

House File 2698 - Introduced

HOUSE FILE 2698

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO LSB 5004HB)

A BILL FOR

1 An Act relating to and making appropriations for veterans
2 and health and human services, including other related
3 provisions and appropriations, and including effective date
4 and retroactive applicability provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

DEPARTMENT OF VETERANS AFFAIRS — FY 2024-2025

Section 1. DEPARTMENT OF VETERANS AFFAIRS. There is

appropriated from the general fund of the state to the department of veterans affairs for the fiscal year beginning July 1, 2024, and ending June 30, 2025, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

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

.....	\$	1,369,205
.....	FTEs	15.00

2. STATE VETERANS CEMETERY

For cemetery grounds services and miscellaneous purposes:

.....	\$	292,000
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3. IOWA VETERANS HOME

For salaries, support, maintenance, and miscellaneous purposes:

.....	\$	8,145,736
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a. The Iowa veterans home billings involving the department of health and human services shall be submitted to the department on at least a monthly basis.

b. The Iowa veterans home expenditure report shall be submitted monthly to the general assembly.

4. HOME OWNERSHIP ASSISTANCE PROGRAM

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

.....	\$	2,200,000
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DIVISION II

AGING AND DISABILITY SERVICES — FY 2024-2025

Sec. 2. DEPARTMENT OF HEALTH AND HUMAN SERVICES — AGING

1 AND DISABILITY SERVICES. There is appropriated from the
2 general fund of the state to the department of health and human
3 services for the fiscal year beginning July 1, 2024, and ending
4 June 30, 2025, the following amount, or so much thereof as is
5 necessary, to be used for the purposes designated:

6 For aging programs for the department of health and human
7 services and area agencies on aging to provide citizens of
8 Iowa who are 60 years of age and older with case management;
9 Iowa's aging and disabilities resource centers; for the
10 return to community program; for the purposes of chapter 231E,
11 to administer the prevention of elder abuse, neglect, and
12 exploitation program pursuant to section 231.56A, in accordance
13 with the requirements of the federal Older Americans Act of
14 1965, 42 U.S.C. §3001 et seq., as amended; for the reporting
15 and evaluation of cases of dependant adult abuse pursuant to
16 chapter 235B; and for other services which may include but are
17 not limited to adult day, respite care, chore, information
18 and assistance, and material aid, for information and options
19 counseling for persons with disabilities, and for salaries,
20 support, administration, maintenance, and miscellaneous
21 purposes:

22 \$ 19,088,714

23 1. Funds appropriated in this section may be used to
24 supplement federal funds under federal regulations. To
25 receive funds appropriated in this section, a local area
26 agency on aging shall match the funds with moneys from other
27 sources according to rules adopted by the department. Funds
28 appropriated in this section may be used for services not
29 specifically enumerated in this section only if approved by the
30 department as part of an area agency on aging's area plan.

31 2. Of the funds appropriated in this section, \$949,282
32 shall be used for the family support center component of the
33 comprehensive family support program under chapter 225C,
34 subchapter V.

35 3. Of the funds appropriated in this section, \$33,632 shall

1 be used to build community capacity through the coordination
2 and provision of training opportunities in accordance with the
3 consent decree of Conner v. Branstad, No. 4-86-CV-30871 (S.D.
4 Iowa, July 14, 1994).

5 DIVISION III

6 BEHAVIORAL HEALTH — FY 2024-2025

7 Sec. 3. DEPARTMENT OF HEALTH AND HUMAN SERVICES —
8 BEHAVIORAL HEALTH. There is appropriated from the general fund
9 of the state to the department of health and human services for
10 the fiscal year beginning July 1, 2024, and ending June 30,
11 2025, the following amount, or so much thereof as is necessary,
12 to be used for the purposes designated:

13 For behavioral health prevention, treatment, and recovery
14 efforts to reduce the prevalence of the use of, provide
15 treatment for, and support recovery from tobacco and substance
16 use and misuse pursuant to the applicable policy, purpose,
17 and intent described in sections 125.1 and 142A.1, alcohol,
18 problem gambling, and other addictive behaviors. Activities
19 shall align with accepted best practice guidance standards for
20 behavioral health including those published by the centers for
21 disease control and prevention and the substance abuse and
22 mental health services administration of the United States
23 department of health and human services for health promotion;
24 universal, selective, and indicated prevention; treatment; and
25 recovery services and supports; and shall include a 24-hour
26 helpline, public information resources, professional training,
27 youth prevention, program evaluation, and efforts at the state
28 and local levels:

29 \$ 24,400,114

30 Sec. 4. DEPARTMENT OF HEALTH AND HUMAN SERVICES — SPORTS
31 WAGERING RECEIPTS FUND. There is appropriated from the sports
32 wagering receipts fund created in section 8.57, subsection 6,
33 to the department of health and human services for the fiscal
34 year beginning July 1, 2024, and ending June 30, 2025, the
35 following amount, or so much thereof as is necessary, to be

1 used for behavioral health prevention, treatment, and recovery
2 efforts to reduce the prevalence of the use of, provide
3 treatment for, and support recovery from tobacco and substance
4 use and misuse pursuant to the applicable policy, purpose, and
5 intent described in sections 125.1 and 142A.1, alcohol, problem
6 gambling, and other addictive behaviors:

7 \$ 1,750,000

8 Sec. 5. DEPARTMENT OF HEALTH AND HUMAN SERVICES — MENTAL
9 HEALTH AND DISABILITY SERVICES REGIONAL SERVICE FUND —
10 REGION INCENTIVE FUND. There is appropriated from the region
11 incentive fund of the mental health and disability services
12 regional service fund created in section 225C.7A, to the
13 department of health and human services for the fiscal year
14 beginning July 1, 2024, and ending June 30, 2025, the following
15 amount, or so much thereof as is necessary, to be used to
16 support the statewide 988 suicide and crisis line, and to
17 support the transition to the new behavioral health system
18 pursuant to 2024 Iowa Acts, House File 2509, or successor
19 legislation, if enacted:

20 \$ 3,000,000

21 DIVISION IV

22 PUBLIC HEALTH — FY 2024-2025

23 Sec. 6. DEPARTMENT OF HEALTH AND HUMAN SERVICES — PUBLIC
24 HEALTH. There is appropriated from the general fund of the
25 state to the department of health and human services for the
26 fiscal year beginning July 1, 2024, and ending June 30, 2025,
27 the following amount, or so much thereof as is necessary, to be
28 used for the purposes designated:

29 For programs that support health promotion, protect the
30 health and safety of the public, conduct disease surveillance
31 and investigation to reduce the incidence of morbidity and
32 mortality, serve individuals with chronic conditions, and
33 strengthen the health care delivery system to improve health
34 outcomes for all Iowans:

35 \$ 22,916,821

1 1. Of the funds appropriated in this section, \$2,100,000
2 shall be deposited in the medical residency training account
3 created in section 135.175, subsection 5, paragraph "a", and is
4 appropriated from the account to the department to be used for
5 the purposes of the medical residency training state matching
6 grants program as specified in section 135.176.

7 2. Of the funds appropriated in this section, \$800,000
8 shall be used for rural psychiatric residencies to annually
9 fund eight psychiatric residents who will provide mental health
10 services in underserved areas of the state.

11 3. Of the funds appropriated in this section, \$425,000
12 shall be used for the continuation of a centers of excellence
13 program for the awarding of two grants to encourage innovation
14 and collaboration among regional health care providers in a
15 rural area based upon the results of a regional community
16 needs assessment to transform health care delivery in order to
17 provide quality, sustainable care that meets the needs of the
18 local communities. An applicant for the grant shall specify
19 how the grant will be expended to accomplish the goals of the
20 program and shall provide a detailed five-year sustainability
21 plan prior to being awarded any grant. Following receipt
22 of the grant, a recipient shall submit periodic reports as
23 specified by the department to the governor and the general
24 assembly regarding the recipient's expenditure of the grant and
25 progress in accomplishing the program's goals.

26 4. Of the funds appropriated in this section, \$560,000 shall
27 be deposited in the state-funded family medicine obstetrics
28 fellowship program fund to be used for the state-funded family
29 medicine obstetrics fellowship program, in accordance with
30 section 135.193.

31 5. The department shall work with the board established
32 in chapter 135D to develop plans for program enhancements
33 in the Iowa health information network for the purpose of
34 empowering Iowa patients to access and direct their health
35 information utilizing the Iowa health information network.

1 Program enhancements shall protect data privacy, facilitate the
2 interchange of health data for the purpose of improving public
3 health outcomes, and increase participation by health care
4 providers.

5 6. The university of Iowa hospitals and clinics under
6 the 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 V

11 COMMUNITY ACCESS AND ELIGIBILITY — FY 2024-2025

12 Sec. 7. DEPARTMENT OF HEALTH AND HUMAN SERVICES — COMMUNITY
13 ACCESS AND ELIGIBILITY. There is appropriated from the
14 general fund of the state to the department of health and human
15 services for the fiscal year beginning July 1, 2024, and ending
16 June 30, 2025, the following amount, or so much thereof as is
17 necessary, to be used for the purposes designated:

18 To be used for salaries, support, maintenance, and
19 miscellaneous purposes and for family investment program (FIP)
20 assistance in accordance with chapter 239B, and for other costs
21 associated with providing needs-based benefits or assistance
22 including but not limited to maternal and child health, oral
23 health, obesity prevention, the promoting independence and
24 self-sufficiency through employment, job opportunities and
25 basic skills (PROMISE JOBS) program, supplemental nutrition
26 assistance program (SNAP) employment and training, the FIP
27 diversion program, family planning, rent reimbursement,
28 and eligibility determinations for medical assistance, food
29 assistance, and the children’s health insurance program:

30 \$ 68,043,944

31 1. Of the child support collections assigned under FIP,
32 the federal share of support collections shall be credited to
33 the child support services appropriation made in this division
34 of this Act. Of the remainder of the assigned child support
35 collections received by child support services, a portion

1 shall be credited to community access and eligibility, and
2 the remaining funds may be used to increase recoveries, to
3 sustain cash flow in the child support payments account, or for
4 technology needs. If child support collections assigned under
5 FIP are greater than estimated or are otherwise determined not
6 to be required for maintenance of effort, the state share of
7 either amount may be transferred to or retained in the child
8 support payments account.

9 2. Of the funds appropriated in this section, \$3,075,000
10 shall be used for continuation of the department's initiative
11 to provide for adequate developmental surveillance and
12 screening during a child's first five years. The funds shall
13 be used first to fully fund the current participating counties
14 to ensure that those counties are fully operational, with the
15 remaining funds to be used for expanding participation to
16 additional counties. The full implementation and expansion
17 shall include enhancing the scope of the initiative through
18 collaboration with the child health specialty clinics to
19 promote the use of developmental surveillance and screening to
20 support healthy child development through early identification
21 and response to both biomedical and social determinants of
22 healthy development by providing practitioner consultation
23 and continuous improvement through training and education,
24 particularly for children with behavioral conditions and
25 needs. The department shall also collaborate with the Medicaid
26 program and the child health specialty clinics to assist in
27 coordinating the activities of the first five initiative into
28 the establishment of patient-centered medical homes developed
29 to improve health quality and population health while reducing
30 health care costs. To the maximum extent possible, funding
31 allocated in this subsection shall be utilized as matching
32 funds for Medicaid program reimbursement.

33 3. Of the funds appropriated in this section, \$1,145,102
34 is allocated to the Iowa commission on volunteer service for
35 programs and grants.

1 4. The university of Iowa hospitals and clinics under
2 the control of the state board of regents shall not receive
3 indirect costs from the funds appropriated in this section.
4 The university of Iowa hospitals and clinics billings to the
5 department shall be on at least a quarterly basis.

6 CHILD SUPPORT SERVICES

7 Sec. 8. CHILD SUPPORT SERVICES. There is appropriated from
8 the general fund of the state to the department of health and
9 human services for the fiscal year beginning July 1, 2024, and
10 ending June 30, 2025, the following amount, or so much thereof
11 as is necessary, to be used for the purposes designated:

12 For child support services, including salaries, support,
13 maintenance, and miscellaneous purposes:

14 \$ 15,434,282

15 1. Federal access and visitation grant moneys shall be used
16 for services designed to increase compliance with the child
17 access provisions of court orders, including but not limited to
18 neutral visitation sites and mediation services.

19 2. The appropriation made to the department for child
20 support services may be used throughout the fiscal year in the
21 manner necessary for purposes of cash flow management, and for
22 cash flow management purposes the department may temporarily
23 draw more than the amount appropriated, provided the amount
24 appropriated is not exceeded at the close of the fiscal year.

