

**House File 386 - Introduced**

HOUSE FILE 386

BY FRY

**A BILL FOR**

1 An Act relating to bodies of the state governmental structure  
2 under the purview of the department of health and human  
3 services.

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

HEALTH POLICY OVERSIGHT

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Section 1. Section 2.45, subsection 5, Code 2023, is amended to read as follows:

5. The legislative health policy oversight committee, which shall be composed of ten members of the general assembly, consisting of five members from each house, to be appointed by the legislative council. The legislative health policy oversight committee ~~shall~~ may meet ~~at least two times, annually, during the legislative interim~~ to provide continuing oversight for Medicaid managed care, and to ensure effective and efficient administration of the program, address stakeholder concerns, monitor program costs and expenditures, and make recommendations.

VIRTUAL AND REMOTE MEETING OPTIONS

Sec. 2. Section 135.12, Code 2023, is amended to read as follows:

135.12 Statutory board, commission, committee, or council ~~of committee~~ — teleconference option, virtual meeting, and remote participation options.

1. Any statutorily established board, commission, committee, or council established under the purview of the department shall provide for a hybrid meetings, teleconference option participation, virtual meeting, and remote participation options for board, commission, committee, or council members to participate in official meetings.

2. For the purposes of this section:

a. "Hybrid meeting" means a meeting involving both remote participation and in-person participation by members.

b. "Remote participation" means real-time participation by a remotely located individual in a meeting which is being held in a different physical location using integrated audio, video, and other digital tools.

c. "Teleconference participation" means participation using audio conference tools involving multiple participants in at least two separate locations.

1 d. "Virtual meeting" means a meeting involving real-time  
2 interaction using integrated audio, video, and other digital  
3 tools, in which participants do not share a physical location.

4 Sec. 3. NEW SECTION. 217.22 Statutory board, commission,  
5 committee, or council — teleconference, virtual meeting, and  
6 remote participation options.

7 1. Any statutorily established board, commission,  
8 committee, or council established under the purview of the  
9 department shall provide for hybrid meetings, teleconference  
10 participation, virtual meetings, and remote participation,  
11 and other hybrid options for board, commission, committee, or  
12 council members to participate in official meetings.

13 2. For the purposes of this section:

14 a. "Hybrid meeting" means a meeting involving both remote  
15 participation and in-person participation by members.

16 b. "Remote participation" means real-time participation by  
17 a remotely located individual in a meeting which is being held  
18 in a different physical location using integrated audio, video,  
19 and other digital tools.

20 c. "Teleconference participation" means participation using  
21 audio conference tools involving multiple participants in at  
22 least two separate locations.

23 d. "Virtual meeting" means a meeting involving real-time  
24 interaction using integrated audio, video, and other digital  
25 tools, in which participants do not share a physical location.

26 ADVISORY COUNCIL ON BRAIN INJURIES

27 Sec. 4. Section 135.22B, subsection 2, Code 2023, is amended  
28 to read as follows:

29 2. *Program created.*

30 a. A brain injury services program is created and shall be  
31 administered by ~~a division of the Iowa department of public~~  
32 ~~health in cooperation with counties and the department of human~~  
33 ~~services.~~

34 b. ~~The division of the department assigned to administer~~  
35 ~~the advisory council on brain injuries under section 135.22A~~

1 ~~shall be the program administrator. The division duties shall~~  
2 ~~include but are not limited to serving~~ serve as the fiscal  
3 agent and contract administrator for the program and ~~providing~~  
4 shall provide program oversight.

5 ~~c. The division shall consult with the advisory council~~  
6 ~~on brain injuries, established pursuant to~~ section 135.22A,  
7 ~~regarding the program and shall report to the council~~  
8 ~~concerning the program at least quarterly. The council shall~~  
9 ~~make recommendations to the department concerning the program's~~  
10 ~~operation.~~

11 Sec. 5. REPEAL. Section 135.22A, Code 2023, is repealed.

12 CONGENITAL AND INHERITED DISORDERS ADVISORY COMMITTEE

13 Sec. 6. Section 136A.3A, Code 2023, is amended to read as  
14 follows:

15 **136A.3A Congenital and inherited disorders advisory committee**  
16 **established — process for addition of conditions to newborn**  
17 **screening.**

18 1. A congenital and inherited disorders advisory committee  
19 is established solely to assist the center for congenital and  
20 inherited disorders and the department in ~~the development of~~  
21 ~~programs that ensure the availability and access to quality~~  
22 ~~genetic and genomic health care services for all Iowans~~  
23 designating the conditions to be included in the newborn  
24 screening and in regularly evaluating the effectiveness and  
25 appropriateness of the newborn screening.

26 2. a. ~~The members of the advisory committee shall~~  
27 ~~be appointed by the director and shall include persons~~  
28 ~~with relevant expertise and interest including parent~~  
29 ~~representatives~~ be comprised of not more than fifteen regular  
30 voting members with relevant expertise and interest including  
31 representatives of professional groups, agencies, parents,  
32 consumers, and professional health care providers, appointed by  
33 the director. The director may replace a regular member due  
34 to nonattendance.

35 b. The advisory committee shall meet at least once per year.

1 ~~3. The advisory committee shall assist the center for~~  
2 ~~congenital and inherited disorders and the department in~~  
3 ~~designating the conditions to be included in the newborn~~  
4 ~~screening and in regularly evaluating the effectiveness and~~  
5 ~~appropriateness of the newborn screening.~~

6 ~~4.~~ 3. *a.* Beginning July 1, 2022, the advisory committee  
7 shall ensure that all conditions included in the federal  
8 recommended uniform screening panel as of January 1, 2022, are  
9 included in the newborn screening.

10 *b.* Within twelve months of the addition of a new condition  
11 to the federal recommended uniform screening panel, the  
12 advisory committee shall consider and make a recommendation  
13 to the department regarding inclusion of the new condition in  
14 the newborn screening, including the current newborn screening  
15 capacity to screen for the new condition and the resources  
16 necessary to screen for the new condition going forward.  
17 If the advisory committee recommends inclusion of a new  
18 condition, the department shall include the new condition in  
19 the newborn screening within eighteen months of receipt of the  
20 recommendation.

21 ~~5.~~ 4. The department shall submit a status report to the  
22 general assembly, annually, by December 31, regarding all of  
23 the following:

24 *a.* The current conditions included in the newborn screening.

25 *b.* Any new conditions currently under consideration or  
26 recommended by the advisory committee for inclusion in the  
27 newborn screening.

28 *c.* Any new conditions considered but not recommended by the  
29 advisory committee in the prior twelve-month period and the  
30 reason for not recommending any such conditions.

31 *d.* Any departmental request for additional program capacity  
32 or resources necessitated by the inclusion of a recommended new  
33 condition in the newborn screening.

34 *e.* Any delay and the reason for the delay by the advisory  
35 committee in complying with the specified twelve-month time

1 frame in considering or recommending the inclusion of a new  
2 condition in the newborn screening to the department.

3 *f.* Any delay and the reason for the delay by the department  
4 in complying with the specified eighteen-month time frame in  
5 including a new condition in the newborn screening following  
6 receipt of a recommendation from the advisory committee  
7 recommending the inclusion of such condition.

8 ~~6.~~ 5. The state hygienic laboratory shall establish  
9 the newborn screening fee schedule in a manner sufficient  
10 to support the newborn screening system of care including  
11 laboratory screening costs, short-term and long-term follow-up  
12 program costs, the newborn screening developmental fund, and  
13 the cost of the department's newborn screening data system.

