A BILL FOR

1 An Act relating to the direct care workforce, including the
2 expansion of the direct care workforce registry.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
Section 1. LEGISLATIVE FINDINGS AND INTENT.
1. The general assembly finds that the novel coronavirus pandemic has shed light on the importance of the state's direct care workforce in providing essential direct care and supports to vulnerable Iowans and has called attention to the need for a coordinated effort to meet the demand for this essential workforce. The direct care workforce is responsible for the care of thousands of individuals of all ages and abilities including older individuals and persons with disabilities in providing assistance with daily activities, performing personal tasks, and administering medications.

2. The intent of this Act is to enhance the portability of continuing education, credentials, and certifications of the direct care workforce; streamline data collection and analysis to support interagency planning and legislative decision making; and assist Iowans needing direct care workforce services and supports and their families in living successfully in their community of choice.

Sec. 2. DIRECT CARE WORKFORCE REGISTRY — INCLUSION OF ALL CERTIFIED NURSE ASSISTANTS — PLAN FOR EXPANSION.
1. As used in this section:
   a. "Department" means the department of inspections and appeals.
   b. "Direct care workforce" includes individuals employed to provide direct care and supports to individuals of all ages and abilities regardless of setting including but not limited to certified nurse assistants, personal care assistants, home care aides, hospice aides, medication aides, direct support professionals, consumer directed attendant care workers, universal workers, resident assistants, patient care technicians, residential treatment workers, and others.
   c. "Direct care workforce registry" means the registry of nurse aides required to be established and maintained by a state pursuant to 42 C.F.R. §483.156.

2. a. The department shall expand the direct care workforce
registry to include all certified nurse assistants regardless of employment setting.

b. The department shall require all employers of certified nurse assistants, regardless of employment setting, to report the eligible employment of a certified nurse assistant for inclusion in the direct care workforce registry.

3. a. The department shall convene a stakeholder advisory work group to develop a plan for the expansion of the direct care workforce registry to include the entire direct care workforce. The plan shall provide for all of the following:

   (1) Identification of database system content.
   (2) A listing of the classifications of workers who provide direct care to be included in the registry.
   (3) Identification of information to be included in the registry to enhance public safety.
   (4) An estimate of the costs associated with the development and maintenance of the expanded registry.
   (5) Alignment of registry data with information collected by the department of education, the department of public health, and the department of workforce development.
   (6) Development of a public portal to allow access by family caregivers and individuals requiring direct care workforce services and supports.
   (7) A timeline for expansion of the registry and for development of the public portal.
   (8) Options for state, federal, and other public and private funding to support initial development and maintenance of the registry and public portal.

b. The department shall submit the plan to the governor and the general assembly no later than December 15, 2021. If federal or other funding becomes available, the department may implement the plan without additional legislative approval.
public health, in collaboration with the department of workforce development, department of human services, and the department of inspections and appeals, shall incorporate the enhanced direct care workforce registry created in this Act into existing health, direct care, and long-term services and supports workforce dashboard data, and shall utilize such data in informing the state’s strategies to build a strong health, direct care, and long-term services and supports workforce.

2. The department of education and the department of public health shall submit a progress report on the work of the interagency collaboration to the governor and the general assembly, annually, by January 15.

EXPLANATION

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

This bill relates to the direct care workforce, including the expansion of the direct care workforce registry.

The bill includes legislative findings and intent relating to the direct care workforce and the needs of Iowans for direct care workforce services and supports.

The bill requires the department of inspections and appeals (DIA) to expand the existing federally required direct care workforce registry to include all certified nurse assistants regardless of employment setting. DIA shall require all employers of certified nurse assistants, regardless of employment setting, to report the eligible employment of a certified nurse assistant for inclusion in the direct care workforce registry. Currently, only long-term care facilities are required to report qualifying employment to the registry.

The bill defines “direct care workforce” and “direct care workforce registry” for the purposes of the bill.

The bill also requires DIA to convene a stakeholder advisory work group to develop a plan for the expansion of the direct care workforce registry to include the entire direct care workforce. The bill specifies the components to be included...
in the plan and requires DIA to submit the plan to the governor and the general assembly no later than December 15, 2021. If federal or other funding becomes available, DIA may implement the plan without additional legislative approval. The bill also requires the department of education and the department of public health, in collaboration with the department of workforce development, department of human services, and DIA, to incorporate the enhanced direct care workforce registry created in the bill into existing health, direct care, and long-term services and supports workforce dashboard data, and to utilize such data in informing the state's strategies to build a strong health, direct care, and long-term services and supports workforce. The department of education and the department of public health shall submit a progress report on the work of the interagency collaboration to the governor and the general assembly, annually, by January 15.