25 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT

26 Sec. 9. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
27 GRANT. There is appropriated from the special fund created in
28 section 8.41 to the department of health and human services
29 for the fiscal year beginning July 1, 2024, and ending June
30 30, 2025, from moneys received under the federal temporary
31 assistance for needy families (TANF) block grant pursuant
32 to the federal Personal Responsibility and Work Opportunity
33 Reconciliation Act of 1996, Pub. L. No. 104-193, and successor
34 legislation, the following amounts, or so much thereof as is
35 necessary, to be used for the purposes designated:

1 1. For community access and eligibility, FIP, the PROMISE
2 JOBS program, implementing family investment agreements in
3 accordance with chapter 239B, and for continuation of the
4 program promoting awareness of the benefits of a healthy
5 marriage:

6 \$ 12,988,627

7 2. For community access and eligibility to provide
8 pregnancy prevention grants on the condition that family
9 planning services are funded:

10 \$ 1,913,203

11 Pregnancy prevention grants shall be awarded to programs
12 in existence on or before July 1, 2024, if the programs have
13 demonstrated positive outcomes. Grants shall be awarded to
14 pregnancy prevention programs which are developed after July
15 1, 2024, if the programs are based on existing models that
16 have demonstrated positive outcomes. Grants shall comply with
17 the requirements provided in 1997 Iowa Acts, chapter 208,
18 section 14, subsections 1 and 2, including the requirement that
19 grant programs must emphasize sexual abstinence. Priority in
20 the awarding of grants shall be given to programs that serve
21 areas of the state which demonstrate the highest percentage of
22 unplanned pregnancies of females of childbearing age within the
23 geographic area to be served by the grant.

24 3. For community access and eligibility to meet one of the
25 four core purposes of TANF as specified in 45 C.F.R. §260.20,
26 including by modernizing the program to promote economic
27 mobility and self-sufficiency, ensuring that families are able
28 to overcome benefit cliffs, encouraging healthy families, and
29 streamlining service delivery to reduce duplication:

30 \$ 5,000,000

31 4. For technology needs related to child support
32 modernization of the Iowa collections and reporting (ICAR)
33 system and for a closed loop referral system for the thrive
34 Iowa program:

35 \$ 5,000,000

1 5. For early intervention and supports for the family
2 development and self-sufficiency (FaDSS) grant program in
3 accordance with section 216A.107:
4 \$ 2,888,980

5 Of the funds allocated for the FaDSS grant program in this
6 subsection, not more than 5 percent of the funds shall be used
7 for administrative purposes.

8 6. For early intervention and supports for child abuse
9 prevention grants:
10 \$ 125,000

11 7. For accountability, compliance, program integrity,
12 technology needs, and other resources necessary to meet federal
13 and state reporting, tracking, and case management requirements
14 and other departmental needs:
15 \$ 3,533,647

16 8. For state child care assistance:
17 \$ 47,166,826

18 9. For child protective services:
19 \$ 62,364,100

20 10. For child protective services for the kinship stipend
21 program:
22 \$ 3,000,000

23 DIVISION VI

24 MEDICAL ASSISTANCE — STATE SUPPLEMENTARY ASSISTANCE — HEALTHY
25 AND WELL KIDS IN IOWA PROGRAM AND OTHER HEALTH-RELATED PROGRAMS
26 — FY 2024-2025

27 Sec. 10. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
28 ASSISTANCE, AND HEALTHY AND WELL KIDS IN IOWA PROGRAM. There
29 is appropriated from the general fund of the state to the
30 department of health and human services for the fiscal year
31 beginning July 1, 2024, and ending June 30, 2025, the following
32 amount, or so much thereof as is necessary, to be used for the
33 purposes designated:

34 For medical assistance program reimbursement and associated
35 costs as specifically provided in the reimbursement

1 methodologies in effect on June 30, 2024, except as otherwise
2 expressly authorized by law, consistent with options under
3 federal law and regulations, and contingent upon receipt of
4 approval from the office of the governor of reimbursement
5 for each abortion performed under the program; for the state
6 supplementary assistance program; for the health insurance
7 premium payment program; and for maintenance of the healthy and
8 well kids in Iowa (Hawki) program pursuant to chapter 514I,
9 including supplemental dental services, for receipt of federal
10 financial participation under Tit. XXI of the federal Social
11 Security Act, which creates the children's health insurance
12 program; and for other specified health-related programs:

13 \$ 1,651,307,614

14 1. Of the funds appropriated in this section,
15 \$1,605,504,882 is allocated for medical assistance program
16 reimbursement and associated costs.

17 a. Of the funds allocated in this subsection, \$800,000 shall
18 be used for the renovation and construction of certain nursing
19 facilities, consistent with the provisions of chapter 249K.

20 b. Of the funds allocated in this subsection, \$3,383,880
21 shall be used for program administration, outreach, and
22 enrollment activities of the state family planning services
23 program pursuant to section 217.41B, and of this amount, the
24 department may use \$200,000 for administrative expenses.

25 c. Of the funds allocated in this subsection, \$369,000 shall
26 be used to provide enhanced reimbursement for a psychiatric
27 medical institution for children that meets the selection
28 criteria and for the purposes specified in 2024 Iowa Acts,
29 House File 2402, or successor legislation, if enacted.

30 d. Of the funds allocated in this subsection, \$86,000 shall
31 be used to provide biomarker testing under the Medicaid program
32 as specified in 2024 Iowa Acts, House File 2668, or successor
33 legislation, if enacted.

34 e. Of the funds allocated in this subsection, \$2,000,000
35 shall be used for adjustment of the Medicaid pharmacy

1 dispensing fee.

2 f. Of the funds allocated in this subsection, \$1,779,122
3 shall be used to increase income eligibility for the Medicaid
4 for employed people with disabilities program to 300 percent of
5 the most recently revised official poverty guidelines published
6 by the United States department of health and human services.

7 g. Of the funds allocated in this subsection, \$2,251,436
8 shall be used to increase reimbursement rates under the
9 Medicaid program for mental health providers.

10 2. Iowans support reducing the number of abortions
11 performed in our state. Funds appropriated under this section
12 shall not be used for abortions, unless otherwise authorized
13 under this section.

14 3. The provisions of this section relating to abortions
15 shall also apply to the Iowa health and wellness plan created
16 pursuant to chapter 249N.

17 4. Of the funds appropriated in this section, \$4,479,762 is
18 allocated for the state supplementary assistance program.

19 5. Of the funds appropriated in this section, \$41,322,970
20 is allocated for maintenance of the Hawki program pursuant
21 to chapter 514I, including supplemental dental services, for
22 receipt of federal financial participation under Tit. XXI of
23 the federal Social Security Act, which creates the children's
24 health insurance program.

25 HEALTH PROGRAM OPERATIONS

26 Sec. 11. HEALTH PROGRAM OPERATIONS. There is appropriated
27 from the general fund of the state to the department of health
28 and human services for the fiscal year beginning July 1,
29 2024, and ending June 30, 2025, the following amount, or so
30 much thereof as is necessary, to be used for the purposes
31 designated:

32 For health program operations:

33 \$ 39,597,231

34 1. The department of inspections, appeals, and licensing
35 shall provide all state matching funds for survey and

1 certification activities performed by the department of
2 inspections, appeals, and licensing. The department of health
3 and human services is solely responsible for distributing the
4 federal matching funds for such activities.

5 2. Of the funds appropriated in this section, a sufficient
6 amount shall be used for the administration of the health
7 insurance premium payment program, including salaries, support,
8 maintenance, and miscellaneous purposes.

9 3. Of the funds appropriated in this section, \$750,000 shall
10 be used for the state poison control center. Pursuant to the
11 directive under 2014 Iowa Acts, chapter 1140, section 102, the
12 federal matching funds available to the state poison control
13 center from the department under the federal Children's Health
14 Insurance Program Reauthorization Act of 2009 allotment shall
15 be subject to the federal administrative cap rule of 10 percent
16 applicable to funding provided under Tit. XXI of the federal
17 Social Security Act and included within the department's
18 calculations of the cap.

19 4. Unless otherwise provided, annual increases for services
20 provided through contracts funded under this section shall
21 not exceed the amount by which the consumer price index for
22 all urban consumers increased during the most recently ended
23 calendar year.

24 HEALTH CARE ACCOUNTS AND FUNDS

25 Sec. 12. PHARMACEUTICAL SETTLEMENT ACCOUNT — DEPARTMENT
26 OF HEALTH AND HUMAN SERVICES. There is appropriated from the
27 pharmaceutical settlement account created in section 249A.33 to
28 the department of health and human services for the fiscal year
29 beginning July 1, 2024, and ending June 30, 2025, the following
30 amount, or so much thereof as is necessary, to be used for the
31 purposes designated:

32 Notwithstanding any provision of law to the contrary, to
33 supplement the appropriation made in this Act for health
34 program operations under the medical assistance program for the
35 same fiscal year:

1 \$ 234,193

2 Sec. 13. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF
3 HEALTH AND HUMAN SERVICES. Notwithstanding any provision to
4 the contrary and subject to the availability of funds, there is
5 appropriated from the quality assurance trust fund created in
6 section 249L.4 to the department of health and human services
7 for the fiscal year beginning July 1, 2024, and ending June 30,
8 2025, the following amount, or so much thereof as is necessary,
9 for the purposes designated:

10 To supplement the appropriation made in this Act from the
11 general fund of the state to the department of health and human
12 services for medical assistance for the same fiscal year:
13 \$111,216,205

14 Sec. 14. HOSPITAL HEALTH CARE ACCESS TRUST FUND —
15 DEPARTMENT OF HEALTH AND HUMAN SERVICES. Notwithstanding any
16 provision to the contrary and subject to the availability of
17 funds, there is appropriated from the hospital health care
18 access trust fund created in section 249M.4 to the department
19 of health and human services for the fiscal year beginning July
20 1, 2024, and ending June 30, 2025, the following amount, or so
21 much thereof as is necessary, for the purposes designated:

22 To supplement the appropriation made in this Act from the
23 general fund of the state to the department of health and human
24 services for medical assistance for the same fiscal year:
25 \$ 33,920,554

26 REIMBURSEMENT RATES

27 Sec. 15. REIMBURSEMENT RATES.

28 1. Reimbursement for medical assistance, state
29 supplementary assistance, and social service providers and
30 services reimbursed under the purview of the department of
31 health and human services shall remain at the reimbursement
32 rate or shall be determined pursuant to the reimbursement
33 methodology in effect on June 30, 2024, with the exception of
34 the following:

35 a. If reimbursement is otherwise negotiated by contract or

1 pursuant to an updated fee schedule.

2 b. As otherwise provided in this section.

3 2. a. Notwithstanding any provision of law to the contrary,
4 for the fiscal year beginning July 1, 2024, and ending June
5 30, 2025, the department of health and human services shall
6 reimburse case-mix nursing facility rates at the amounts in
7 effect on June 30, 2024.

8 b. The department of health and human services shall
9 calculate each nursing facility's case-mix index for the period
10 beginning July 1, 2023, using weighting based on the current
11 patient driven payment model (PDPM) schedule. Rosters shall be
12 made to show a separate calculation to determine the average
13 case-mix index for a nursing-facility-wide case mix index, and
14 a case-mix index for the residents of a nursing facility who
15 are Medicaid recipients using all minimum data set reports by
16 the nursing facility for the previous semi-annual period using
17 a day weighted calculation.

18 3. For the fiscal year beginning July 1, 2024, Medicaid
19 provider rates shall be adjusted to 85 percent of the benchmark
20 rates based on the department's 2023 Medicaid rate review for
21 all of the following Medicaid providers:

- 22 a. Home health agencies.
- 23 b. Medical supply providers.
- 24 c. Physician assistants.
- 25 d. Physical therapists.
- 26 e. Occupational therapists.
- 27 f. Certified nurse midwives.

28 4. For the fiscal year beginning July 1, 2024, Medicaid
29 provider rates shall be adjusted to 85 percent of the benchmark
30 rates based on the department's 2024 Medicaid rate review for
31 all of the following Medicaid providers:

- 32 a. Psychologists.
- 33 b. Nurse practitioners.

34 5. For the fiscal year beginning July 1, 2024, reimbursement
35 rates for home and community-based services providers shall be

1 increased compared to the rates in effect on June 30, 2024, to
2 the extent possible within the state funding, including the
3 \$14,600,000 provided for this purpose.

4 6. For the fiscal year beginning July 1, 2024, reimbursement
5 rates for community mental health centers shall be increased
6 compared to the rates in effect on June 30, 2024, to the extent
7 possible within the state funding, including the \$276,947
8 provided for this purpose.

9 7. For the fiscal year beginning July 1, 2024, enhanced
10 reimbursement shall be provided for a psychiatric medical
11 institution for children that meets the selection criteria
12 specified in 2024 Iowa Acts, House File 2402, or successor
13 legislation, if enacted.

14 8. For the fiscal year beginning July 1, 2024, the pharmacy
15 dispensing fee shall be adjusted within the additional
16 \$2,000,000 appropriated for this purpose.

17 9. For the fiscal year beginning July 1, 2024, the
18 reimbursement rates for mental health providers shall be
19 increased within the additional \$2,251,436 appropriated for
20 this purpose.

21 DIVISION VII

22 FAMILY WELL-BEING AND PROTECTION — FY 2024-2025

23 STATE CHILD CARE ASSISTANCE

24 Sec. 16. STATE CHILD CARE ASSISTANCE. There is appropriated
25 from the general fund of the state to the department of health
26 and human services for the fiscal year beginning July 1,
27 2024, and ending June 30, 2025, the following amount, or so
28 much thereof as is necessary, to be used for the purposes
29 designated:

30 For state child care assistance in accordance with section
31 237A.13:

32 \$ 34,966,931

33 A portion of the state match for the federal child care and
34 development block grant shall be provided as necessary to meet
35 federal matching funds requirements through the state general

1 fund appropriation made for child development grants and other
2 programs for at-risk children in section 279.51.