14 Sec. 7. ADMINISTRATIVE RULES. The department of health  
15 and human services shall adopt rules pursuant to chapter 17A  
16 to ensure all of the following:

17 1. That the sole duty of the congenital and inherited  
18 disorders advisory committee is to designate the conditions  
19 to be included in the newborn screening and in regularly  
20 evaluating the effectiveness and appropriateness of the newborn  
21 screening.

22 2. That the duties of the advisory committee shall not  
23 include supporting the development of special projects and  
24 conferences regarding genetic and genomic health care services  
25 and issues, or advocating for quality genetic and genomic  
26 health care services for all residents in the state of Iowa.

27 CHILD CARE ADVISORY DUTIES

28 Sec. 8. Section 237A.12, subsection 3, Code 2023, is amended  
29 to read as follows:

30 3. Rules relating to fire safety for child care centers  
31 shall be adopted under [this chapter](#) by the state fire marshal  
32 in consultation with the department. Rules adopted by the  
33 state fire marshal for a building which is owned or leased by a  
34 school district or accredited nonpublic school and used as a  
35 child care facility shall not differ from standards adopted by

1 the state fire marshal for school buildings under chapter 100.  
2 Rules relating to sanitation shall be adopted by the department  
3 ~~in consultation with the director of public health~~. All rules  
4 shall be developed in consultation with the ~~state child care~~  
5 ~~advisory committee~~ early childhood Iowa office. The state fire  
6 marshal shall inspect the facilities.

7 Sec. 9. Section 237A.25, subsection 1, Code 2023, is amended  
8 to read as follows:

9 1. The department shall develop consumer information  
10 material to assist parents in selecting a child care provider.  
11 In developing the material, the department shall consult with  
12 department of health and human services staff, department of  
13 education staff, ~~the state child care advisory committee~~, the  
14 early childhood Iowa state board, and child care resource and  
15 referral services. In addition, the department may consult  
16 with other entities at the local, state, and national level.

17 Sec. 10. Section 237A.30, subsection 1, Code 2023, is  
18 amended to read as follows:

19 1. The department shall work with the early childhood Iowa  
20 office ~~in the department of management~~ established in section  
21 256I.5 ~~and the state child care advisory committee~~ in designing  
22 and implementing a voluntary quality rating system for each  
23 provider type of child care facility.

24 Sec. 11. Section 256.9, subsection 31, paragraph b, Code  
25 2023, is amended to read as follows:

26 *b.* Standards and materials developed shall include materials  
27 which employ developmentally appropriate practices and  
28 incorporate substantial parental involvement. The materials  
29 and standards shall include alternative teaching approaches  
30 including collaborative teaching and alternative dispute  
31 resolution training. The department shall consult with the  
32 child development coordinating council, ~~the state child care~~  
33 ~~advisory committee established pursuant to section 135.173A~~  
34 the early childhood Iowa office, the department of health and  
35 human services, the state board of regents center for early

1 developmental education, the area education agencies, the  
2 department of human development and family studies in the  
3 college of human sciences at Iowa state university of science  
4 and technology, the early childhood elementary division of the  
5 college of education at the university of Iowa, and the college  
6 of education at the university of northern Iowa, in developing  
7 these standards and materials.

8 Sec. 12. Section 256I.12, subsection 8, Code 2023, is  
9 amended to read as follows:

10 8. *Duties.* The early childhood stakeholders alliance duties  
11 shall include but are not limited to all of the following  
12 regarding the Iowa early childhood system:

13 a. Coordinate with the early childhood Iowa state board.

14 b. Serve as the state advisory council required under the  
15 federal Improving Head Start for School Readiness Act of 2007,  
16 Pub. L. No. 110-134, as designated by the governor.

17 c. Advise and make recommendations to the governor, general  
18 assembly, department, and other state agencies concerning  
19 policy issues relating to child care. Such advice and  
20 recommendations shall relate to child care services; resource  
21 and referral services; provider training; quality improvement;  
22 public-private partnerships; standards review and development;  
23 collaboration with prekindergarten, kindergarten, before and  
24 after school programming and facilities and programs supporting  
25 the education and development of young children across state  
26 departments; improvement of the eligibility determination  
27 processes used for state child care assistance and related  
28 programs; and program data collection and analysis.

29 Sec. 13. REPEAL. Section 135.173A, Code 2023, is repealed.

30 MENTAL HEALTH AND DISABILITY SERVICES CHILDREN'S BEHAVIORAL  
31 HEALTH SYSTEM STATE BOARD REPEAL — COMMISSION

32 Sec. 14. Section 225C.2, subsection 14, Code 2023, is  
33 amended by striking the subsection.

34 Sec. 15. Section 225C.4, subsection 1, paragraphs c, l, and  
35 m, Code 2023, are amended to read as follows:

1     *c.* Assist ~~the state board~~ in planning for community-based  
2 children's behavioral health services.

3     1. Encourage and facilitate coordination of children's  
4 behavioral health services with the objective of developing  
5 and maintaining in the state a children's behavioral health  
6 system to provide behavioral health services to all children  
7 in this state who need the services, regardless of the place  
8 of residence or economic circumstances of those children.  
9 The ~~administrator~~ department shall work with ~~the state board~~  
10 ~~and~~ other state agencies including but not limited to the  
11 department of education ~~and the department of public health~~  
12 to develop and implement a strategic plan to expand access to  
13 qualified mental health workers across the state.

14     *m.* Establish and maintain a data collection and management  
15 information system oriented to the needs of children utilizing  
16 the children's behavioral health system, providers, the  
17 department, and other programs or facilities in accordance  
18 with [section 225C.6A](#). The system shall be used to identify,  
19 collect, and analyze service outcome and performance measures  
20 data in order to assess the effects of the services on the  
21 children utilizing the services. The ~~administrator~~ department  
22 shall annually submit to the ~~state board~~ commission information  
23 collected by the department indicating the changes and trends  
24 in the children's behavioral health system. The ~~administrator~~  
25 department shall make the outcome data available to the public.

26     Sec. 16. Section 225C.5, Code 2023, is amended to read as  
27 follows:

28     **225C.5 Mental health and disability services commission.**

29     1. A mental health and disability services commission  
30 is created as the state policy-making body for the provision  
31 of services to persons with mental illness, an intellectual  
32 disability, other developmental disabilities, or brain  
33 injury. The commission's voting members shall be appointed  
34 to three-year staggered terms by the governor ~~and are subject~~  
35 ~~to confirmation by the senate~~. Commission members shall be

1 appointed on the basis of interest and experience in the fields  
2 of mental health, intellectual disability, other developmental  
3 disabilities, and brain injury, in a manner so as to ensure  
4 adequate representation from persons with disabilities and  
5 individuals knowledgeable concerning disability services. The  
6 department shall provide staff support to the commission, and  
7 the commission may utilize staff support and other assistance  
8 provided to the commission by other persons. The commission  
9 shall meet at least four times per year. The voting membership  
10 of the commission shall consist of the following persons who,  
11 at the time of appointment to the commission, are active  
12 members of the indicated groups:

13     *a.* Three members shall be members of a county board of  
14 supervisors selected from nominees submitted by the county  
15 supervisor affiliate of the Iowa state association of counties.

16     *b.* Two members shall be selected from nominees submitted by  
17 the director.

18     *c.* One member shall be an active board member of a community  
19 mental health center selected from nominees submitted by the  
20 Iowa association of community providers.

