17 worker for the purposes of the future ready Iowa registered
18 apprenticeship development program, the summer youth intern
19 pilot program, the Iowa employer innovation program, the future
20 ready Iowa skilled workforce last-dollar scholarship program,
21 the future ready Iowa skilled workforce grant program, and
22 postsecondary summer classes for high school students. For
23 the purposes of the bill, "direct care worker" means a home
24 health aide, a nursing assistant, and a personal care aide as
25 identified by the United States department of labor, bureau of
26 labor statistics.

27 DIVISION III. Division III of the bill establishes a direct
28 care worker tuition grant program. The bill provides that a
29 direct care worker tuition grant may be awarded to any resident
30 of Iowa who is admitted and in attendance as a full-time or
31 part-time student in a direct care worker career program to
32 pursue an associate's degree or other training at a community
33 college in the state, and who establishes financial need. The
34 amount of a direct care worker tuition grant shall not exceed
35 the lesser of one-half of a student's tuition and fees for an

1 approved direct care worker career program or the amount of
2 the student's established financial need. The bill provides a
3 time frame during which a student may receive a grant, provides
4 that a direct care worker tuition grant shall be awarded on an
5 annual basis, and requires reapplication by the student for
6 each year. Payments under the grant program shall be allocated
7 equally among the semesters or quarters of the year, and if
8 the student discontinues attendance before the end of any term
9 after receiving payment of the grant, the entire amount of any
10 refund due that student, up to the amount of any payments made
11 under the annual grant, shall be paid by the community college
12 to the state. If a student receives financial aid under any
13 other program, the full amount of that financial aid shall be
14 considered part of the student's financial resources available
15 in determining the amount of the student's financial need for
16 that period. The college student aid commission is authorized
17 to administer the program.

18 DIVISION IV. Division IV of the bill establishes a direct
19 care worker loan repayment program to increase the number of
20 direct care workers in the state. Under the program, loan
21 repayment may be made to a recipient for loans for educational
22 expenses incurred while completing an approved direct care
23 worker career program. The bill establishes the requirements
24 for applicants and the annual amount and duration of loan
25 repayment to be provided. The college student aid commission
26 is required to adopt administrative rules to determine eligible
27 loans and the evaluation criteria to be used in evaluating
28 applications submitted. The bill creates a direct care worker
29 loan repayment fund for deposit of moneys appropriated to or
30 received by the commission for use under the program. The bill
31 requires the commission to submit in a report to the general
32 assembly by January 1, annually, the number of individuals who
33 received loan repayment pursuant, where the participants were
34 employed, the amount paid to each program participant, and
35 other information identified by the commission as indicators of

1 outcomes of the program.

2 DIVISION V. Division V of the bill establishes a direct care
3 worker tuition tax credit. The tax credit provided is equal
4 to 65 percent of the amount of the tuition paid by the eligible
5 student taxpayer during the tax year for tuition for a direct
6 care worker career program to pursue an associate's degree or
7 other training at a community college in the state.