3 EARLY INTERVENTION AND SUPPORTS

4 Sec. 17. EARLY INTERVENTION AND SUPPORTS. There is
5 appropriated from the general fund of the state to the
6 department of health and human services for the fiscal year
7 beginning July 1, 2024, and ending June 30, 2025, the following
8 amount, or so much thereof as is necessary, to be used for the
9 purposes designated:

10 For promoting the optimum health status for children
11 and adolescents from birth through 21 years of age, and for
12 families:

13 \$ 35,277,739

14 1. Of the funds appropriated in this section, not more
15 than \$734,000 shall be used for the healthy opportunities for
16 parents to experience success (HOPES)-healthy families Iowa
17 (HFI) program established pursuant to section 135.106.

18 2. Of the funds appropriated in this section, \$4,313,854 is
19 allocated for the FaDSS grant program. Of the funds allocated
20 for the FaDSS grant program in this subsection, not more than 5
21 percent of the funds shall be used for administration of the
22 grant program.

23 3. Of the funds appropriated in this section, \$29,256,799
24 shall be used for the purposes of the early childhood Iowa fund
25 created in section 256I.11.

26 4. Of the funds appropriated in this section, \$1,000,000
27 shall be used for the purposes of program administration and
28 provision of pregnancy support services through the more
29 options for maternal support program in accordance with section
30 217.41C.

31 CHILD PROTECTIVE SERVICES

32 Sec. 18. CHILD PROTECTIVE SERVICES. There is appropriated
33 from the general fund of the state to the department of health
34 and human services for the fiscal year beginning July 1,
35 2024, and ending June 30, 2025, the following amount, or so

1 much thereof as is necessary, to be used for the purposes
2 designated:

3 For child, family, and adoption services, and for salaries,
4 support, maintenance, and miscellaneous purposes:

5 \$170,374,778

6 1. Of the funds appropriated in this section, \$1,717,000
7 is allocated specifically for expenditure for fiscal year
8 2024-2025 through the decategorization services funding pools
9 and governance boards established pursuant to section 232.188.

10 2. Federal funds received by the state during the fiscal
11 year beginning July 1, 2024, as the result of the expenditure
12 of state funds appropriated during a previous state fiscal
13 year for a service or activity funded under this section, are
14 appropriated to the department to be used as additional funding
15 for services and purposes provided for under this section.
16 Notwithstanding section 8.33, moneys received in accordance
17 with this subsection that remain unencumbered or unobligated at
18 the close of the fiscal year shall not revert to any fund but
19 shall remain available for the purposes designated until the
20 close of the succeeding fiscal year.

21 3. a. Of the funds appropriated in this section, \$748,000
22 is allocated for the payment of the expenses of court-ordered
23 services provided to children who are under the supervision
24 of the department, which expenses are a charge upon the state
25 pursuant to section 232.141, subsection 4.

26 b. Notwithstanding chapter 232 or any other provision of
27 law to the contrary, a district or juvenile court shall not
28 order any service which is a charge upon the state pursuant
29 to section 232.141 if the court-ordered services distribution
30 amount is insufficient to pay for the service.

31 4. Of the funds appropriated in this section, \$1,658,000
32 shall be used for the child protection center grant program for
33 child protection centers located in Iowa in accordance with
34 section 135.118. The grant amounts under the program shall be
35 equalized so that each center receives a uniform base amount of

1 \$245,000, and so that the remaining funds are awarded through
2 a funding formula based upon the volume of children served.
3 To increase access to child protection center services for
4 children in rural areas, the funding formula for the awarding
5 of the remaining funds shall provide for the awarding of an
6 enhanced amount to eligible grantees to develop and maintain
7 satellite centers in underserved regions of the state.

8 5. Of the funds appropriated in this section, \$4,359,500 is
9 allocated for the preparation for adult living program pursuant
10 to section 234.46.

11 6. Of the funds appropriated in this section, a portion may
12 be used for family-centered services for purposes of complying
13 with the federal Family First Prevention Services Act of 2018,
14 Pub. L. No. 115-123, and successor legislation.

15 7. a. Of the funds appropriated in this section, a
16 sufficient amount is allocated for adoption subsidy payments
17 and related costs.

18 b. Any funds allocated in this subsection remaining after
19 the allocation under paragraph "a" are designated and allocated
20 as state savings resulting from implementation of the federal
21 Fostering Connections to Success and Increasing Adoptions Act
22 of 2008, Pub. L. No. 110-351, and successor legislation, as
23 determined in accordance with 42 U.S.C. §673(a)(8), and shall
24 be used for post-adoption services and for other purposes
25 allowed under these federal laws, Tit. IV-B or Tit. IV-E of the
26 federal Social Security Act.

27 c. Of the funds appropriated in this section, \$296,463
28 shall be used to increase the adoption subsidy paid to a person
29 pursuant to section 600.17 who adopts a child after July 1,
30 2024, by ten percent over the rates in effect on June 30, 2024.

31 8. Of the funds appropriated in this section, \$193,000 shall
32 be used to expand the availability of supervised apartment
33 living arrangements.

34 9. Of the funds appropriated in this section, \$617,530 shall
35 be used to increase the foster care reimbursement rates paid

1 pursuant to section 234.38, by ten percent over the rates in
2 effect on June 30, 2024.

3 10. Of the funds appropriated in this section, \$2,000,000
4 shall be used to pay the cost of the preplacement investigation
5 and the postplacement investigations related to adoptions, as
6 specified pursuant to section 600.8, as amended in this Act.

7 11. Of the funds appropriated in this section, \$2,623,748
8 shall be used to lower the required ratio of supervisors to
9 social workers from one supervisor for every six and one-half
10 social workers to one supervisor for every five social workers.

11 12. If a separate funding source is identified that reduces
12 the need for state funds within an allocation under this
13 section, the allocated state funds may be redistributed to
14 other allocations under this section for the same fiscal year.

15 DIVISION VIII

16 STATE SPECIALTY CARE — FY 2024-2025

17 Sec. 19. STATE SPECIALTY CARE. There is appropriated from
18 the general fund of the state to the department of health and
19 human services for the fiscal year beginning July 1, 2024, and
20 ending June 30, 2025, the following amount, or so much thereof
21 as is necessary, to be used for the purposes designated:

22 For salaries, support, maintenance, and miscellaneous
23 purposes at institutions under the jurisdiction of the
24 department of health and human services:

25 \$100,006,128

26 1. The department shall utilize the funds appropriated in
27 this section as necessary to maximize bed capacity and to most
28 effectively meet the needs of the individuals served.

29 2. Of the amount appropriated in this section, the following
30 amounts are allocated to each institution as follows:

31 a. For the state mental health institute at Cherokee:

32 \$ 19,439,086

33 b. For the state mental health institute at Independence:

34 \$ 23,916,279

35 c. For the civil commitment unit for sexual offenders at

1 Cherokee:

2 \$ 17,755,397

3 d. For the state resource center at Woodward:

4 \$ 14,018,717

5 e. For the state resource center at Glenwood:

6 \$ 5,255,132

7 f. For the state training school at Eldora:

8 \$ 19,621,517

9

DIVISION IX

10

ADMINISTRATION AND COMPLIANCE — FY 2024-2025

11

Sec. 20. ACCOUNTABILITY, COMPLIANCE, AND PROGRAM

12

INTEGRITY. There is appropriated from the general fund of the state to the department of health and human services for the fiscal year beginning July 1, 2024, and ending June 30, 2025, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

17

For accountability, compliance, and program integrity, including salaries, support, maintenance, and miscellaneous purposes:

20

..... \$ 21,194,894

21

1. Of the funds appropriated in this section, \$200,000 shall be transferred to and deposited in the Iowa ABLE savings plan trust administrative fund created in section 12I.4, to be used for implementation and administration activities of the Iowa ABLE savings plan trust.

26

2. Of the funds appropriated in this section, \$2,602,312 shall be used for foster care review and the court appointed special advocate program, including for salaries, support, maintenance, and miscellaneous purposes.

30

3. Of the funds appropriated in this section, \$1,148,959 shall be used for the office of long-term care ombudsman for salaries, support, administration, maintenance, and miscellaneous purposes.

34

4. For the fiscal year beginning July 1, 2024, and ending June 30, 2025, the department of health and human services

35

1 may utilize the funds appropriated from the general fund of
2 the state to the department under this Act for up to 4,156.00
3 full-time equivalent positions. The department shall report to
4 the general assembly by December 15, 2024, the distribution of
5 the approved number of full-time equivalent positions across
6 the organizational divisions of the department.

7 DIVISION X

8 ANNUAL DEPARTMENTAL BUDGET REPORT

9 Sec. 21. ANNUAL BUDGET REPORT. The department of health and
10 human services shall include in the annual budget submitted to
11 the council on health and human services pursuant to section
12 217.3 a detailed description of the programs and expenditures
13 by budget unit reflective of the redesigned organizational
14 divisions of the department.

15 DIVISION XI

16 MEDICAL ASSISTANCE HOME AND COMMUNITY-BASED SERVICES WAIVER
17 FOR INDIVIDUALS WITH AN INTELLECTUAL DISABILITY — ADDITIONAL
18 WAIVER SLOTS — FY 2025-2026

19 Sec. 22. MEDICAL ASSISTANCE — HOME AND COMMUNITY-BASED
20 SERVICES WAIVER FOR INDIVIDUALS WITH AN INTELLECTUAL
21 DISABILITY — ADDITIONAL WAIVER SLOTS — APPROPRIATION — FY
22 2025-2026. There is appropriated from the general fund of
23 the state to the department of health and human services for
24 the fiscal year beginning July 1, 2025, and ending June 30,
25 2026, the following amount, or so much thereof as is necessary,
26 to be used for the medical assistance program to provide for
27 additional home and community-based services waiver slots for
28 individuals with an intellectual disability:

29 \$ 1,950,000

30 DIVISION XII

31 DEPARTMENT OF HEALTH AND HUMAN SERVICES TRANSFERS, CASHFLOW,
32 AND NONREVERSIONS

33 Sec. 23. DEPARTMENT OF HEALTH AND HUMAN SERVICES TRANSFERS
34 AND CASHFLOW.

35 1. The department of health and human services may transfer

1 funds appropriated in this Act to support continuing alignment
2 efforts, to maximize federal support in accordance with the
3 department's federal costs allocation plan, and for resources
4 necessary to implement and administer the services for which
5 funds are provided. The department shall report any transfers
6 made pursuant to this subsection to the general assembly.

7 2. If the savings to the appropriations made for the
8 Medicaid program from ongoing cost management efforts exceed
9 the associated costs for the fiscal year, the department may
10 transfer any savings generated for the fiscal year due to cost
11 management efforts to the appropriations made in this Act for
12 health program operations or for accountability, compliance,
13 and program integrity to defray the costs associated with
14 implementation of the cost management efforts.

15 3. The department may transfer funds appropriated for
16 child protective services to pay the nonfederal share costs of
17 services reimbursed under the medical assistance program, state
18 child care assistance program, or the family investment program
19 which are provided to children who would otherwise receive
20 services paid under the appropriation for child protective
21 services.

22 4. The department may transfer funds from the temporary
23 assistance for needy families block grant to the federal social
24 services block grant appropriation, and to the child care and
25 development block grant appropriation, in accordance with
26 federal law.

27 Sec. 24. DEPARTMENT OF HEALTH AND HUMAN SERVICES
28 NONREVERSIONS.

29 1. Notwithstanding section 8.33, moneys appropriated from
30 the general fund of the state and the temporary assistance for
31 needy families block grant to the department of health and
32 human services for the fiscal year beginning July 1, 2024,
33 and ending June 30, 2025, for the purposes of the FaDSS grant
34 program that remain unencumbered or unobligated at the close of
35 the fiscal year shall not revert, but shall remain available

1 for expenditure for the purposes designated until the close of
2 the succeeding fiscal year.

3 2. Notwithstanding section 8.33, of the moneys appropriated
4 from the general fund of the state, the quality assurance trust
5 fund, and the hospital health care access trust fund to the
6 department of health and human services for the fiscal year
7 beginning July 1, 2024, and ending June 30, 2025, for the
8 purposes of the medical assistance program, the amount that is
9 in excess of actual expenditures for the medical assistance
10 program that remains unencumbered or unobligated at the close
11 of the fiscal year shall not revert, but shall remain available
12 for expenditure for the medical assistance program until the
13 close of the succeeding fiscal year.

14 3. Notwithstanding section 8.33, and notwithstanding the
15 nonreversion amount limitation specified in section 222.92,
16 moneys appropriated from the general fund of the state to the
17 department of health and human services for the fiscal year
18 beginning July 1, 2024, and ending June 30, 2025, for the
19 purposes of state specialty care that remain unencumbered or
20 unobligated at the close of the fiscal year shall not revert,
21 but shall remain available for expenditure for the purposes
22 designated for subsequent fiscal years.