21     *d.* One member shall be an active board member of an agency  
22 serving persons with a developmental disability selected  
23 from nominees submitted by the Iowa association of community  
24 providers.

25     *e.* One member shall be a board member or employee of  
26 a provider of mental health or developmental disabilities  
27 services to children.

28     *f.* Two members shall be staff members of regional  
29 administrators selected from nominees submitted by the  
30 community services affiliate of the Iowa state association of  
31 counties.

32     ~~*g.* One member shall be selected from nominees submitted~~  
33 ~~by the state's council of the association of federal, state,~~  
34 ~~county, and municipal employees.~~

35     ~~*h.*~~ *g.* Three members shall be service consumers or family

1 members of service consumers. Of these members, one shall be  
2 a service consumer, one shall be a parent of a child service  
3 consumer, and one shall be a parent or other family member of a  
4 person admitted to and living at a state resource center.

5 ~~i.~~ h. Two members shall be selected from nominees submitted  
6 by service advocates. Of these members, one shall be an active  
7 member of a statewide organization for persons with brain  
8 injury.

9 ~~j.~~ i. One member shall be an active board member of  
10 an agency serving persons with a substance abuse problem  
11 selected from nominees submitted by the Iowa behavioral health  
12 association.

13 ~~k.~~ j. One member shall be a military veteran who is  
14 knowledgeable concerning the behavioral and mental health  
15 issues of veterans.

16 k. One member shall be selected from nominees submitted by  
17 the state court administrator.

18 l. One member shall be a board member or an employee of a  
19 provider of child welfare services.

20 m. One member shall be an administrator of an area education  
21 agency.

22 n. One member shall be an educator, counselor, or  
23 administrator of a school district.

24 o. One member shall be a sheriff.

25 p. One member shall be a representative from a health care  
26 system.

27 ~~l.~~ In addition to the voting members, the membership shall  
28 include four members of the general assembly with one member  
29 designated by each of the following: the majority leader of  
30 the senate, the minority leader of the senate, the speaker of  
31 the house of representatives, and the minority leader of the  
32 house of representatives. A legislative member serves for a  
33 term as provided in [section 69.16B](#) in an ex officio, nonvoting  
34 capacity and is eligible for per diem and expenses as provided  
35 in [section 2.10](#).

1 2. The three-year terms shall begin and end as provided in  
2 section 69.19. Vacancies on the commission shall be filled as  
3 provided in [section 2.32](#). A member shall not be appointed for  
4 more than two consecutive three-year terms.

5 3. Members of the commission shall qualify by taking the  
6 oath of office prescribed by law for state officers. At its  
7 first meeting of each year, the commission shall organize by  
8 electing a chairperson and a vice chairperson for terms of  
9 one year. ~~Commission members are entitled to a per diem as~~  
10 ~~specified in [section 7E.6](#) and reimbursement for actual and~~  
11 ~~necessary expenses incurred while engaged in their official~~  
12 ~~duties, to be paid from funds appropriated to the department.~~

13 Sec. 17. Section 225C.7A, subsection 8, paragraph j, Code  
14 2023, is amended to read as follows:

15 *j.* If the department has made its decisions but has  
16 determined that there are otherwise qualifying requests for  
17 incentive funds that are beyond the amount available in the  
18 incentive fund for a fiscal year, the department shall compile  
19 a list of such requests and the supporting information for  
20 the requests. The list and information shall be submitted to  
21 the commission, ~~the children's behavioral health system state~~  
22 ~~board,~~ and the general assembly.

23 Sec. 18. Section 331.388, subsection 7, Code 2023, is  
24 amended by striking the subsection.

25 Sec. 19. Section 331.397A, subsection 3, Code 2023, is  
26 amended to read as follows:

27 ~~3. Pursuant to recommendations made by the state board, the~~  
28 The department of health and human services shall adopt rules  
29 to define the services included in the core domains listed in  
30 this section. The rules shall provide service definitions,  
31 service provider standards, service access standards, and  
32 service implementation dates, and shall provide consistency,  
33 to the extent possible, with similar service definitions under  
34 the medical assistance program.

35 Sec. 20. REPEAL. Sections 225C.51 and 225C.52, Code 2023,

1 are repealed.

2 COMMISSION ON AGING

3 Sec. 21. Section 231.11, Code 2023, is amended to read as  
4 follows:

5 **231.11 Commission established.**

6 The commission on aging is established which shall consist  
7 of ~~eleven~~ seven members. ~~One member each shall be appointed~~  
8 ~~by the president of the senate, after consultation with the~~  
9 ~~majority leader of the senate, and by the minority leader of~~  
10 ~~the senate, from the members of the senate to serve as ex~~  
11 ~~officio, nonvoting members. One member each shall be appointed~~  
12 ~~by the speaker of the house of representatives and by the~~  
13 ~~minority leader of the house of representatives, from the~~  
14 ~~members of the house of representatives to serve as ex officio,~~  
15 ~~nonvoting members. Seven members shall be appointed by the~~  
16 ~~governor subject to confirmation by the senate. Not more than~~  
17 a simple majority of the governor's appointees shall belong to  
18 the same political party. At least four of the seven members  
19 appointed by the governor shall be fifty-five years of age or  
20 older when appointed.

21 Sec. 22. Section 231.12, Code 2023, is amended to read as  
22 follows:

23 **231.12 Terms.**

24 ~~All~~ The members of the commission ~~appointed by the governor~~  
25 shall be appointed for terms of four years, with staggered  
26 expiration dates. ~~The terms of office of members appointed~~  
27 ~~by the governor shall commence and end as provided by section~~  
28 ~~69.19. Legislative members of the commission shall serve~~  
29 ~~terms of office as provided in~~ section 69.16B. A vacancy on  
30 the commission shall be filled for the unexpired term of the  
31 vacancy in the same manner as the original appointment was  
32 made. ~~If a legislative member ceases to be a member of the~~  
33 ~~general assembly the legislative member may continue to serve~~  
34 ~~until a successor is appointed.~~

35 Sec. 23. Section 231.13, Code 2023, is amended to read as

1 follows:

2 **231.13 Meetings — officers.**

3 Members of the commission shall elect from the commission's  
4 membership a chairperson, and other officers as commission  
5 members deem necessary, who shall serve for a period of two  
6 years. The commission shall meet at regular intervals at  
7 least four times each year and may hold special meetings at  
8 the call of the chairperson or at the request of a majority  
9 of the commission membership. The commission shall meet at  
10 the seat of government or such other place as the commission  
11 may designate. ~~Members shall be paid a per diem as specified~~  
12 ~~in [section 7E.6](#) and shall receive reimbursement for actual~~  
13 ~~expenses for their official duties.~~

14 COMMISSION ON TOBACCO USE PREVENTION AND CONTROL

15 Sec. 24. Section 142A.2, Code 2023, is amended to read as  
16 follows:

17 **142A.2 Definitions.**

18 As used in [this chapter](#), unless the context otherwise  
19 requires:

20 ~~1. "Administrator" means the administrator of the division~~  
21 ~~of tobacco use prevention and control.~~

22 ~~2. "Commission" means the commission on tobacco use~~  
23 ~~prevention and control established in [this chapter](#).~~

24 ~~3. 1. "Community partnership" means a public agency or~~  
25 ~~nonprofit organization implementing the tobacco use prevention~~  
26 ~~and control initiative in a local area in accordance with this~~  
27 ~~chapter.~~

28 ~~4. 2. "Department" means the Iowa department of public~~  
29 ~~health and human services.~~

30 ~~5. 3. "Director" means the director of public health and~~  
31 ~~human services.~~

32 ~~6. "Division" means the division of tobacco use prevention~~  
33 ~~and control of the Iowa department of public health,~~  
34 ~~established pursuant to [this chapter](#).~~

35 ~~7. 4. "Initiative" means the comprehensive tobacco use~~

1 prevention and control initiative established in [this chapter](#).

