A BILL FOR

An Act creating a line of duty reimbursement for COVID-19 pandemic-related health care costs of qualified volunteer emergency services providers, providing an appropriation, and providing effective and applicability dates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
Section 1. NEW SECTION. 80.48 Qualified volunteer emergency services providers — COVID-19 pandemic-related health care costs and line of duty reimbursement — fund.

1. The commissioner shall issue line of duty health care reimbursement warrants for payment of health care claims by qualified volunteer emergency services providers approved for payment by the commissioner under subsection 2.

2. a. If the commissioner determines, upon the receipt of evidence and proof from the supervising entity or employer of a qualified volunteer emergency services provider, that the health care costs of a qualified volunteer emergency services provider were incurred as the result of the volunteer's performance in the line of duty related to the COVID-19 pandemic on or after January 1, 2020, the commissioner shall issue a line of duty health care reimbursement warrant in an amount not to exceed one thousand dollars in a lump sum to the qualified volunteer emergency services provider.

b. For the purposes of evidence and proof that a qualified volunteer emergency services provider incurred COVID-19 pandemic-related health care costs as the result of the volunteer's performance in the line of duty, there is a legal presumption that a qualified volunteer emergency services provider incurred such costs in the line of duty if the volunteer had direct contact with or was in close proximity to members of the public or other volunteers while performing in the line of duty during the duration of the COVID-19 pandemic, and if the volunteer received a presumptively positive or laboratory confirmed COVID-19 diagnosis or if the diagnosis was documented by a health care provider based on the volunteer's symptoms.

c. A line of duty health care reimbursement shall only be payable if the portion of the health care costs being reimbursed are not payable by another third-party source.

d. The line of duty health care reimbursement provided under this section does not constitute an entitlement, shall
only be provided to the extent that funds are appropriated
and available for such purpose, and shall be provided on a
first-come, first-served basis. An application for a line of
duty health care reimbursement is deemed to be submitted when
all required supporting documentation has been received by the
department of public safety.

e. Receipt of a line of duty health care reimbursement
under this section shall not preclude or affect receipt of
any benefit received while in state active duty as defined in
section 29A.1, unemployment compensation insurance, long-term
disability insurance benefits, workers' compensation benefits,
or any other compensation or benefit for which a qualified
volunteer emergency services provider may be eligible.

3. a. A qualified volunteer emergency services provider
reimbursement fund is created in the state treasury under the
control of the commissioner. The fund shall consist of all
moneys appropriated or transferred to the fund and moneys in
the fund are appropriated to the department of public safety
for reimbursement of the health care costs of qualified
volunteer emergency services providers as provided in this
section.

b. Notwithstanding section 12C.7, subsection 2, interest or
earnings on moneys deposited in the fund shall be credited to
the fund. Notwithstanding section 8.33, moneys credited to the
fund shall not revert at the close of a fiscal year but shall
remain available for the purposes of the fund.

4. The department shall adopt rules pursuant to chapter 17A
to administer this section.

5. For purposes of this section:
   a. "Employer" means an entity that is required to provide
      workers' compensation coverage for a qualified volunteer
      emergency services provider.
   b. "Qualified volunteer emergency services provider" means
      any of the following:
      (1) A volunteer fire fighter as defined in section 85.61.
1 (2) A person performing the functions of an emergency
2 medical care provider as defined in section 147A.1 who was not
3 paid full-time by the entity for which such services were being
4 performed at the time the duty or work under this section was
5 performed.
6 (3) A reserve peace officer as defined in section 80D.1A.
7 (4) A volunteer ambulance driver as defined in section
8 85.61.
9 (5) A member of the national guard on state active duty as
10 defined in section 29A.1.
11 (6) Any other person performing fire, law enforcement,
12 ambulance, medical, or other emergency services on a volunteer
13 basis.
14 Sec. 2. QUALIFIED VOLUNTEER EMERGENCY SERVICES PROVIDER
15 REIMBURSEMENT FUND — TRANSFER OF FUNDS. There is transferred
16 from the Iowa coronavirus relief fund for deposit in the
17 qualified volunteer emergency services provider reimbursement
18 fund created in section 80.48, for the fiscal year beginning
19 July 1, 2020, and ending June 30, 2021, the following
20 amount, or so much thereof as is necessary, for the purposes
21 designated:
22 For the issuance of warrants for reimbursement of health
23 care claims of qualified volunteer emergency services providers
24 approved by the commissioner of public safety pursuant to
25 section 85.48:
26 ................................................................. $ 20,000,000
27 Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate
28 importance, takes effect upon enactment.
29 Sec. 4. RETROACTIVE APPLICABILITY. This Act applies
30 retroactively to July 1, 2020.
31 EXPLANATION
32 The inclusion of this explanation does not constitute agreement with
33 the explanation’s substance by the members of the general assembly.
34 This bill provides for reimbursement of COVID-19
35 pandemic-related health care costs of qualified volunteer
emergency services providers. The bill provides a process for the commissioner of public safety to issue warrants for a line of duty health care reimbursement in an amount not to exceed $1,000 in a lump sum to a qualified volunteer emergency services provider, if the commissioner determines, upon the receipt of evidence and proof from the supervising entity or an employer of a qualified volunteer emergency services provider, that the health care costs were incurred as the result of the volunteer’s performance in the line of duty related to the COVID-19 pandemic on or after January 1, 2020. The bill describes the criteria under which there is a legal presumption that a qualified volunteer emergency services provider incurred COVID-19 pandemic-related health care costs in the line of duty for the purposes of providing evidence and proof for the line of duty reimbursement. A reimbursement shall only be payable if the portion of the health care costs being reimbursed are not payable by another third-party source. The line of duty health care reimbursement does not constitute an entitlement, shall only be provided to the extent that funds are appropriated and available for such purpose, and shall be provided on a first-come, first-served basis. Receipt of a line of duty health care reimbursement shall not preclude or affect receipt of any benefit received while engaged in state active duty or from unemployment compensation insurance, long-term disability insurance benefits, workers’ compensation benefits, or any other compensation or benefit for which a qualified volunteer emergency services provider may be eligible. The bill creates a qualified volunteer emergency services provider reimbursement fund in the state treasury under the control of the commissioner of public safety. The fund consists of all moneys appropriated or transferred to the fund, and moneys in the fund are appropriated for reimbursement of the health care costs of qualified volunteer emergency services providers as provided in the bill. Interest or earnings on
moneys deposited in the fund shall be credited to the fund and
moneys credited to the fund shall not revert at the close of a
fiscal year but shall remain in the fund for purposes of the
fund.

The department of public safety shall adopt administrative
rules to administer the bill. The bill provides definitions
for "employer" and "qualified volunteer emergency services
provider" for the purposes of the bill.

The bill transfers moneys from the Iowa coronavirus relief
fund to the qualified volunteer services provider reimbursement
fund for FY 2020-2021 to be used for issuance of warrants for
payment of health care claims by qualified volunteer emergency
services providers approved for payment by the commissioner of
public safety pursuant to the bill.

The bill takes effect upon enactment and is retroactively
applicable to July 1, 2020.