23 4. Notwithstanding section 8.33, moneys appropriated from
24 the general fund of the state to the department of health and
25 human services for the fiscal year beginning July 1, 2024,
26 and ending June 30, 2025, for the commission on volunteer
27 service for purposes of the Iowa state commission grant program
28 that remain unencumbered or unobligated at the close of the
29 fiscal year shall not revert, but shall remain available for
30 expenditure for the purposes designated for subsequent fiscal
31 years.

32 5. Notwithstanding section 8.33, moneys appropriated from
33 the general fund of the state to the department of health and
34 human services for the fiscal year beginning July 1, 2024,
35 and ending June 30, 2025, and allocated for rural psychiatric

1 residencies to annually fund eight psychiatric residents who
2 will provide mental health services to underserved areas of the
3 state that remain unencumbered or unobligated at the close of
4 the fiscal year shall not revert, but shall remain available
5 for expenditure for the purposes designated until the close of
6 the succeeding fiscal year.

7 6. Notwithstanding section 8.33, moneys appropriated from
8 the general fund of the state to the department of health and
9 human services for the fiscal year beginning July 1, 2024, and
10 ending June 30, 2025, and allocated to provide audiological
11 services and hearing aids for children that remain unencumbered
12 or unobligated at the close of the fiscal year shall not
13 revert, but shall remain available for expenditure for the
14 purposes designated until the close of the succeeding fiscal
15 year.

16 7. Notwithstanding section 8.33, moneys appropriated from
17 the general fund of the state to the department of health and
18 human services for the fiscal year beginning July 1, 2024,
19 and ending June 30, 2025, and allocated for adoption subsidy
20 payments and related costs or for post-adoption services
21 and related allowable purposes that remain unencumbered or
22 unobligated at the close of the fiscal year shall not revert,
23 but shall remain available for expenditure for the purposes
24 designated until the close of the succeeding fiscal year.

25 8. Notwithstanding section 8.33, moneys appropriated from
26 the general fund of the state to the department of health and
27 human services for the fiscal year beginning July 1, 2024,
28 and ending June 30, 2025, and allocated to lower the required
29 ratio of supervisors to social workers as specified in this
30 Act, that remain unencumbered or unobligated at the close of
31 the fiscal year shall not revert but shall remain available for
32 expenditure for the purpose designated until the close of the
33 succeeding fiscal year.

34 9. Notwithstanding section 8.33, moneys appropriated from
35 the general fund of the state to the department of health and

1 human services for the fiscal year beginning July 1, 2024, and
2 ending June 30, 2025, and allocated to increase the foster
3 care reimbursement rates paid pursuant to section 234.38 as
4 specified in this Act, that remain unencumbered or unobligated
5 at the close of the fiscal year shall not revert but shall
6 remain available for expenditure for the purpose designated
7 until the close of the succeeding fiscal year.

8

DIVISION XIII

9 HEALTH AND HUMAN SERVICES — PRIOR APPROPRIATIONS AND OTHER
10 PROVISIONS — FY 2022-2023

11

RURAL PSYCHIATRIC RESIDENCIES

12 Sec. 25. 2022 Iowa Acts, chapter 1131, section 3, subsection
13 4, paragraph j, is amended to read as follows:

14 j. Of the funds appropriated in this subsection, \$800,000
15 shall be used for rural psychiatric residencies to support the
16 annual creation and training of ~~six~~ eight psychiatric residents
17 who will provide mental health services in underserved areas of
18 the state. Notwithstanding [section 8.33](#), moneys that remain
19 unencumbered or unobligated at the close of the fiscal year
20 shall not revert but shall remain available for expenditure for
21 the purposes designated for subsequent fiscal years.

22

FAMILY INVESTMENT PROGRAM

23 Sec. 26. 2022 Iowa Acts, chapter 1131, section 9, subsection
24 7, as enacted by 2023 Iowa Acts, chapter 112, section 41, is
25 amended to read as follows:

26 7. Notwithstanding [section 8.33](#), moneys appropriated in
27 this section that remain unencumbered or unobligated at the
28 close of the fiscal year shall not revert but shall remain
29 available for the purposes designated, or may be transferred to
30 other appropriations in this division of this Act or used as
31 necessary to enhance agency accountability, program integrity,
32 compliance, and efficiency, until the close of the succeeding
33 fiscal year.

34 Sec. 27. EFFECTIVE DATE. This division of this Act, being
35 deemed of immediate importance, takes effect upon enactment.

1 Sec. 28. RETROACTIVE APPLICABILITY. This division of this
2 Act applies retroactively to July 1, 2022.

3

DIVISION XIV

4 HEALTH AND HUMAN SERVICES — PRIOR APPROPRIATIONS AND OTHER
5 PROVISIONS — FY 2023-2024
6 OFFICE OF PUBLIC GUARDIAN

7 Sec. 29. 2023 Iowa Acts, chapter 112, section 3, is amended
8 by adding the following new subsection:

9 NEW SUBSECTION. 7. Notwithstanding section 8.33,
10 moneys appropriated in this section for the state office of
11 public guardian established under chapter 231E that remain
12 unencumbered or unobligated at the close of the fiscal year
13 shall not revert but shall remain available for the purposes
14 designated until the close of the succeeding fiscal year.

15

AUDIOLOGICAL SERVICES

16 Sec. 30. 2023 Iowa Acts, chapter 112, section 5, subsection
17 2, paragraph e, is amended to read as follows:

18 e. Of the funds appropriated in this subsection, \$156,000
19 shall be used to provide audiological services and hearing aids
20 for children. Notwithstanding section 8.33, moneys allocated
21 in this paragraph that remain unencumbered or unobligated at
22 the close of the fiscal year shall not revert but shall remain
23 available for the purposes designated until the close of the
24 succeeding fiscal year.

25

RURAL PSYCHIATRIC RESIDENCIES

26 Sec. 31. 2023 Iowa Acts, chapter 112, section 5, subsection
27 4, paragraph j, is amended to read as follows:

28 j. Of the funds appropriated in this subsection, \$800,000
29 shall be used for rural psychiatric residencies to annually
30 fund ~~six~~ eight psychiatric residents who will provide
31 mental health services in underserved areas of the state.
32 Notwithstanding [section 8.33](#), moneys that remain unencumbered
33 or unobligated at the close of the fiscal year shall not revert
34 but shall remain available for expenditure for the purposes
35 designated for subsequent fiscal years.

1 FAMILY INVESTMENT PROGRAM

2 Sec. 32. 2023 Iowa Acts, chapter 112, section 9, is amended
3 by adding the following new subsection:

4 NEW SUBSECTION. 7. Notwithstanding section 8.33, moneys
5 appropriated in this section that remain unencumbered or
6 unobligated at the close of the fiscal year shall not revert
7 but shall remain available for the purposes designated, or may
8 be transferred to other appropriations in this division of this
9 Act or used as necessary to enhance agency accountability,
10 program integrity, compliance, and efficiency, until the close
11 of the succeeding fiscal year.

12 CHILD CARE ASSISTANCE

13 Sec. 33. 2023 Iowa Acts, chapter 112, section 17, subsection
14 8, is amended to read as follows:

15 8. Notwithstanding ~~section 8.33~~, moneys ~~advanced for~~
16 ~~purposes of the programs developed by early childhood Iowa~~
17 ~~areas, advanced for purposes of wraparound child care, or~~
18 ~~received from the federal appropriations made for the purposes~~
19 ~~of~~ appropriated in this section that remain unencumbered or
20 unobligated at the close of the fiscal year shall not revert
21 to any fund but shall remain available for expenditure for the
22 purposes designated until the close of the succeeding fiscal
23 year.

24 CHILD AND FAMILY SERVICES

25 Sec. 34. 2023 Iowa Acts, chapter 112, section 19, is amended
26 by adding the following new subsection:

27 NEW SUBSECTION. 23. Notwithstanding section 8.33, moneys
28 appropriated in this section that remain unencumbered or
29 unobligated at the close of the fiscal year shall not revert
30 but shall remain available for the purposes designated until
31 the close of the succeeding fiscal year.

32 FIELD OPERATIONS

33 Sec. 35. 2023 Iowa Acts, chapter 112, section 26, is amended
34 by adding the following new subsection:

35 NEW SUBSECTION. 4. Notwithstanding section 8.33, moneys

1 appropriated in this section that remain unencumbered or
2 unobligated at the close of the fiscal year shall not revert
3 but shall remain available for the purposes designated until
4 the close of the succeeding fiscal year.

5 GENERAL ADMINISTRATION — MORE OPTIONS FOR MATERNAL SUPPORT
6 PROGRAM

7 Sec. 36. 2023 Iowa Acts, chapter 112, section 27, subsection
8 8, is amended to read as follows:

9 8. Of the funds appropriated under this section, \$1,000,000
10 shall be used for the purposes of program administration and
11 provision of pregnancy support services through the more
12 options for maternal support program in accordance with section
13 217.41C. Notwithstanding section 8.33, moneys allocated in
14 this subsection that remain unencumbered or unobligated at the
15 close of the fiscal year shall not revert but shall remain
16 available for the purposes designated until the close of the
17 succeeding fiscal year.

18 LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM ADMINISTRATIVE
19 ALLOCATION — FEDERAL BLOCK GRANT

20 Sec. 37. 2023 Iowa Acts, chapter 161, section 10, subsection
21 3, is amended to read as follows:

22 3. After subtracting the allocation in subsection 2, ~~up to~~
23 ~~to~~ no less than 8.4 percent of the remaining moneys for each
24 federal fiscal year are allocated for administrative expenses
25 of low-income home energy assistance program contractors and
26 up to 1.6 percent of the remaining moneys for each fiscal year
27 are allocated for the administrative expenses of the department
28 of health and human services under the low-income home energy
29 ~~assistance program of which \$377,000 is allocated each federal~~
30 ~~fiscal year for administrative expenses of the department of~~
31 ~~health and human services.~~ The costs of auditing the use and
32 administration of the portion of the appropriation in this
33 section that is retained by the state shall be paid from the
34 amount allocated in this subsection each federal fiscal year to
35 the department of health and human services. The auditor of

1 state shall bill the department of health and human services
2 for the audit costs.

3 Sec. 38. EFFECTIVE DATE. This division of this Act, being
4 deemed of immediate importance, takes effect upon enactment.

5 Sec. 39. RETROACTIVE APPLICABILITY. This division of this
6 Act applies retroactively to July 1, 2023.

7 DIVISION XV

8 REPORT ON NONREVERSION OF FUNDS

9 Sec. 40. REPORT ON NONREVERSION OF FUNDS. The department
10 of health and human services shall report the expenditure of
11 any moneys for which nonreversion authorization was provided
12 for the fiscal year beginning July 1, 2023, and ending June 30,
13 2024, to the general assembly on a quarterly basis beginning
14 October 1, 2024.

15 DIVISION XVI

16 EMERGENCY RULES AND REPORTS

17 Sec. 41. EMERGENCY RULES.

18 1. If necessary to comply with federal requirements
19 including time frames, or if specifically authorized by a
20 provision of this Act, the department of health and human
21 services or the mental health and disability services
22 commission shall adopt administrative rules under section
23 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph
24 "b", to implement the applicable provisions of this Act. The
25 rules shall be effective immediately upon filing unless a
26 later date is specified in the rules. Any rules adopted in
27 accordance with this section shall also be published as a
28 notice of intended action as provided in section 17A.4.

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

1 and the department of management concerning the rules and the
2 expenditure increase. The notification shall be provided at
3 least thirty calendar days prior to the date notice of the
4 rules is submitted to the administrative rules coordinator and
5 the administrative code editor.

6 Sec. 42. REPORTS. Unless otherwise provided, any reports or
7 other information required to be compiled and submitted under
8 this Act during the fiscal year beginning July 1, 2024, shall
9 be submitted on or before the date specified for submission of
10 the reports or information.

11 DIVISION XVII

12 CODIFIED PROVISIONS

13 SUBSTANCE USE DISORDER — BEER AND LIQUOR CONTROL FUND

14 Sec. 43. Section 123.17, subsection 5, Code 2024, is amended
15 to read as follows:

16 5. After any transfer provided for in [subsection 3](#) is
17 made, the department shall transfer into a special revenue
18 account in the general fund of the state, a sum of money at
19 least equal to seven percent of the gross amount of sales made
20 by the department from the beer and liquor control fund on a
21 monthly basis but not less than nine million dollars annually.
22 Of the amounts transferred, two million dollars, ~~plus an~~
23 ~~additional amount determined by the general assembly,~~ shall be
24 appropriated to the department of health and human services for
25 use by the staff who administer the comprehensive substance use
26 disorder program under [chapter 125](#) for substance use disorder
27 treatment and prevention programs. Any amounts received in
28 excess of the amounts appropriated to the department of health
29 and human services for use by the staff who administer the
30 comprehensive substance use disorder program under [chapter 125](#)
31 shall be considered part of the general fund balance.

32 TOBACCO USE PREVENTION AND CONTROL

33 Sec. 44. Section 142A.5, Code 2024, is amended by adding the
34 following new subsection:

35 NEW SUBSECTION. 9. Collaborate with the department of

1 revenue for enforcement of tobacco laws, regulations, and
2 ordinances and to engage in tobacco control activities approved
3 by the departments.