2 ~~8.~~ 5. "Manufacturer" means manufacturer as defined in  
3 section 453A.1.

4 ~~9.~~ 6. "Pregnant woman" means a female of any age who is  
5 pregnant.

6 ~~10.~~ ~~"School-age youth" means a person attending school in~~  
7 ~~kindergarten through grade twelve.~~

8 ~~11.~~ 7. "Tobacco" means both cigarettes and tobacco products  
9 as defined in [section 453A.1](#).

10 ~~12.~~ 8. "Youth" means a person who is five through  
11 twenty-four years of age.

12 Sec. 25. Section 142A.3, Code 2023, is amended to read as  
13 follows:

14 **142A.3 Tobacco use prevention and control — ~~division~~ —**  
15 **~~commission~~ — created.**

16 1. The department ~~shall establish, as a separate and~~  
17 ~~distinct division within the department, a division of tobacco~~  
18 ~~use prevention and control. The division shall develop,~~  
19 ~~implement, and administer the initiative established in this~~  
20 ~~chapter and shall perform other duties as directed by this~~  
21 ~~chapter or as assigned by the director of public health.~~

22 2. ~~A commission on tobacco use prevention and control is~~  
23 ~~established to~~ The department shall develop policy, provide  
24 direction for the initiative, and perform all other duties  
25 related to the initiative and other tobacco use prevention and  
26 control activities as directed by [this chapter](#) ~~or referred to~~  
27 ~~the commission by the director of public health.~~

28 ~~3. The membership of the commission shall include the~~  
29 ~~following voting members who shall serve three-year, staggered~~  
30 ~~terms:~~

31 ~~a. Members, at least one of whom is a member of a racial~~  
32 ~~minority, to be appointed by the governor, subject to~~  
33 ~~confirmation by the senate pursuant to [sections 2.32](#) and [69.19](#),~~  
34 ~~and consisting of the following:~~

35 ~~(1) Three members who are active with nonprofit health~~

~~1 organizations that emphasize tobacco use prevention or who are  
2 active as health services providers, at the local level.~~

~~3 (2) Three members who are active with health promotion  
4 activities at the local level in youth education, nonprofit  
5 services, or other activities relating to tobacco use  
6 prevention and control.~~

~~7 b. Three voting members, to be selected by the participants  
8 in the annual statewide youth summit of the initiative's youth  
9 program, who shall not be subject to [section 69.16](#) or [69.16A](#).  
10 However, the selection process shall provide for diversity  
11 among the members and at least one of the youth members shall  
12 be a female.~~

~~13 4. The commission shall also include the following ex  
14 officio, nonvoting members:~~

~~15 a. Four members of the general assembly, with not more than  
16 one member from each chamber being from the same political  
17 party. The majority leader of the senate and the minority  
18 leader of the senate shall each appoint one of the senate  
19 members. The majority leader of the house of representatives  
20 and the minority leader of the house of representatives shall  
21 each appoint one of the house members.~~

~~22 b. The presiding officer of the statewide youth executive  
23 body, selected by the delegates to the statewide youth summit.~~

~~24 5. In addition to the members of the commission, the  
25 following agencies, organizations, and persons shall each  
26 assign a single liaison to the commission to provide assistance  
27 to the commission in the discharge of the commission's duties:~~

~~28 a. The department of education.~~

~~29 b. The drug policy coordinator.~~

~~30 c. The department of justice, office of the attorney  
31 general.~~

~~32 d. The department of human services.~~

~~33 6. Citizen members shall be reimbursed for actual and  
34 necessary expenses incurred in performance of their duties.  
35 Citizen members shall be paid a per diem as specified in~~

1 ~~section 7E.6.~~ Legislative members are eligible for per diem  
2 and expenses as provided in ~~section 2.10.~~

3 7. ~~A member of the commission who is convicted of a crime~~  
4 ~~relating to tobacco, alcohol, or controlled substances is~~  
5 ~~subject to removal from the commission.~~

6 8. ~~A vacancy on the commission other than for the youth~~  
7 ~~members shall be filled in the same manner as the original~~  
8 ~~appointment for the balance of the unexpired term. A youth~~  
9 ~~member vacancy shall be filled by the presiding officer of the~~  
10 ~~statewide executive body as selected by the delegates to the~~  
11 ~~statewide youth summit.~~

12 9. ~~The commission shall elect a chairperson from among its~~  
13 ~~voting members and may select other officers from among its~~  
14 ~~voting members, as determined necessary by the commission.~~  
15 ~~The commission shall meet regularly as determined by the~~  
16 ~~commission, upon the call of the chairperson, or upon the call~~  
17 ~~of a majority of the voting members.~~

18 10. ~~The commission may designate an advisory council. The~~  
19 ~~commission shall determine the membership and representation~~  
20 ~~of the advisory council and members of the council shall serve~~  
21 ~~at the pleasure of the commission. The advisory council may~~  
22 ~~include representatives of health care provider groups, parent~~  
23 ~~groups, antitobacco advocacy programs and organizations,~~  
24 ~~research and evaluation experts, and youth organizers.~~

25 Sec. 26. Section 142A.4, Code 2023, is amended to read as  
26 follows:

27 **142A.4 Commission Department duties.**

28 The ~~commission~~ department shall do all of the following:

29 1. Develop and implement the comprehensive tobacco use  
30 prevention and control initiative as provided in [this chapter](#).

31 2. Provide a forum for the discussion, development, and  
32 recommendation of public policy alternatives in the field of  
33 tobacco use prevention and control.

34 3. Develop an educational component of the initiative.  
35 Educational efforts provided through the school system shall be

1 developed in conjunction with the department of education.

2 4. Develop a plan for implementation of the initiative in  
3 accordance with the purpose and intent specified in section  
4 142A.1.

5 5. Provide for technical assistance, training, and other  
6 support under the initiative.

7 6. Take actions to develop and implement a statewide  
8 system for the initiative programs that are delivered through  
9 community partnerships.

10 7. Manage and coordinate the provision of funding and other  
11 moneys available to the initiative by combining all or portions  
12 of appropriations or other revenues as authorized by law.

13 8. Assist with the linkage of the initiative with child  
14 welfare and juvenile justice decategorization projects,  
15 education programming, early childhood Iowa areas, and other  
16 programs and services directed to youth at the state and  
17 community level.

18 9. ~~a.~~ Coordinate and respond to any requests from a  
19 community partnership relating to any of the following:

20 ~~(1)~~ a. Removal of barriers to community partnership  
21 efforts.

22 ~~(2)~~ b. Pooling and redirecting of existing federal, state,  
23 or other public or private funds available for purposes that  
24 are consistent with the initiative.

25 ~~(3)~~ c. Seeking of federal waivers to assist community  
26 partnership efforts.

27 ~~b. In coordinating and responding to the requests, the~~  
28 ~~commission shall work with state agencies, the governor, and~~  
29 ~~the general assembly as necessary to address requests deemed~~  
30 ~~appropriate by the commission.~~

31 10. Adopt rules pursuant to [chapter 17A](#) as necessary for the  
32 designation, governance, and oversight of the initiative and  
33 the implementation of [this chapter](#). The ~~commission~~ department  
34 shall provide for community partnership and youth program input  
35 in the rules adoption process. The rules shall include but are

1 not limited to all of the following:

2 a. Performance indicators for initiative programs, community  
3 partnerships, and the services provided under the auspices of  
4 community partnerships. The performance indicators shall be  
5 developed with input from communities.

6 b. Minimum standards to further the provision of equal  
7 access to services.

8 11. Monitor and evaluate the effectiveness of performance  
9 measures utilized under the initiative.

10 12. Submit a report to the governor and the general  
11 assembly on a ~~periodic basis, during the initial year of~~  
12 ~~operation, and on an annual basis thereafter,~~ regarding  
13 the initiative, including demonstrated progress based on  
14 performance indicators. The ~~commission~~ department shall report  
15 more frequently if requested by the joint appropriations  
16 subcommittee that makes recommendations concerning the  
17 ~~commission's~~ department's budget. ~~Beginning July 1, 2005, the~~  
18 ~~commission shall also perform a comprehensive review of the~~  
19 ~~initiative and shall submit a report of its findings to the~~  
20 ~~governor and the general assembly on or before December 15,~~  
21 ~~2005.~~

22 ~~13. Represented by the chairperson of the commission,~~  
23 ~~annually appear before the joint appropriations subcommittee~~  
24 ~~that makes recommendations concerning the commission's budget~~  
25 ~~to report on budget expenditures and division operations~~  
26 ~~relative to the prior fiscal year and the current fiscal year.~~

27 ~~14. Advise the director in evaluating potential candidates~~  
28 ~~for the position of administrator, consult with the director~~  
29 ~~in the hiring of the administrator, and review and advise~~  
30 ~~the director on the performance of the administrator in the~~  
31 ~~discharge of the administrator's duties.~~

32 ~~15.~~ 13. Prioritize funding needs and the allocation of  
33 moneys appropriated and other resources available for the  
34 programs and activities of the initiative.

35 ~~16.~~ 14. Review fiscal needs of the initiative and make

1 recommendations to the director in the development of budget  
2 requests.

3 ~~17.~~ 15. Solicit and accept any gift of money or property,  
4 including any grant of money, services, or property from the  
5 federal government, the state, a political subdivision, or  
6 a private source that is consistent with the goals of the  
7 initiative. The ~~commission~~ department shall adopt rules  
8 prohibiting the acceptance of gifts from a manufacturer of  
9 tobacco products.

10 ~~18.~~ 16. Advise and make recommendations to the governor,  
11 the general assembly, and the director, ~~and the administrator,~~  
12 relative to tobacco use, treatment, intervention, prevention,  
13 control, and education programs in the state.

14 ~~19.~~ 17. Evaluate the work of the ~~division and the~~  
15 department relating to the initiative. For this purpose,  
16 the ~~commission~~ department shall have access to any relevant  
17 department records and documents, and other information  
18 reasonably obtainable by the department.

19 ~~20.~~ 18. Develop the structure for the statewide youth  
20 summit to be held annually.

21 ~~21.~~ 19. Approve the content of any materials distributed  
22 by the youth program pursuant to [section 142A.9](#), prior to  
23 distribution of the materials.

24 Sec. 27. Section 142A.5, Code 2023, is amended to read as  
25 follows:

26 **142A.5 Director and ~~administrator~~ duties.**

27 ~~1.~~ The director shall do all of the following:

28 ~~a. Establish and maintain the division of tobacco use~~  
29 ~~prevention and control.~~

30 ~~b. Employ a separate division administrator, in accordance~~  
31 ~~with the requirements of [section 142A.4, subsection 14](#), in a~~  
32 ~~full-time equivalent position whose sole responsibility and~~  
33 ~~duty shall be the administration and oversight of the division.~~  
34 ~~The division administrator shall report to and shall serve~~  
35 ~~at the pleasure of the director. The administrator shall~~

1 ~~be exempt from the merit system provisions of chapter 8A,~~  
2 ~~subchapter IV.~~

3 ~~c.~~ 1. Coordinate all tobacco use prevention and control  
4 programs and activities under the purview of the department.

5 ~~d.~~ ~~Receive and review budget recommendations from the~~  
6 ~~commission. The director shall consider these recommendations~~  
7 ~~in developing the budget request for the department.~~

8 ~~2.~~ ~~The administrator shall do all of the following:~~

9 ~~a.~~ 2. Implement the initiative, ~~coordinate the activities~~  
10 ~~of the commission and the initiative,~~ and coordinate with other  
11 tobacco use prevention and control activities as ~~assigned by~~  
12 ~~the director.~~

13 ~~b.~~ 3. Monitor and evaluate the effectiveness of performance  
14 measures.

15 ~~c.~~ ~~Provide staff and administrative support to the~~  
16 ~~commission.~~

17 ~~d.~~ 4. Administer contracts entered into under [this chapter](#).

18 ~~e.~~ 5. Coordinate and cooperate with other tobacco use  
19 prevention and control programs within and outside of the  
20 state.

21 ~~f.~~ ~~Provide necessary information to the commission to~~  
22 ~~assist the commission in making its annual report to the~~  
23 ~~joint appropriations subcommittee pursuant to section 142A.4,~~  
24 ~~subsection 13, and in fulfilling other commission duties~~  
25 ~~pursuant to [section 142A.4](#).~~

26 Sec. 28. Section 142A.6, subsections 1, 4, and 5, Code 2023,  
27 are amended to read as follows:

28 1. A comprehensive tobacco use prevention and control  
29 initiative is established. The ~~division~~ department shall  
30 implement the initiative as provided in [this chapter](#).

31 4. The ~~division~~ department shall implement the initiative  
32 in a manner that ensures that youth are extensively involved  
33 in the decision making for the programs implemented under  
34 the initiative. The initiative shall also involve parents,  
35 schools, and community members in activities to achieve the

1 results desired for the initiative. The ~~division~~ department  
2 shall encourage collaboration at the state and local levels  
3 to maximize available resources and to provide flexibility to  
4 support community efforts.

5 5. Procurement of goods and services necessary to implement  
6 the initiative is subject to approval of the ~~commission~~  
7 department. ~~Notwithstanding chapter 8A, subchapter III, or any~~  
8 ~~other provision of law to the contrary, such procurement may~~  
9 ~~be accomplished by the commission under its own competitive~~  
10 ~~bidding process which shall provide for consideration of~~  
11 ~~such factors as price, bidder competence, and expediency in~~  
12 ~~procurement.~~

13 Sec. 29. Section 142A.8, subsections 2 and 3, Code 2023, are  
14 amended to read as follows:

15 2. A community partnership area shall encompass a county  
16 or multicounty area, school district or multischool district  
17 area, economic development enterprise zone that meets the  
18 requirements of an urban or rural enterprise community under  
19 Tit. XIII of the federal Omnibus Budget Reconciliation Act of  
20 1993, or early childhood Iowa area, in accordance with criteria  
21 adopted by the ~~commission~~ department for appropriate population  
22 levels and size of geographic areas.

23 3. The ~~commission~~ department shall adopt rules pursuant to  
24 chapter 17A providing procedures for the initial designation  
25 of community partnership areas and for subsequent changes to  
26 the initially designated areas.