4 AREA AGENCIES ON AGING

5 Sec. 45. NEW SECTION. 231.35 Procedures related to
6 expenditure of state and federal funds.

7 1. The department shall establish and enforce procedures
8 relating to expenditure of state and federal funds by area
9 agencies on aging that require compliance with both state and
10 federal laws, rules, and regulations, including but not limited
11 to all of the following:

12 a. Requiring that expenditures are incurred only for goods
13 or services received or performed prior to the end of the
14 fiscal period designated for use of the funds.

15 b. Prohibiting prepayment for goods or services not received
16 or performed prior to the end of the fiscal period designated
17 for use of the funds.

18 c. Prohibiting prepayment for goods or services not defined
19 specifically by good or service, time period, or recipient.

20 d. Prohibiting the establishment of accounts from which
21 future goods or services which are not defined specifically by
22 good or service, time period, or recipient, may be purchased.

23 2. The procedures shall provide that if any funds are
24 expended in a manner that is not in compliance with the
25 procedures and applicable federal and state laws, rules, and
26 regulations, and are subsequently subject to repayment, the
27 area agency on aging expending such funds in contravention of
28 such procedures, laws, rules and regulations, not the state,
29 shall be liable for such repayment.

30 PERSONAL NEEDS ALLOWANCE FOR FACILITIES UNDER MEDICAID

31 Sec. 46. Section 249A.30A, Code 2024, is amended to read as
32 follows:

33 **249A.30A Medical assistance — personal needs allowance.**

34 1. The personal needs allowance under the medical
35 assistance program, which may be retained by a person who is a

1 resident of a nursing facility, an intermediate care facility
2 for persons with an intellectual disability, or an intermediate
3 care facility for persons with mental illness, as defined in
4 section 135C.1, or a person who is a resident of a psychiatric
5 medical institution for children as defined in [section 135H.1](#),
6 shall be fifty dollars per month.

7 2. A resident who has income of less than fifty dollars
8 per month shall receive a supplement from the state in the
9 amount necessary to receive a personal needs allowance of fifty
10 dollars per month, ~~if funding is specifically appropriated for~~
11 ~~this purpose.~~ The general assembly shall annually appropriate
12 a sufficient amount from the general fund of the state to the
13 department of health and human services for this purpose.

14 REPLACEMENT GENERATION TAX REVENUES

15 Sec. 47. Section 437A.8, subsection 4, paragraph d, Code
16 2024, is amended to read as follows:

17 *d.* Notwithstanding paragraph "a", a taxpayer who owns
18 or leases a new electric power generating plant and who has
19 no other operating property in the state of Iowa except for
20 operating property directly serving the new electric power
21 generating plant as described in [section 437A.16](#) shall pay
22 the replacement generation tax associated with the allocation
23 of the local amount to the county treasurer of the county in
24 which the local amount is located and shall remit the remaining
25 replacement generation tax, if any, to the director according
26 to paragraph "a" for remittance of the tax to county treasurers.
27 The director shall notify each taxpayer on or before August 31
28 following a tax year of its remaining replacement generation
29 tax to be remitted to the director. All remaining replacement
30 generation tax revenues received by the director shall be
31 ~~deposited in the property tax relief fund created in section~~
32 ~~426B.1, and shall be distributed as provided in section 426B.2~~
33 appropriated annually to the department of health and human
34 services to supplement any appropriation made for medical
35 assistance.

1 If a taxpayer has paid an amount of replacement tax,
 2 penalty, or interest which was ~~deposited into the property~~
 3 ~~tax relief fund~~ appropriated to the department of health and
 4 human services under this paragraph and which was not due, all
 5 of the provisions of [section 437A.14, subsection 1](#), paragraph
 6 "b", shall apply with regard to any claim for refund or credit
 7 filed by the taxpayer. The director shall have sole discretion
 8 as to whether the erroneous payment will be refunded to the
 9 taxpayer or credited against any replacement tax due, or to
 10 become due, from the taxpayer that would be ~~subject to deposit~~
 11 ~~in the property tax relief fund~~ appropriated to the department
 12 of health and human services under this paragraph.

13 Sec. 48. Section 437A.15, subsection 3, paragraph f, Code
 14 2024, is amended to read as follows:

15 *f.* Notwithstanding the provisions of [this section](#), if
 16 a taxpayer is a municipal utility or a municipal owner of
 17 an electric power facility financed under the provisions
 18 of [chapter 28F](#) or [476A](#), the assessed value, other than the
 19 local amount, of a new electric power generating plant shall
 20 be allocated to each taxing district in which the municipal
 21 utility or municipal owner is serving customers and has
 22 electric meters in operation in the ratio that the number of
 23 operating electric meters of the municipal utility or municipal
 24 owner located in the taxing district bears to the total number
 25 of operating electric meters of the municipal utility or
 26 municipal owner in the state as of January 1 of the tax year.
 27 If the municipal utility or municipal owner of an electric
 28 power facility financed under the provisions of [chapter 28F](#)
 29 or [476A](#) has a new electric power generating plant but the
 30 municipal utility or municipal owner has no operating electric
 31 meters in this state, the municipal utility or municipal owner
 32 shall pay the replacement generation tax associated with the
 33 new electric power generating plant allocation of the local
 34 amount to the county treasurer of the county in which the local
 35 amount is located and shall remit the remaining replacement

1 generation tax, if any, to the director at the times contained
2 in [section 437A.8, subsection 4](#), for remittance of the tax to
3 the county treasurers. All remaining replacement generation
4 tax revenues received by the director shall be ~~deposited in~~
5 ~~the property tax relief fund created in [section 426B.1](#), and~~
6 ~~shall be distributed as provided in [section 426B.2](#)~~ appropriated
7 annually to the department of health and human services to
8 supplement any appropriation made for medical assistance.

9 PERSONAL NEEDS ALLOWANCE FOR STATE SUPPLEMENTARY ASSISTANCE

10 Sec. 49. NEW SECTION. **249.9A Personal needs allowance.**

11 1. The department shall increase the personal needs
12 allowance for residents of residential care facilities by the
13 same percentage and at the same time as federal supplemental
14 security income and federal social security benefits are
15 increased due to a recognized increase in the cost of living.

16 2. If during a fiscal year, the department projects that
17 state supplementary assistance expenditures for a calendar year
18 will not meet the federal pass-through requirement specified
19 in Tit. XVI of the federal Social Security Act, section 1618,
20 as codified in 42 U.S.C. §1382g, the department may take
21 actions including but not limited to increasing the personal
22 needs allowance for residential care facility residents
23 and making programmatic adjustments or upward adjustments
24 of the residential care facility or in-home health-related
25 care reimbursement rates to ensure compliance with federal
26 requirements. In addition, the department may make other
27 programmatic and rate adjustments necessary to remain within
28 the funds appropriated for a fiscal year while ensuring
29 compliance with federal requirements.

30 3. The department may adopt emergency rules under section
31 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph
32 "b", to implement the provisions of this section and the rules
33 shall be effective immediately upon filing unless a later date
34 is specified in the rules. Any rules adopted in accordance
35 with this section shall also be published as a notice of

1 intended action as provided in section 17A.4.

2 MEDICAID FRAUD FUND AND HEALTH CARE TRUST FUND

3 Sec. 50. Section 249A.50, subsection 3, Code 2024, is
4 amended to read as follows:

5 3. *a.* A Medicaid fraud fund is created in the state
6 treasury under the authority of the department of inspections,
7 appeals, and licensing. Moneys from penalties, investigative
8 costs recouped by the Medicaid fraud control unit, and other
9 amounts received as a result of prosecutions involving
10 the department of inspections, appeals, and licensing
11 investigations and audits to ensure compliance with the medical
12 assistance program that are not credited to the program shall
13 be credited to the fund.

14 *b.* Notwithstanding [section 8.33](#), moneys credited to the
15 fund from any other account or fund shall not revert to the
16 other account or fund. Moneys in the fund shall only be used as
17 provided in appropriations from the fund and shall be used in
18 accordance with applicable laws, regulations, and the policies
19 of the office of inspector general of the United States
20 department of health and human services.

21 *c.* Any funds remaining in the Medicaid fraud fund at the
22 close of a fiscal year are appropriated to the department of
23 health and human services to supplement any medical assistance
24 program appropriation for the same fiscal year to be used
25 for medical assistance reimbursement and associated costs,
26 including program administration and costs associated with
27 program implementation.

28 *e. d.* For the purposes of [this subsection](#), “*investigative*
29 *costs*” means the reasonable value of a Medicaid fraud control
30 unit investigator’s, auditor’s or employee’s time, any moneys
31 expended by the Medicaid fraud control unit, and the reasonable
32 fair market value of resources used or expended by the Medicaid
33 fraud control unit in a case resulting in a criminal conviction
34 of a provider under [this chapter](#) or [chapter 714](#) or [715A](#).

35 Sec. 51. Section 453A.35A, Code 2024, is amended to read as

1 follows:

2 **453A.35A Health care trust fund — appropriation to Medicaid**
3 **program.**

4 1. A health care trust fund is created in the office of
5 the treasurer of state. The fund consists of the revenues
6 generated from the tax on cigarettes pursuant to section
7 453A.6, subsection 1, and from the tax on tobacco products
8 as specified in [section 453A.43, subsections 1, 2, 3, and 4,](#)
9 that are credited to the health care trust fund, annually,
10 pursuant to [section 453A.35.](#) Moneys in the fund shall be
11 separate from the general fund of the state and shall not be
12 considered part of the general fund of the state. However, the
13 fund shall be considered a special account for the purposes
14 of [section 8.53](#) relating to generally accepted accounting
15 principles. Moneys in the fund shall be used only as specified
16 in [this section](#) and shall be appropriated only for the uses
17 specified. Moneys in the fund are not subject to [section 8.33](#)
18 and shall not be transferred, used, obligated, appropriated,
19 or otherwise encumbered, except as provided in [this section.](#)
20 Notwithstanding [section 12C.7, subsection 2,](#) interest or
21 earnings on moneys deposited in the fund shall be credited to
22 the fund.

23 2. Moneys in the fund shall be used only for purposes
24 related to health care, substance use disorder treatment and
25 prevention, and tobacco use prevention, cessation, and control.

26 3. Any funds remaining in the health care trust fund at the
27 close of a fiscal year are appropriated to the department of
28 health and human services to supplement any medical assistance
29 program appropriation for the same fiscal year to be used
30 for medical assistance reimbursement and associated costs,
31 including program administration and costs associated with
32 program implementation.

33 **MENTAL HEALTH INSTITUTES — RETAINING OF REVENUE**

34 **Sec. 52. NEW SECTION. 218.97 Retaining of revenue by mental**
35 **health institutes.**

1 Notwithstanding sections 218.78 and 249A.11, any revenue
2 received from the state mental health institute at Cherokee or
3 the state mental health institute at Independence pursuant to
4 42 C.F.R. §438.6(e) may be retained and expended by the mental
5 health institute.

6 RESIDENTS OF MENTAL HEALTH INSTITUTES — RETAINING MEDICAID
7 ELIGIBILITY

8 Sec. 53. NEW SECTION. **249A.38A Residents of mental health**
9 **institutes — retaining of Medicaid eligibility.**

10 Notwithstanding any provision of law to the contrary,
11 a Medicaid recipient residing at the state mental health
12 institute at Cherokee or the state mental health institute
13 at Independence shall retain Medicaid eligibility during the
14 period of the Medicaid recipient's stay for which federal
15 financial participation is available.

16 STATE RESOURCE CENTERS — SCOPE OF SERVICES

17 Sec. 54. NEW SECTION. **218.97A State resource centers —**
18 **scope of services approach — time-limited assessment and respite**
19 **services.**

20 1. The department may continue to bill for state resource
21 center services utilizing a scope of services approach used for
22 private providers of intermediate care facilities for persons
23 with an intellectual disability services, in a manner which
24 does not shift costs between the medical assistance program,
25 mental health and disability services regions, or other sources
26 of funding for the state resource centers.

27 2. The state resource centers may expand the time-limited
28 assessment and respite services during a fiscal year.

29 JUVENILE DETENTION HOME FUND — APPROPRIATION

30 Sec. 55. Section 232.142, Code 2024, is amended to read as
31 follows:

32 **232.142 Maintenance and cost of juvenile homes — fund —**
33 **appropriation of moneys in fund.**

34 1. County boards of supervisors which singly or in
35 conjunction with one or more other counties provide and

1 maintain juvenile detention and juvenile shelter care homes are
2 subject to [this section](#).

3 2. For the purpose of providing and maintaining a county
4 or multicounty home, the board of supervisors of any county
5 may issue general county purpose bonds in accordance with
6 sections 331.441 through 331.449. Expenses for providing and
7 maintaining a multicounty home shall be paid by the counties
8 participating in a manner to be determined by the boards of
9 supervisors.

10 3. A county or multicounty juvenile detention home approved
11 pursuant to [this section](#) shall receive financial aid from the
12 state in a manner approved by the director. Aid paid by the
13 state shall be at least ten percent and not more than fifty
14 percent of the total cost of the establishment, improvements,
15 operation, and maintenance of the home.

16 4. The director shall adopt minimal rules and standards for
17 the establishment, maintenance, and operation of such homes as
18 shall be necessary to effect the purposes of [this chapter](#). The
19 rules shall apply the requirements of [section 237.8](#), concerning
20 employment and evaluation of persons with direct responsibility
21 for a child or with access to a child when the child is
22 alone and persons residing in a child foster care facility,
23 to persons employed by, residing in, or volunteering for a
24 home approved under [this section](#). The director shall, upon
25 request, give guidance and consultation in the establishment
26 and administration of the homes and programs for the homes.

27 5. The director shall approve annually all such homes
28 established and maintained under the provisions of this
29 chapter. A home shall not be approved unless it complies with
30 minimal rules and standards adopted by the director and has
31 been inspected by the department of inspections, appeals, and
32 licensing. The statewide number of beds in the homes approved
33 by the director shall not exceed two hundred seventy-two beds
34 beginning July 1, 2017.

35 6. a. A juvenile detention home fund is created in the

1 state treasury under the authority of the department. The
2 fund shall consist of moneys deposited in the fund pursuant to
3 section 602.8108. The moneys in the fund shall be used for
4 the costs of the establishment, improvement, operation, and
5 maintenance of county or multicounty juvenile detention homes
6 in accordance with ~~annual appropriations made by the general~~
7 ~~assembly from the fund for these purposes~~ this subsection.

8 b. (1) Moneys deposited in the juvenile detention home
9 fund during a fiscal year are appropriated to the department
10 for the same fiscal year for distribution of an amount equal to
11 a percentage of the costs of the establishment, improvement,
12 operation, and maintenance of county or multicounty juvenile
13 detention homes in the prior fiscal year. Such percentage
14 shall be determined by the department based on the amount
15 available for distribution from the fund.

16 (2) Moneys appropriated for distribution in accordance with
17 this subsection shall be allocated among eligible detention
18 homes, prorated on the basis of an eligible detention home's
19 proportion of the costs of all eligible detention homes in the
20 prior fiscal year.

21 FAMILY INVESTMENT PROGRAM ACCOUNT ELIMINATION

22 Sec. 56. Section 239B.11, Code 2024, is amended to read as
23 follows:

24 ~~239B.11 Family investment program account — diversion~~
25 ~~program subaccount — diversion program.~~

26 ~~1. An account is established in the state treasury to~~
27 ~~be known as the family investment program account under~~
28 ~~control of the department to which shall be credited all funds~~
29 ~~appropriated by the state for the payment of assistance and~~
30 ~~JOBS program expenditures. All other moneys received at any~~
31 ~~time for these purposes, including child support revenues,~~
32 ~~shall be deposited into the account as provided by law. All~~
33 ~~assistance and JOBS program expenditures under this chapter~~
34 ~~shall be paid from the account.~~

35 ~~2. a. A diversion program subaccount is created within~~

1 ~~the family investment program account. The subaccount may be~~
 2 ~~used to provide incentives to divert a family's participation~~
 3 ~~in the family investment program if the family meets the~~
 4 ~~department's income eligibility requirements for the diversion~~
 5 ~~program. Incentives may be provided in the form of payment or~~
 6 ~~services to help a family to obtain or retain employment. The~~
 7 ~~diversion program subaccount may also be used for payments to~~
 8 ~~participants as necessary to cover the expenses of removing~~
 9 ~~barriers to employment and to assist in stabilizing employment.~~
 10 ~~In addition, the diversion program subaccount may be used for~~
 11 ~~funding of services and payments for persons whose family~~
 12 ~~investment program eligibility has ended, in order to help the~~
 13 ~~persons to stabilize or improve their employment status.~~

14 b. The A diversion program is created under the family
 15 investment program. The program shall provide incentives
 16 to divert a family's participation in or transition of
 17 a family from the family investment program by helping a
 18 participant obtain or retain employment, by removing barriers
 19 to employment, by stabilizing a participant's employment, or
 20 by improving a participant's employment status. The program
 21 shall be implemented statewide in a manner that preserves local
 22 flexibility in program design. The department shall assess and
 23 screen individuals who would most likely benefit from diversion
 24 program assistance. The department may shall adopt income
 25 eligibility requirements and additional eligibility criteria
 26 for the diversion program as necessary for compliance with
 27 federal law and for screening those families who would be most
 28 likely to become eligible for the family investment program if
 29 diversion program incentives would were not be provided to the
 30 families.

31 Sec. 57. Section 239B.14, subsection 2, Code 2024, is
 32 amended to read as follows:

33 2. An individual who commits a fraudulent practice under
 34 this section is personally liable for the amount of assistance
 35 or other benefits fraudulently obtained. The amount of the

1 assistance or other benefits may be recovered from the offender
2 or the offender's estate in an action brought or by claim
3 filed in the name of the state and the recovered funds shall
4 be ~~deposited in the family investment program account~~ credited
5 to the appropriation to the department for community access
6 and eligibility to be used for the purposes of the family
7 investment program. The action or claim filed in the name of
8 the state shall not be considered an election of remedies to
9 the exclusion of other remedies.

10 Sec. 58. Section 252B.27, subsection 1, Code 2024, is
11 amended to read as follows:

12 1. The director, within the limitations of the amount
13 appropriated for child support services, or moneys transferred
14 for this purpose from the ~~family investment program account~~
15 ~~created in [section 239B.11](#)~~ appropriation to the department for
16 community access and eligibility, may establish new positions
17 and add employees to child support services if the director
18 determines that both the current and additional employees
19 together can reasonably be expected to maintain or increase net
20 state revenue at or beyond the budgeted level for the fiscal
21 year.

22 Sec. 59. TRANSITION PROVISION. All unencumbered and
23 unobligated moneys remaining on June 30, 2024, in the family
24 investment program account created in section 239B.11, are
25 appropriated to the department of health and human services for
26 community access and eligibility.

27 CHILD SUPPORT COLLECTION SERVICES CENTER REFUND ACCOUNT

28 Sec. 60. Section 252B.13A, Code 2024, is amended by adding
29 the following new subsection:

30 NEW SUBSECTION. 3. Support payments received by the
31 collection services center shall be deposited in the collection
32 services center refund account. The account shall be separate
33 from the general fund of the state and shall not be considered
34 part of the general fund of the state. The moneys deposited
35 in the account are not subject to section 8.33 and shall not

1 be transferred, used, obligated, appropriated, or otherwise
2 encumbered except as provided for the purposes of this chapter.
3 Notwithstanding section 12C.7, subsection 2, interest or
4 earnings on moneys deposited in the account shall be credited
5 to the account.

6 QUALITY ASSURANCE ASSESSMENT — PAYMENT PERIOD BASIS

7 Sec. 61. Section 249L.3, subsection 2, Code 2024, is amended
8 to read as follows:

9 2. The quality assurance assessment shall be paid by each
10 nursing facility to the department on a ~~quarterly~~ monthly basis
11 after the nursing facility's medical assistance payment rates
12 are adjusted to include funds appropriated from the quality
13 assurance trust fund for that purpose. The department shall
14 prepare and distribute a form upon which nursing facilities
15 shall calculate and report the quality assurance assessment.
16 A nursing facility shall submit the completed form with the
17 assessment amount no later than thirty days following the end
18 of each ~~calendar quarter~~ month.

19 SUPPORTED COMMUNITY LIVING SERVICES

20 Sec. 62. Section 225C.21, subsection 1, Code 2024, is
21 amended to read as follows:

22 1. As used in [this section](#), "*supported community living*
23 *services*" means services provided in a noninstitutional
24 setting to ~~adult~~ persons sixteen years of age and older with
25 mental illness, an intellectual disability, brain injury, or
26 developmental disabilities to meet the persons' daily living
27 needs.

28 CENTERS OF EXCELLENCE GRANT PROGRAM

29 Sec. 63. NEW SECTION. 135.194 Centers of excellence grant
30 program.

31 1. The department shall administer a centers of excellence
32 grant program to encourage innovation and collaboration among
33 regional health care providers in rural areas, based upon the
34 results of a regional community needs assessment, in order
35 to transform health care delivery that provides quality,

1 sustainable care in meeting the needs of the local community.

2 2. An applicant for a grant shall specify how the grant will
3 be expended to accomplish the goals of the program and shall
4 provide a detailed five-year sustainability plan prior to being
5 awarded the grant.

6 3. Following receipt of a grant, a recipient shall submit
7 periodic reports as specified by the department to the governor
8 and the general assembly regarding the recipient's expenditure
9 of the grant and progress in accomplishing the program's goals.

10 REGIONAL AUTISM ASSISTANCE PROGRAM

11 Sec. 64. Section 256.35, Code 2024, is amended to read as
12 follows:

13 **256.35 Regional autism assistance program.**

14 The department shall establish a regional autism assistance
15 program, to be administered by the child health specialty
16 clinics of the university of Iowa hospitals and clinics. The
17 program shall ~~be designed to coordinate~~ collaborate with the
18 autism support program created in chapter 225D to enhance
19 interagency collaboration in coordinating educational, medical,
20 and other human services for persons with autism, their
21 parents, and providers of services to persons with autism. The
22 ~~function~~ functions of the program shall include but ~~is~~ are
23 not limited to regionalized and integrated care delivery and
24 coordination, family navigation, the coordination of diagnostic
25 and assessment services, the maintaining of a research base,
26 coordination of in-service training, ~~providing~~ provision of
27 technical assistance, and ~~providing~~ provision of consultation.

28 LODGING EXPENSES UNIVERSITY OF IOWA HOSPITALS AND CLINICS —
29 CANCER PATIENTS

30 Sec. 65. NEW SECTION. 217.41D Lodging for cancer patients
31 — university of Iowa hospitals and clinics.

32 The department shall use funding appropriated to the
33 department for lodging expenses associated with care provided
34 at the university of Iowa hospitals and clinics for patients
35 with cancer in accordance with this section. The funding shall

1 be used for patients whose travel distance is thirty miles
2 or more and whose income is at or below two hundred percent
3 of the federal poverty level as defined by the most recently
4 revised poverty income guidelines published by the United
5 States department of health and human services. The department
6 shall establish the maximum number of overnight stays and the
7 maximum rate reimbursed for overnight lodging, which may be
8 based on the state employee rate established by the department
9 of administrative services.

10 ASSISTED LIVING PROGRAM — REVISED PAYMENT MODEL STUDY

11 Sec. 66. ASSISTED LIVING PROGRAM — REVISED PAYMENT
12 MODEL STUDY. The department of health and human services,
13 in consultation with Medicaid provider associations and
14 stakeholders, shall explore options for a revised payment model
15 for reimbursement of assisted living programs that provide
16 services to Medicaid recipients. The study shall include
17 consideration of all sources of funding utilized by residents
18 of assisted living programs. The department of health and
19 human services shall report all options identified to the
20 general assembly by December 1, 2024.

21 COUNTY COMMISSIONS OF VETERAN AFFAIRS — APPROPRIATION

22 Sec. 67. Section 35A.16, subsection 1, paragraph b, Code
23 2024, is amended to read as follows:

24 *b.* There is appropriated from the general fund of the state
25 to the department, for the fiscal year beginning July 1, 2009,
26 and for each subsequent fiscal year, the sum of ~~one million~~
27 nine hundred ninety thousand dollars to be credited to the
28 county commissions of veteran affairs fund.

29 DIVISION XVIII

30 HEALTH CARE EMPLOYMENT AGENCIES AND HEALTH CARE TECHNOLOGY
31 PLATFORMS

32 Sec. 68. Section 135Q.1, Code 2024, is amended to read as
33 follows:

34 135Q.1 Definitions.

35 As used in [this chapter](#), unless the context otherwise

1 requires:

2 1. "Affiliate" means an entity that directly or indirectly
3 is controlled with or by, or is under the common control with,
4 a health care entity. For the purposes of this subsection,
5 "control" means the same as defined in section 423.3, subsection
6 92, paragraph "e".

7 ~~1.~~ 2. "Department" means the department of inspections,
8 appeals, and licensing.

9 ~~2.~~ 3. a. "Health care employment agency" or "agency"
10 means an agency that contracts with a health care entity
11 in this state to provide agency workers for temporary or
12 temporary-to-hire employee placements.

13 b. "Health care employment agency" does not include a health
14 care entity or an affiliate of a health care entity when acting
15 as a health care employment agency for the sole purpose of
16 providing agency workers to the health care entity itself or to
17 an affiliate of the health care entity.

18 ~~3.~~ 4. "Health care employment agency worker" or "agency
19 worker" means an individual who contracts with or is employed by
20 a health care employment agency to provide nursing services to
21 health care entity consumers.

22 ~~4.~~ 5. "Health care entity" means a facility, agency, or
23 program licensed or certified by the department or by the
24 centers for Medicare and Medicaid services of the United States
25 department of health and human services.

26 6. "Health care technology platform" or "platform" includes
27 an individual, a trust, a partnership, a corporation, a limited
28 liability partnership or company, or any other business entity
29 that develops and operates, offers, or maintains a system or
30 technology that provides an internet-based or application-based
31 marketplace through which an independent nursing services
32 professional bids on open shifts posted by a health care entity
33 to provide nursing services for the health care entity.