27 Sec. 30. Section 142A.10, Code 2023, is amended to read as  
28 follows:

29 **142A.10 Funding of programs delivered through community**  
30 **partnerships.**

31 1. The ~~commission~~ department shall develop and implement a  
32 statewide system for the initiative programs that are delivered  
33 through community partnerships.

34 2. The system shall provide for equitable allocation of  
35 funding for initiative programs among the state's community

1 partnership areas, based upon school-age population and other  
2 criteria established by the ~~commission~~ department.

3 3. The specific programs, distribution provisions, and  
4 other provisions approved by the ~~commission~~ department for  
5 expenditure of the maximum allocation amount established for  
6 a community partnership area shall be outlined in the written  
7 contract with the community partnership.

8 4. Any allocation received by a community partnership  
9 shall be matched with local funding, in-kind services, office  
10 support, or other tangible support or offset of costs.

11 DEPENDENT ADULT PROTECTIVE ADVISORY COUNCIL

12 Sec. 31. Section 235B.1, subsection 4, Code 2023, is amended  
13 to read as follows:

14 4. *a.* The establishment of a dependent adult protective  
15 advisory council. The advisory council shall do all of the  
16 following:

17 (1) Advise the director of health and human services,  
18 ~~the director of the department on aging,~~ the director of  
19 inspections and appeals, ~~the director of public health,~~ and the  
20 director of the department of corrections, ~~and the director of~~  
21 ~~human rights~~ regarding dependent adult abuse.

22 (2) Evaluate state law and rules and make recommendations  
23 to the general assembly and to executive branch departments  
24 regarding laws and rules concerning dependent adults.

25 (3) Receive and review recommendations and complaints from  
26 the public, health care facilities, and health care programs  
27 concerning the dependent adult abuse services program.

28 *b.* (1) The advisory council shall consist of ~~twelve~~ nine  
29 members. ~~Eight members~~ who shall be appointed by and serve at  
30 the pleasure of the governor. ~~Four of the members appointed~~  
31 ~~shall be appointed on the basis of knowledge and skill related~~  
32 ~~to expertise in the area of dependent adult abuse including~~  
33 ~~professionals practicing in the disciplines of medicine, public~~  
34 ~~health, mental health, long-term care, social work, law,~~  
35 ~~and law enforcement.~~ ~~Two of the members appointed shall be~~

1 ~~members of the general public with an interest in the area of~~  
2 ~~dependent adult abuse and two of the members appointed shall~~  
3 ~~be members of the Iowa caregivers association. In addition,~~  
4 ~~the membership of the council shall include the director or the~~  
5 ~~director's designee of the department of human services, the~~  
6 ~~department on aging, the Iowa department of public health, and~~  
7 ~~the department of inspections and appeals.~~

8 (2) The members of the advisory council shall be appointed  
9 to terms of four years beginning May 1. Appointments shall  
10 comply with [sections 69.16](#) and [69.16A](#). Vacancies shall be  
11 filled in the same manner as the original appointment.

12 ~~(3) Members shall receive actual expenses incurred while~~  
13 ~~serving in their official capacity.~~

14 ~~(4)~~ (3) The advisory council shall select a chairperson,  
15 annually, from its membership.

16 DOMESTIC ABUSE DEATH REVIEW TEAM

17 Sec. 32. Section 135.109, subsection 7, Code 2023, is  
18 amended by striking the subsection.

19 Sec. 33. Section 135.110, subsection 5, Code 2023, is  
20 amended by striking the subsection.

21 EARLY CHILDHOOD IOWA STATE BOARD

22 Sec. 34. Section 256I.3, Code 2023, is amended to read as  
23 follows:

24 **256I.3 Early childhood Iowa state board created.**

25 1. The early childhood Iowa state board is created to  
26 promote a vision for a comprehensive early care, education,  
27 health, and human services system in this state. The board  
28 shall oversee state and local efforts. The vision shall be  
29 achieved through strategic planning, funding identification,  
30 guidance, and decision-making authority to assure collaboration  
31 among state and local early care, education, health, and human  
32 services systems.

33 2. a. The board shall consist of ~~twenty-one~~ thirteen voting  
34 members with ~~fifteen~~ nine citizen members and ~~six~~ four state  
35 agency members. The ~~six~~ four state agency members shall be

1 the directors or their designees of the following agencies:  
 2 economic development authority, education, ~~human rights,~~ health  
 3 and human services, ~~public health,~~ and workforce development.  
 4 The designees of state agency directors shall be selected on  
 5 an annual basis. The citizen members shall be appointed by  
 6 the governor, ~~subject to confirmation by the senate.~~ The  
 7 governor's appointments of citizen members shall be made in  
 8 a manner so that each of the state's congressional districts  
 9 is represented by at least two citizen members and so that  
 10 all the appointments as a whole reflect the ethnic, cultural,  
 11 social, and economic diversity of the state. A member of the  
 12 state board shall not be a provider of services or other entity  
 13 receiving funding through the early childhood Iowa initiative  
 14 or be employed by such a provider or other entity.

15     **b.** The governor's appointees shall be selected from  
 16 individuals nominated by area boards. The nominations shall  
 17 reflect the range of interests represented on the area boards  
 18 so that the governor is able to appoint one or more members  
 19 each for early care, education, health, human services,  
 20 business, faith, and public interests. At least one of the  
 21 citizen members shall be a service consumer or the parent of a  
 22 service consumer. The term of office of the citizen members  
 23 is three years. A citizen member vacancy on the board shall be  
 24 filled in the same manner as the original appointment for the  
 25 balance of the unexpired term.

26     ~~3. In addition to the voting members, the state board shall~~  
 27 ~~include four members of the general assembly with not more than~~  
 28 ~~one member from each chamber being from the same political~~  
 29 ~~party. The two senators shall be appointed one each by the~~  
 30 ~~majority leader of the senate and by the minority leader of~~  
 31 ~~the senate. The two representatives shall be appointed one~~  
 32 ~~each by the speaker of the house of representatives and by the~~  
 33 ~~minority leader of the house of representatives. Legislative~~  
 34 ~~members shall serve in an ex officio, nonvoting capacity. A~~  
 35 ~~legislative member is eligible for per diem and expenses as~~

1 ~~provided in section 2.10.~~

2 4. 3. The state board shall elect a chairperson from among  
3 the citizen members and may select other officers from the  
4 voting members as determined to be necessary by the board. The  
5 board shall meet regularly as determined by the board, upon the  
6 call of the board's chairperson, or upon the call of a majority  
7 of voting members. The board shall meet at least no more than  
8 quarterly.

9 HAWKI PROGRAM AND BOARD — MEDICAL ASSISTANCE ADVISORY COUNCIL

10 Sec. 35. Section 249A.4B, subsection 1, Code 2023, is  
11 amended to read as follows:

12 1. A medical assistance advisory council is created to  
13 comply with 42 C.F.R. §431.12 based on section 1902(a)(4) of  
14 the federal Social Security Act and to advise the director  
15 about health and medical care services under the medical  
16 assistance program. The council shall also serve as an  
17 advisory council to the Hawki program pursuant to chapter  
18 514I to the extent necessary to comply with federal law. The  
19 council shall meet no more than quarterly. ~~The director of~~  
20 director's designee responsible for public health or their  
21 designee and a public member of the council selected by the  
22 public members of the council shall serve as co-chairpersons  
23 of the council.

24 Sec. 36. Section 249A.4B, subsection 2, paragraph b,  
25 subparagraph (6), Code 2023, is amended by striking the  
26 subparagraph.

27 Sec. 37. Section 249A.4B, subsections 4 and 7, Code 2023,  
28 are amended to read as follows:

29 4. Based upon the deliberations of the council, the council  
30 shall make recommendations to the director regarding the  
31 budget, policy, and administration of the medical assistance  
32 program and regarding the Hawki program as necessary to comply  
33 with federal law.

34 7. The director shall consider the recommendations offered  
35 by the council in the director's preparation of medical

1 assistance and Hawki program budget recommendations to the  
2 council on human services pursuant to [section 217.3](#) and  
3 in implementation of medical assistance and Hawki program  
4 policies.

5 Sec. 38. Section 249A.4B, subsection 5, Code 2023, is  
6 amended by striking the subsection.

7 Sec. 39. Section 514I.1, subsection 2, Code 2023, is amended  
8 to read as follows:

9 2. It is the intent of the general assembly that the program  
10 be implemented and administered in compliance with Tit. XXI  
11 of the federal Social Security Act. If, as a condition of  
12 receiving federal funds for the program, federal law requires  
13 implementation and administration of the program in a manner  
14 not provided in [this chapter](#), during a period when the general  
15 assembly is not in session, the department, ~~with the approval~~  
16 ~~of the hawk-i board~~, shall proceed to implement and administer  
17 those provisions, subject to review by the next regular session  
18 of the general assembly.

19 Sec. 40. Section 514I.2, subsection 6, Code 2023, is amended  
20 by striking the subsection.

21 Sec. 41. Section 514I.4, Code 2023, is amended to read as  
22 follows:

23 **514I.4 Director and department — duties — powers.**

24 1. The director, ~~with the approval of the hawk-i board~~,  
25 shall implement [this chapter](#). The director shall do all of the  
26 following:

27 a. At least every six months, evaluate the scope of the  
28 program currently being provided under [this chapter](#), project  
29 the probable cost of continuing the program, and compare  
30 the probable cost with the remaining balance of the state  
31 appropriation made for payment of assistance under [this chapter](#)  
32 during the current appropriation period. The director shall  
33 ~~report the findings of the evaluation to the board and shall~~  
34 annually report findings of the evaluation to the governor and  
35 the general assembly by January 1.

1     *b.* Establish premiums to be paid to participating insurers  
2 for provision of health insurance coverage.

3     *c.* Contract with participating insurers to provide health  
4 insurance coverage under [this chapter](#).

5     *d.* ~~Recommend to the board~~ proposed rules necessary to  
6 implement the program.

7     ~~*e.* Recommend to the board individuals to serve as members of~~  
8 ~~the clinical advisory committee.~~

9     2. *a.* The director, ~~with the approval of the board,~~ may  
10 contract with participating insurers to provide dental-only  
11 services.

12     *b.* The director, ~~with the approval of the board,~~  
13 may contract with participating insurers to provide the  
14 supplemental dental-only coverage to otherwise eligible  
15 children who have private health care coverage as specified in  
16 the federal Children's Health Insurance Program Reauthorization  
17 Act of 2009, Pub. L. No. 111-3.

18     3. The department may enter into contracts with other  
19 persons whereby the other person provides some or all of the  
20 functions, pursuant to rules adopted by the ~~board~~ department,  
21 which are required of the director or the department under this  
22 section. All contracts entered into pursuant to [this section](#)  
23 shall be made available to the public.

24     4. The department shall do or shall provide for all of the  
25 following:

26     *a.* Determine eligibility for program enrollment as  
27 prescribed by federal law and regulation, using policies and  
28 procedures adopted by rule of the department pursuant to  
29 chapter 17A. The department shall not enroll a child who has  
30 group health coverage unless expressly authorized by such  
31 rules.

32     *b.* Enroll qualifying children in the program with  
33 maintenance of a supporting eligibility file or database.

34     *c.* Utilize the department's eligibility system to maintain  
35 eligibility files with pertinent eligibility determination and

1 ongoing enrollment information including but not limited to  
2 data regarding beneficiaries, enrollment dates, disenrollments,  
3 and annual financial redeterminations.

4 *d.* Provide for administrative oversight and monitoring of  
5 federal requirements.

6 *e.* Perform annual financial reviews of eligibility for each  
7 beneficiary.

8 *f.* Collect and track monthly family premiums to assure that  
9 payments are current.

10 *g.* Notify each participating insurer of new program  
11 enrollees who are enrolled by the department in that  
12 participating insurer's plan.

13 *h.* Verify the number of program enrollees with each  
14 participating insurer for determination of the amount of  
15 premiums to be paid to each participating insurer.

16 *i.* Maintain data for the purpose of quality assurance  
17 reports ~~as required by rule of the board.~~

18 *j.* (1) Establish the family cost sharing amounts for  
19 children of families with incomes of one hundred fifty percent  
20 or more but not exceeding two hundred percent of the federal  
21 poverty level, of not less than ten dollars per individual  
22 and twenty dollars per family, if not otherwise prohibited by  
23 federal law, ~~with the approval of the board.~~

24 (2) Establish for children of families with incomes  
25 exceeding two hundred percent but not exceeding three hundred  
26 percent of the federal poverty level, family cost sharing  
27 amounts, and graduated premiums based on a rationally developed  
28 sliding fee schedule, in accordance with federal law, ~~with the~~  
29 ~~approval of the board.~~

30 *k.* Perform annual, random reviews of enrollee applications  
31 to ensure compliance with program eligibility and enrollment  
32 policies. Quality assurance reports shall be ~~made to the board~~  
33 compiled based upon the data maintained by the department.

34 *l.* Perform other duties as determined by the ~~board~~ director.

35 Sec. 42. Section 514I.6, subsection 4, paragraph d, Code

1 2023, is amended to read as follows:

2 *d.* Other information as directed by the ~~board~~ department.

3 Sec. 43. Section 514I.6, subsection 5, Code 2023, is amended  
4 to read as follows:

5 5. Submit a plan for a health improvement program to the  
6 department, ~~for approval by the board~~.

7 Sec. 44. Section 514I.8, subsection 2, paragraph e, Code  
8 2023, is amended to read as follows:

9 *e.* Is not currently covered under a group health plan as  
10 defined in 42 U.S.C. §300gg-91(a)(1) unless allowed by rule of  
11 the ~~board~~ department.

12 Sec. 45. Section 514I.8, subsection 3, Code 2023, is amended  
13 to read as follows:

14 3. In accordance with the rules adopted by the ~~board~~  
15 department, a child may be determined to be presumptively  
16 eligible for the program pending a final eligibility  
17 determination. Following final determination of eligibility,  
18 a child shall be eligible for a twelve-month period. At the  
19 end of the twelve-month period, a review of the circumstances  
20 of the child's family shall be conducted to establish  
21 eligibility and cost sharing for the subsequent twelve-month  
22 period. Pending such review of the circumstances of the  
23 child's family, the child shall continue to be eligible for  
24 and remain enrolled in the same plan if the family complies  
25 with requirements to provide information and verification of  
26 income, otherwise cooperates in the annual review process,  
27 and submits the completed review form and any information  
28 necessary to establish continued eligibility in a timely manner  
29 in accordance with administrative rules.

30 Sec. 46. Section 514I.9, subsection 1, Code 2023, is amended  
31 to read as follows:

32 1. The ~~hawk-i-board~~ department shall review the benefits  
33 package annually and shall determine additions to or deletions  
34 from the benefits package offered. The ~~hawk-i-board~~ department  
35 shall submit the recommendations to the general assembly for

1 any amendment to the benefits package.