34 7. "Independent nursing services professional" means a person
35 engaged as an independent contractor through a health care

1 technology platform to provide nursing services for a health
2 care entity. An independent nursing services professional
3 shall be considered an independent contractor provided the
4 independent nursing services professional in the independent
5 nursing services professional's sole discretion bids on open
6 shifts and chooses where, when, and how often to work.

7 8. "Individual agency worker category" includes registered
8 nurses, licensed practical nurses, certified nurse aides,
9 certified medication aides, home health aides, medication
10 managers, and noncertified or nonlicensed staff providing
11 personal care as defined in section 231C.2 who are health care
12 employment agency workers.

13 ~~5.~~ 9. "Managing entity" means a business entity,
14 owner, ownership group, chief executive officer, program
15 administrator, director, or other decision maker whose
16 responsibilities include directing the management or policies
17 of a health care employment agency or a health care technology
18 platform. "Managing entity" includes an individual who,
19 directly or indirectly, holds a beneficial interest in a
20 corporation, partnership, or other business entity that
21 constitutes a managing entity.

22 ~~6.~~ 10. "Nursing services" means those services which may be
23 provided only by or under the supervision of a nurse. "Nursing
24 services" includes services performed by a registered nurse, a
25 licensed practical nurse, a certified nurse aide, a certified
26 medication aide, a home health aide, a medication manager, or
27 by noncertified or nonlicensed staff providing personal care
28 as defined in section 231C.2. "Nursing services" does not
29 include the practice of nursing by an advanced registered nurse
30 practitioner or an advanced practice registered nurse licensed
31 under chapter 152 or 152E.

32 11. "Nursing services professionals" includes registered
33 nurses, licensed practical nurses, certified nurse aides,
34 certified medication aides, home health aides, medication
35 managers, and noncertified or nonlicensed staff providing

1 personal care as defined in section 231C.2, who are not
2 health care employment agency workers but instead are employed
3 directly by or contract directly with a health care entity.

4 Sec. 69. Section 135Q.2, Code 2024, is amended to read as
5 follows:

6 **135Q.2 Health care employment agency requirements —**
7 **registration — liability — ~~penalties.~~**

8 1. a. A health care employment agency operating in the
9 state shall register annually with the department. Each
10 separate location of a health care employment agency shall
11 register annually with and pay an annual registration fee of
12 five hundred dollars to the department. The department shall
13 issue each location a separate certification of registration
14 upon approval of registration and payment of the fee. The
15 annual registration fees shall be retained by the department as
16 repayment receipts as defined in [section 8.2](#).

17 b. A health care employment agency that fails to register
18 with the department as required under this subsection shall be
19 prohibited from contracting with any health care entity in this
20 state.

21 2. A health care employment agency shall do all of the
22 following:

23 a. Ensure that agency workers comply with all applicable
24 requirements relating to the health requirements and
25 qualifications of personnel in health care entity settings.

26 b. Document that each agency worker meets the minimum
27 licensing, certification, training, and health requirements
28 and the continuing education standards for the agency worker's
29 position in the health care entity setting.

30 c. Maintain records for each agency worker and report,
31 file, or otherwise provide any required documentation to
32 external parties or regulators which would otherwise be the
33 responsibility of the health care entity if the agency worker
34 was directly employed by the health care entity.

35 d. Maintain professional and general liability insurance

1 coverage with minimum per occurrence coverage of one million
2 dollars and aggregate coverage of three million dollars to
3 insure against loss, damage, or expense incident to a claim
4 arising out of the death or injury of any person as the result
5 of negligence or malpractice in the provision of services by
6 the agency or an agency worker.

7 3. a. A health care employment agency shall not do any of
8 the following:

9 (1) Restrict in any manner the employment opportunities
10 of an agency worker by including a noncompete clause in any
11 contract with an agency worker or health care entity.

12 (2) In any contract with an agency worker or health care
13 entity, require payment of liquidated damages, employment fees,
14 or other compensation if the agency worker is subsequently
15 hired as a permanent employee of the health care entity.

16 (3) Use the establishment of, or the required applicability
17 of, the statewide maximum allowable charges schedule under
18 section 135Q.4 as a basis for prohibiting or otherwise
19 interfering with a wage increase for any agency worker.

20 b. **This subsection** shall not apply to a contract between
21 a health care employment agency and an agency worker or a
22 health care entity if the contract meets all of the following
23 criteria:

24 (1) The contract is entered into for the purpose of placing
25 an agency worker the health care employment agency assisted in
26 obtaining authorization to work in the United States.

27 (2) The contract contains an initial duration term of
28 not less than twenty-four months and a total duration term,
29 including any renewals or extensions, of not more than
30 thirty-six months.

31 (3) The contract requires the agency worker to work for
32 a single health care entity for the entire duration of the
33 contract.

34 c. Any contract that violates **this subsection** shall be
35 unenforceable in court.

1 4. A health care employment agency shall submit a report to
2 the department on a quarterly basis for each health care entity
3 participating in Medicare or Medicaid with whom the agency
4 contracts that includes all of the following by provider type:

5 a. A detailed list of the average amount charged to the
6 health care entity for each individual agency worker category.

7 b. A detailed list of the average amount paid by the agency
8 to agency workers in each individual agency worker category.

9 ~~5. a. A health care employment agency that violates
10 subsection 1 or subsection 2 is subject to denial or revocation
11 of registration for a period of one year and a monetary penalty
12 of five hundred dollars for a first offense and five thousand
13 dollars for each offense thereafter.~~

14 ~~b. A health care employment agency that violates subsection
15 3 or that knowingly provides an agency worker who has an
16 illegally or fraudulently obtained or issued diploma,
17 registration, license, certification, or background check to
18 a health care entity is subject to immediate revocation of
19 registration. The department shall notify the agency thirty
20 days in advance of the date of such revocation.~~

21 ~~c. (1) The managing entity of an agency for which
22 registration has been denied or revoked under this subsection
23 shall not be eligible to apply for or be granted registration
24 for another agency during the two-year period following the
25 date of the denial or revocation.~~

26 ~~(2) The department shall not approve a new registration
27 or renew an existing registration for any agency for which
28 the managing entity is also the managing entity of an agency
29 for which registration has been denied or revoked during the
30 two-year period in which registration of the violating agency
31 is denied or revoked.~~

32 ~~6. 5.~~ The department shall establish a system for members
33 of the public to report complaints against an agency or
34 agency worker. The department shall investigate any complaint
35 received and shall report the department's findings to the

1 complaining party and the agency involved.

2 Sec. 70. NEW SECTION. 135Q.3 Health care technology
3 platform requirements — registration — liability.

4 1. a. A health care technology platform operating in
5 the state shall register annually with the department and
6 pay an annual registration fee of five hundred dollars to
7 the department. The department shall issue each health
8 care technology platform a certificate of registration upon
9 approval of registration and payment of the fee. The annual
10 registration fees shall be retained by the department as
11 repayment receipts as defined in section 8.2.

12 b. A health care technology platform that fails to register
13 with the department as required under this subsection shall be
14 prohibited from contracting with any health care entity in this
15 state.

16 c. A health care technology platform that allows independent
17 nursing services professionals to utilize the platform to bid
18 on open shifts is an authorized agency for purposes of access
19 to the single contact repository. A health care technology
20 platform shall rerun background checks for an independent
21 nursing services professional following two consecutive years
22 of inactivity on the platform by the independent nursing
23 services professional.

24 2. A health care technology platform shall verify that
25 an independent nursing services professional utilizing the
26 platform does all of the following:

27 a. Supplies documentation demonstrating that the independent
28 nursing services professional meets all applicable state
29 requirements and qualifications of personnel in a health care
30 entity setting.

31 b. Meets all applicable minimum state licensing and
32 certification requirements.

33 c. Maintains professional liability insurance coverage with
34 the minimum per occurrence coverage of one million dollars and
35 aggregate coverage of three million dollars to insure against

1 loss, damage, or expense incident to a claim arising out of
2 the death or injury of any person as the result of negligence
3 or malpractice in the provision of services by the independent
4 nursing services professional.

5 3. a. A health care technology platform shall not do any
6 of the following:

7 (1) Restrict in any manner the employment opportunities of
8 an independent nursing services professional by including a
9 noncompete clause in any contract with an independent nursing
10 services professional or health care entity.

11 (2) In any contract with an independent nursing services
12 professional or health care entity, require payment of
13 liquidated damages, employment fees, or other compensation if
14 the independent nursing services professional is subsequently
15 hired as a permanent employee or is engaged directly as a
16 contractor of the health care entity.

17 b. Any contract that violates this subsection shall be
18 unenforceable in court.

19 4. The department shall establish a system for members
20 of the public to report complaints against a health care
21 technology platform or an independent nursing services
22 professional. The department shall investigate any complaint
23 received and shall report the department's findings to the
24 complaining party and the health care technology platform
25 involved.

26 Sec. 71. NEW SECTION. 135Q.4 **Statewide maximum allowable**
27 **charges schedule — establishment and annual revision — required**
28 **utilization and compliance — rules.**

29 1. The department of health and human services shall
30 annually establish and publish by September 30, a statewide
31 maximum allowable charges schedule that shall be applicable
32 January 1 of the immediately following calendar year to nursing
33 services provided by a health care employment agency worker.
34 The department of health and human services shall utilize the
35 most recently preceding nursing facility cost report schedule

1 H to calculate the statewide maximum allowable charges. The
2 department of health and human services, in collaboration
3 with stakeholders, shall develop a process to periodically
4 obtain wage information from provider types other than nursing
5 facilities.

6 2. The amounts established in the statewide maximum
7 allowable charges schedule shall meet all of the following
8 requirements:

9 a. The amounts shall be no greater than one hundred fifty
10 percent of the statewide average wage paid in the most recently
11 preceding cost report year by a specific type of health care
12 entity to a specific type of nursing services professional, and
13 within the applicable core-based statistical area of the state.

14 b. The amounts shall be inclusive of the hourly rate,
15 administrative fees, contract fees, transportation or travel
16 stipends, per diems, and any other costs a health care
17 employment agency is authorized to include in the charge to a
18 health care entity for nursing services provided by an agency
19 worker within an individual agency worker category.

20 3. Each separate location of a health care employment agency
21 registered under section 135Q.2 shall utilize and comply with
22 the statewide maximum allowable charges schedule established
23 under this section.

24 4. The statewide maximum allowable charges schedule
25 established under this section shall not apply to any of the
26 following:

27 a. A contract between a health care employment agency and
28 an agency worker or a health care entity if the contract meets
29 all of the following criteria:

30 (1) The contract is entered into for the purpose of placing
31 a specific agency worker with a health care entity.

32 (2) The contract contains an initial duration term of not
33 less than twelve consecutive weeks.

34 (3) The contract requires the agency worker to work for
35 a single health care entity for the entire duration of the

1 contract.

2 *b.* A health care technology platform.

3 5. The department of health and human services, in
4 cooperation with the department, shall adopt rules pursuant to
5 chapter 17A to administer this section.

6 Sec. 72. NEW SECTION. 135Q.5 Penalties — enforcement.

7 1. *a.* A health care employment agency that violates
8 section 135Q.2, subsection 1 or 4, is subject to an initial
9 monetary penalty of five thousand dollars and shall be provided
10 notification by the department and given a thirty-day grace
11 period in which to comply.

12 *b.* A health care employment agency that fails to comply
13 following the notification and within the thirty-day grace
14 period under paragraph “*a*”, shall be subject to a monetary
15 penalty of twenty-five thousand dollars.

16 *c.* If a health care employment agency fails to comply
17 with paragraph “*b*”, the health care employment agency shall
18 be subject to an additional monetary penalty of twenty-five
19 thousand dollars, revocation of registration, and denial of
20 subsequent registration for up to three years.

21 2. *a.* A health care employment agency that violates section
22 135Q.2, subsection 2, or that knowingly provides an agency
23 worker who has an illegally or fraudulently obtained or issued
24 diploma, registration, license, certification, or background
25 check to a health care entity is subject to a monetary penalty
26 of five thousand dollars for each violation.

27 *b.* If a health care employment agency commits a second or
28 subsequent violation of section 135Q.2, subsection 2, within
29 any three-year period, the health care employment agency shall
30 be subject to immediate revocation of registration. The
31 department shall notify the agency thirty days in advance of
32 the date of such revocation.

33 3. A health care employment agency that violates section
34 135Q.2, subsection 3, is subject to a monetary penalty of
35 twenty-five thousand dollars for the first violation. If

1 a health care employment agency violates section 135Q.2,
2 subsection 3, a second or subsequent time, the health care
3 employment agency shall be subject to immediate revocation of
4 registration, and shall not be eligible to apply for or be
5 granted registration for the three-year period immediately
6 following the date of revocation.

7 4. a. (1) A health care technology platform that violates
8 section 135Q.3, subsection 1, is subject to an initial
9 monetary penalty of five thousand dollars and shall be provided
10 notification by the department and given a thirty-day grace
11 period in which to comply.

12 (2) A health care technology platform that fails to comply
13 with the notification and within the thirty-day grace period
14 under subparagraph (1) shall be subject to a monetary penalty
15 of twenty-five thousand dollars.