2 Sec. 47. REPEAL. Section 514.5, Code 2023, is repealed.

3 INTERAGENCY COORDINATING COUNCIL — REPEAL

4 Sec. 48. REPEAL. Section 691.6B, Code 2023, is repealed.

5 IOWA CHILD DEATH REVIEW TEAM

6 Sec. 49. Section 135.43, subsection 2, paragraphs m and n,  
7 Code 2023, are amended by striking the paragraphs.

8 LEADERSHIP COUNCIL FOR CHILD CARE TRAINING AND DEVELOPMENT —  
9 REPEAL

10 Sec. 50. REPEAL. Section 237A.23, Code 2023, is repealed.

11 EARLY HEARING DETECTION AND INTERVENTION ADVISORY COMMITTEE

12 Sec. 51. EARLY HEARING DETECTION AND INTERVENTION ADVISORY  
13 COMMITTEE. The department of health and human services  
14 shall adopt rules pursuant to chapter 17A to provide that the  
15 membership of the early hearing detection and intervention  
16 advisory committee shall be limited to no more than thirteen  
17 members, and that the committee shall meet no more than two  
18 times per year.

19 MATERNAL AND CHILD HEALTH ADVISORY COUNCIL

20 Sec. 52. MATERNAL AND CHILD HEALTH ADVISORY COUNCIL. The  
21 department of health and human services shall adopt rules  
22 pursuant to chapter 17A to provide that the membership of the  
23 maternal and child health advisory council be limited to a  
24 total of no more than fifteen members, which shall not include  
25 discretionary members or members of the general assembly, and  
26 that the council shall meet not more than four times per year.

27 COUNCIL ON HEALTH AND HUMAN SERVICES

28 Sec. 53. Section 217.4, Code 2023, is amended to read as  
29 follows:

30 **217.4 Meetings of council.**

31 The council shall meet at least ~~monthly~~ every other month.  
32 Additional meetings shall be called by the chairperson or  
33 upon written request of any three council members ~~thereof~~  
34 as necessary to carry out the duties of the council. The  
35 chairperson shall preside at all meetings or in the absence

1 of the chairperson the vice chairperson shall preside. The  
2 ~~members of the council shall be paid a per diem as specified in~~  
3 ~~section 7E.6 and their reasonable and necessary expenses.~~

4 PER DIEM AND REIMBURSEMENT

5 Sec. 54. PER DIEM AND REIMBURSEMENT. Beginning July 1,  
6 2023, notwithstanding any provision to the contrary, members  
7 of the following entities shall not be entitled to a per diem  
8 as specified in section 7E.6 or reimbursement for actual and  
9 necessary expenses incurred while engaged in their official  
10 duties:

11 1. The center for congenital and inherited disorders  
12 advisory committee established in section 136A.3A.

13 2. The mental health and disability services commission  
14 created in section 225C.5.

15 3. The commission on aging established in section 231.11.

16 4. The dependent adult abuse protective advisory council  
17 created in section 235B.1.

18 5. The Iowa domestic abuse death review team created in  
19 section 135.110.

20 6. The early childhood Iowa state board created in section  
21 256I.3.

22 7. The Iowa child death review team established in section  
23 135.43.

24 8. The early hearing detection and intervention advisory  
25 committee.

26 9. The maternal and child health advisory council.

27 10. The council on health and human services created in  
28 section 217.2.

29 11. The medical assistance advisory council created in  
30 section 249A.4B.

31 12. The advisory committee for perinatal guidelines  
32 established pursuant to chapter 135 and 641 IAC 150.

33 EXPLANATION

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

1 This bill relates to bodies of the state governmental  
2 structure under the purview of the department of health and  
3 human services (HHS).

4 The bill amends provisions relating to the legislative  
5 health policy oversight committee to provide that the committee  
6 may meet annually. Currently, the committee is required  
7 to meet at least two times annually during the legislative  
8 interim.

9 The bill requires that any statutory board, commission,  
10 committee, or council under the purview of HHS shall provide  
11 hybrid meeting, teleconference participation, virtual meeting,  
12 and remote participation options for members to participate in  
13 official meetings.

14 The bill eliminates the advisory council on brain injuries.

15 The bill amends provisions relating to the congenital and  
16 inherited disorders advisory committee. The bill provides  
17 that the advisory committee is established solely to assist  
18 in designating the conditions to be included in the newborn  
19 screening and in regularly evaluating the effectiveness and  
20 appropriateness of the newborn screening. The bill limits the  
21 voting membership to 15 voting members, and authorizes the  
22 advisory committee to meet at least once per year. The bill  
23 directs HHS to adopt administrative rules to ensure that the  
24 duties of the council do not include those relating to genetic  
25 and genomic health care services including special projects and  
26 conferences.

27 The bill eliminates the child care advisory committee and  
28 includes the duties of the former committee in the duties of  
29 the early childhood stakeholders alliance under Code chapter  
30 256I (early childhood Iowa initiative).

31 The bill eliminates the children's behavioral health system  
32 state board and amends the membership of the mental health and  
33 disability services commission.

34 The bill amends the membership of the commission on aging by  
35 reducing the number of members from 11 to 7 and by eliminating

1 commission members who are members of the general assembly.

2 The bill eliminates the commission on tobacco use prevention  
3 and control and transfers the duties of the commission to the  
4 department or director of HHS.

5 The bill amends the membership of the dependent adult  
6 protective advisory committee by reducing the membership from  
7 12 to 9 members.

8 The bill amends provisions relating to the Iowa domestic  
9 abuse death review team by eliminating authorization for the  
10 team to establish committees or panels to which to assign the  
11 team's responsibilities and by eliminating authorization for  
12 payment of member actual and necessary expenses.

13 The bill amends provisions relating to the early childhood  
14 Iowa state board by reducing the membership of the board  
15 from 21 to 13 voting members, appointed by the governor but  
16 not subject to confirmation by the senate. The bill also  
17 eliminates members of the general assembly from membership on  
18 the board.

19 The bill eliminates the Hawki board and requires the medical  
20 assistance advisory council to also serve as the advisory  
21 council to the Hawki program to the extent necessary to comply  
22 with federal law.

23 The bill eliminates the interagency coordinating council;  
24 eliminates certain membership positions on the Iowa child death  
25 review team; repeals the leadership council for child care  
26 training and development; directs HHS to adopt administrative  
27 rules to provide that the membership of the early hearing  
28 detection and intervention advisory committee is limited to  
29 no more than 13 members and shall meet no more than two times  
30 annually; and directs HHS to adopt administrative rules to  
31 provide that the membership of the maternal and child health  
32 advisory council is limited to no more than 15 members, which  
33 shall not include discretionary members or members of the  
34 general assembly, and that the council shall meet no more than  
35 four times annually.

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1 The bill limits the meetings of the council on health and  
2 human services to at least every other month rather than at  
3 least monthly.

4 The bill eliminates language that specifically provides for  
5 per diem or reimbursement for actual and necessary expenses  
6 incurred while members of certain councils, committees, or  
7 other bodies are engaged in their official duties. The bill  
8 also provides that beginning July 1, 2023, the councils,  
9 committees, and other bodies specified, most of which are  
10 included in the bill, shall not be entitled to per diem or  
11 reimbursement for actual and necessary expenses incurred while  
12 engaged in official duties.