16 (3) If a health care technology platform fails to comply
17 with subparagraph (2), the health care technology platform
18 shall be subject to an additional monetary penalty of
19 twenty-five thousand dollars, revocation of registration, and
20 denial of subsequent registration for up to three years.

21 b. (1) A health care technology platform that violates
22 section 135Q.3, subsection 2, or that knowingly allows
23 an independent nursing services professional who has an
24 illegally obtained or issued diploma, registration, license,
25 certification, or background check to utilize the platform to
26 bid on a shift for a health care entity is subject to a monetary
27 penalty of five thousand dollars for each violation.

28 (2) If a health care technology platform commits a second or
29 subsequent violation of section 135Q.3, subsection 2, within
30 any three-year period, the health care technology platform
31 shall be subject to immediate revocation of registration. The
32 department shall notify the health care technology platform
33 thirty days in advance of the date of such revocation.

34 c. (1) A health care technology platform that violates
35 section 135Q.3, subsection 3, is subject to a monetary penalty

1 of twenty-five thousand dollars for the first violation.

2 (2) If a health care technology platform violates section
3 135Q.3, subsection 3, a second or subsequent time, the health
4 care technology platform shall be subject to immediate
5 revocation of registration, and shall not be eligible to apply
6 for or be granted registration for the three-year period
7 immediately following the date of revocation.

8 5. A health care employment agency that violates section
9 135Q.4 shall be subject to a monetary penalty of five thousand
10 dollars for the first violation, and a monetary penalty of
11 twenty-five thousand dollars for each subsequent violation.

12 6. a. The managing entity of an agency for which
13 registration has been denied or revoked under this section
14 shall not be eligible to apply for or be granted registration
15 for another agency during the three-year period following the
16 date of the denial or revocation.

17 b. The department shall not approve a new registration
18 or renew an existing registration for any agency for which
19 the managing entity is also the managing entity of an agency
20 for which registration has been denied or revoked during the
21 three-year period in which registration of the violating agency
22 is denied or revoked.

23 7. a. The managing entity of a health care technology
24 platform for which registration has been denied or revoked
25 under this section shall not be eligible to apply for or
26 be granted registration for another health care technology
27 platform during the two-year period following the date of the
28 denial or revocation.

29 b. The department shall not approve a new registration or
30 renew an existing registration for any health care technology
31 platform for which the managing entity is also the managing
32 entity of a health care technology platform for which
33 registration has been denied or revoked during the two-year
34 period in which registration of the violating health care
35 technology platform is denied or revoked.

1 8. Any monetary penalties collected under this section
2 shall be retained by the department as repayment receipts as
3 defined in section 8.2.

4 9. The attorney general shall enforce this chapter.

5 Sec. 73. NEW SECTION. 135Q.6 Department annual report.

6 The department shall submit an annual report to the general
7 assembly by January 15, for the immediately preceding fiscal
8 year, that includes a summary of the number of registrations
9 issued and the amount of registration fees collected, the
10 violations of this chapter, the amount of monetary penalties
11 collected, the number of health care employment agencies,
12 health care technology platforms, and managing entities for
13 whom a registration was revoked or denied, the statewide
14 maximum allowable charges schedule, and any recommendations for
15 changes to the chapter.

16 Sec. 74. EFFECTIVE DATE. This division of this Act, being
17 deemed of immediate importance, takes effect upon enactment.

18 DIVISION XIX

19 MEDICAL CANNABIDIOL REGISTRATION CARD — TELEMEDICINE —
20 PRACTITIONER REQUIREMENTS

21 Sec. 75. Section 124E.3, Code 2024, is amended by adding the
22 following new subsection:

23 NEW SUBSECTION. 4. A health care practitioner that
24 establishes or maintains a relationship with a patient through
25 the use of telemedicine shall comply with the requirements of
26 653 IAC 13.11(7).

27 DIVISION XX

28 FOSTER CARE PROCESSES, SERVICES, AND SUPPORTS

29 Sec. 76. Section 232.96A, subsection 6, Code 2024, is
30 amended to read as follows:

31 6. The child is in need of treatment to cure or alleviate a
32 serious chemical dependency or mental illness or disorder, or
33 ~~emotional damage as evidenced by severe anxiety, depression,~~
34 ~~withdrawal,~~ or behavioral health disorder that compromises
35 the child's safety or causes untoward aggressive behavior

1 toward ~~the child's self or others in the household~~, and the
2 child's parent, guardian, or custodian is unwilling to provide
3 such treatment or the parent's, guardian's, or custodian's
4 efforts to secure needed treatment have been exhausted and
5 unsuccessful.

6 Sec. 77. Section 232.96A, subsections 11, 12, and 13, Code
7 2024, are amended by striking the subsections.

8 Sec. 78. Section 234.38, Code 2024, is amended to read as
9 follows:

10 **234.38 Foster care reimbursement rates.**

11 The department shall make reimbursement payments directly
12 to foster parents for services provided to children pursuant
13 to [section 234.6, subsection 1](#), paragraph "e", subparagraph
14 (2), or [section 234.35](#). ~~In any fiscal year, the reimbursement~~
15 ~~rate shall be based upon sixty-five percent of the United~~
16 ~~States department of agriculture estimate of the cost to raise~~
17 ~~a child in the calendar year immediately preceding the fiscal~~
18 ~~year. The department may pay an additional stipend for a child~~
19 ~~with special needs. The department shall review reimbursement~~
20 ~~payment rates paid to foster parents under this section no less~~
21 ~~than once every three years. The department shall adopt rules~~
22 ~~to implement this section.~~

23 Sec. 79. Section 234.39, subsection 2, Code 2024, is amended
24 to read as follows:

25 2. a. A person entitled to periodic support payments
26 pursuant to an order or judgment entered in any action for
27 support, who also is or has a child receiving foster care
28 services, is deemed to have assigned to the department
29 current and accruing support payments attributable to the
30 child effective as of the date the child enters foster care
31 placement, to the extent of expenditure of foster care funds.
32 The department shall notify the clerk of the district court
33 when a child entitled to support payments is receiving foster
34 care services pursuant to [chapter 234](#). Upon notification
35 by the department that a child entitled to periodic support

1 payments is receiving foster care services, the clerk of
2 the district court shall make a notation of the automatic
3 assignment in the judgment docket and lien index. The notation
4 constitutes constructive notice of assignment. The clerk of
5 court shall furnish the department with copies of all orders
6 and decrees awarding support when the child is receiving
7 foster care services. At the time the child ceases to receive
8 foster care services, the assignment of support shall be
9 automatically terminated. Unpaid support accrued under the
10 assignment of support rights during the time that the child was
11 in foster care remains due to the department up to the amount
12 of unreimbursed foster care funds expended. The department
13 shall notify the clerk of court of the automatic termination
14 of the assignment. Unless otherwise specified in the support
15 order, an equal and proportionate share of any child support
16 awarded shall be presumed to be payable on behalf of each child
17 subject to the order or judgment for purposes of an assignment
18 under [this section](#).

19 b. This subsection shall not apply when a child is placed
20 with a relative or fictive kin as those terms are defined in
21 section 232.2, who is not licensed under chapter 237 to provide
22 child foster care.

23 Sec. 80. Section 600.8, subsection 3, Code 2024, is amended
24 to read as follows:

25 3. a. The department, an agency, or a certified adoption
26 investigator shall conduct all investigations and reports
27 required under [subsection 2](#).

28 b. The department shall pay the costs of the preplacement
29 investigation and the postplacement investigation under
30 subsection 2, up to a maximum of two thousand dollars for the
31 preplacement investigation and up to a maximum of two thousand
32 dollars for the postplacement investigation.

33 c. The department shall not pay the costs of the
34 preplacement investigation or the postplacement investigation
35 as required under paragraph "b" until a prospective adoption

1 petitioner has been approved under subsection 1, paragraph "a",
2 subparagraph (3), by the person making the investigation.

3 Sec. 81. 2023 Iowa Acts, chapter 112, section 7, subsection
4 7, is amended to read as follows:

5 7. For child ~~and family~~ protective services:
6 \$ ~~32,380,654~~
7 35,380,654

8 Of the funds appropriated in this subsection, up to
9 \$3,000,000 shall be used for the kinship caregiver stipend
10 program.

11 Sec. 82. DEPARTMENT OF HEALTH AND HUMAN SERVICES — LEGAL
12 REPRESENTATION FOR JUVENILE CASES INTERIM STUDY COMMITTEE.

13 1. The department of health and human services shall
14 establish a legal representation for juvenile cases interim
15 study committee for the 2024 interim to investigate, study, and
16 propose legislation relating to client-directed representation
17 for children in juvenile court cases.

18 2. The committee shall consist of the following voting
19 members:

20 a. Two members of the house of representatives, one
21 of whom shall be appointed by the speaker of the house of
22 representatives and one of whom shall be appointed by the
23 minority leader of the house of representatives.

24 b. Two members of the senate, one of whom shall be appointed
25 by the majority leader of the senate and one of whom shall be
26 appointed by the minority leader of the senate.

27 3. The committee shall also following ex officio, nonvoting
28 members:

29 a. The state public defender.

30 b. A person who works for an organization providing advocacy
31 for kids, appointed by the governor.

32 c. A juvenile court judge, appointed by the judicial branch.

33 d. A county attorney working in juvenile courts, appointed
34 by the Iowa county attorneys association.

35 4. The committee shall submit a report to the general

1 assembly by January 10, 2025.

2 Sec. 83. EFFECTIVE DATE. The section of this division
3 of this Act amending 2023 Iowa Acts, chapter 112, section 7,
4 subsection 7, being deemed of immediate importance, takes
5 effect upon enactment.

6 Sec. 84. RETROACTIVE APPLICABILITY. The section of this
7 division of this Act amending 2023 Iowa Acts, chapter 112,
8 section 7, is retroactively applicable to July 1, 2023.

9 DIVISION XXI

10 NURSING FACILITY OVERSIGHT

11 Sec. 85. NEW SECTION. 135C.35C Nursing facilities — joint
12 training sessions.

13 The department shall semiannually provide joint training
14 sessions for inspectors and nursing facilities to review at
15 least three of the ten most frequently issued federal citations
16 in the state during the immediately preceding calendar year.
17 The department shall develop a protocol to identify regional
18 citation patterns relating to complaints, standards, and
19 outcomes in the nursing facility inspection process. The
20 department shall include the state long-term care ombudsman,
21 or the state long-term care ombudsman's designee, and
22 representatives of each nursing facility provider association
23 in the state in the planning process for the joint training
24 sessions.

25 Sec. 86. Section 135C.40, subsection 1, Code 2024, is
26 amended by adding the following new paragraph:

27 NEW PARAGRAPH. d. (1) The department shall establish and
28 maintain a process to review each citation issued for immediate
29 jeopardy or substandard quality of care prior to issuance of
30 final findings under section 135C.40A. Representatives of the
31 nursing facility issued such a citation may participate in
32 the review to provide context and evidence for the department
33 to consider in determining if a final finding of immediate
34 jeopardy or substandard quality of care should be issued. The
35 review shall ensure consistent and accurate application of

1 federal and state inspection protocols and defined regulatory
2 standards.

3 (2) For the purposes of this paragraph:

4 (a) "*Immediate jeopardy*" means a situation in which the
5 provider's noncompliance with one or more requirements of
6 participation has caused, or is likely to cause, serious
7 injury, harm, impairment, or death to a resident.

8 (b) "*Likely*" means probable and reasonably to be expected,
9 and suggests a greater degree of probability than a mere risk,
10 potential, or possibility that a particular event will cause
11 serious injury, harm, impairment, or death to a resident.

12 (c) "*Substandard quality of care*" means the same as defined
13 in 42 C.F.R. §488.301.

14 EXPLANATION

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

17 This bill makes appropriations from the general fund of
18 the state to the department of veterans affairs and to the
19 department of health and human services (HHS) for fiscal
20 year 2024-2025. The appropriations from the general fund
21 of the state to the department of veterans affairs include
22 appropriations for administration, the state veterans cemetery,
23 the Iowa veterans home, and the home ownership assistance
24 program. The standing appropriation for the county commissions
25 of veteran affairs is codified at \$900,000, annually. The
26 appropriations from the general fund of the state to HHS
27 include appropriations for aging and disability services;
28 behavioral health; public health; community access and
29 eligibility including for child support services; Medicaid,
30 state supplementary assistance, the healthy and well kids
31 in Iowa (Hawki) program, and other specified health-related
32 programs including health program operations and reimbursement
33 rate provisions; family well-being and protection including
34 state child care assistance, early intervention and supports,
35 and child protective services; state specialty care; and

1 administration and compliance. The bill makes an appropriation
2 from the general fund of the state to HHS for FY 2025-2026 to be
3 used for the Medicaid program to provide for additional home
4 and community-based services waiver slots for individuals with
5 an intellectual disability. The bill also makes appropriations
6 to HHS from the sports wagering receipts fund, the region
7 incentive fund, the temporary assistance for needy families
8 block grant, the pharmaceutical settlement account, the quality
9 assurance trust fund, and the hospital health care access trust
10 fund.

11 The bill includes transfer, cashflow, and nonreversion
12 provisions; emergency rulemaking authority and reporting
13 requirements; and certain codified provisions relating to the
14 duties and programs under the purview of HHS.