

House File 613 - Introduced

HOUSE FILE 613
BY COMMITTEE ON HEALTH AND
HUMAN SERVICES

(SUCCESSOR TO HF 3)

A BILL FOR

1 An Act relating to public assistance program integrity, making
2 appropriations, and including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

AUTHENTICATION SYSTEM FOR PUBLIC ASSISTANCE PROGRAMS

Section 1. NEW SECTION. 239.1 Definitions.

As used in this chapter, unless the context otherwise requires:

1. "*Applicant*" means an individual who is applying for public assistance benefits in the state.
2. "*Asset*" means the following assets of the members of the applicant's household:
 - a. All liquid assets.
 - b. All other personal property excluding one vehicle and the fair market value in excess of ten thousand dollars of an additional vehicle.
3. "*Asset test*" means the comparison of the collective value of all countable assets of the members of the applicant's household to the maximum allowed household asset limit of fifteen thousand dollars.
4. "*Department*" means the department of health and human services.
5. "*Public assistance*" means the supplemental nutrition assistance program or SNAP, the medical assistance program or Medicaid program as defined in section 249A.2, the family investment program as defined in section 239B.1, and the children's health insurance program.
6. "*Real-time eligibility system*" means real-time electronic access to a system that allows verification of all applicable public assistance program eligibility information based on the most recent information available to the department through nonmodeled earned and unearned income, such as commercially available wage data.
7. "*Recipient*" means an individual who is receiving public assistance benefits in the state.
8. "*Supplemental nutrition assistance program*" or "*SNAP*" means benefits provided by the federal program administered through 7 C.F.R. pts. 270 - 283, as amended.

1 Sec. 2. NEW SECTION. **239.2 Supplemental nutrition**
2 **assistance program — income eligibility.**

3 The department shall establish the gross countable monthly
4 income threshold for the supplemental nutrition assistance
5 program at less than or equal to one hundred sixty percent of
6 the federal poverty level for the household size.

7 Sec. 3. NEW SECTION. **239.3 Identity authentication —**
8 **rules.**

9 Unless otherwise prohibited by federal law or regulation,
10 prior to the department awarding public assistance benefits, an
11 applicant shall complete a computerized identity authentication
12 process to confirm the identity of the applicant. Identity
13 authentication shall be accomplished through a knowledge-based
14 questionnaire consisting of financial and personal questions.
15 The questionnaire shall contain questions tailored to assist
16 persons without a bank account or those who have poor access
17 to financial and banking services or who do not have an
18 established credit history. The computerized identity
19 authentication process and questionnaire may be completed and
20 submitted online, in person, or via telephone by the applicant
21 or a person authorized by the applicant. The department may
22 adopt rules pursuant to chapter 17A to administer this section.

23 Sec. 4. NEW SECTION. **239.4 Asset test for supplemental**
24 **nutrition assistance program.**

25 1. For the purposes of determining eligibility for receipt
26 of SNAP benefits, the department shall conduct an asset test
27 on all members of the applicant's household. The allowable
28 financial resources to be included in or excluded from a
29 determination of eligibility for SNAP shall be those specified
30 in 7 U.S.C. §2014(g)(1), to the extent consistent with the term
31 "asset" as defined in this chapter.

32 2. Prior to determining eligibility for SNAP benefits,
33 the department shall access, at a minimum, for every member
34 of the applicant's household, the following information from
35 the following federal, state, and miscellaneous sources, or

1 successor sources:

2 a. Federal sources and information:

3 (1) Earned and unearned income information maintained by
4 the internal revenue service.

5 (2) The following sources and information maintained by the
6 United States social security administration:

7 (a) Earned income information.

8 (b) Death register information.

9 (c) Prisoner or incarceration status information.

10 (d) Supplemental security income information maintained in
11 the state data exchange database.

12 (e) Beneficiary records and earnings information maintained
13 in the beneficiary and earnings data exchange database.

14 (f) Earnings information maintained in the beneficiary
15 earnings exchange record system database.

16 (3) Income and employment information maintained in the
17 national directory of new hires database by the office of child
18 support enforcement of the administration for children and
19 families.

20 b. State sources and information:

21 (1) The department's sources and information including but
22 not limited to all of the following:

23 (a) Income and employment information maintained by the
24 child support recovery unit.

25 (b) Child care assistance information maintained by the
26 department.

27 (c) Enrollment status in other public assistance programs.

28 (2) The department of workforce development sources and
29 information including all of the following:

30 (a) Employment information.

31 (b) Employer weekly, monthly, and quarterly reports of
32 income and unemployment insurance payments.

33 c. Miscellaneous sources:

34 (1) Any existing real-time database of persons currently
35 receiving benefits in other states, such as the national

1 accuracy clearinghouse.

2 (2) Any lottery winner databases maintained by the Iowa
3 lottery.

4 (3) Any existing real-time eligibility system that includes
5 employment and income information maintained by a consumer
6 reporting agency, as defined by the federal Fair Credit
7 Reporting Act, 15 U.S.C. §1681a, for the purpose of obtaining
8 real-time employment and income information.

9 3. Prior to determining eligibility for SNAP benefits, the
10 department shall access information for every member of the
11 applicant's household from the following public records:

12 a. A nationwide public records data source of physical asset
13 ownership. The data source may include but is not limited to
14 real property, automobiles, watercraft, aircraft, and luxury
15 vehicles, or any other vehicle owned by the applicant.

16 b. National and state financial institutions in order
17 to locate undisclosed depository accounts or verify account
18 balances of disclosed accounts.

19 4. The department shall enter into a memorandum of
20 understanding with any department, division, bureau, section,
21 unit, or any other subunit of a department to obtain the
22 information specified in this section.

23 5. The provisions of this section shall not apply if every
24 member of the applicant's household receives supplemental
25 security income.

26 **Sec. 5. NEW SECTION. 239.5 Verification and authentication**
27 **systems — public assistance programs.**

28 1. No later than July 1, 2025, the department shall
29 redesign an existing system; establish a new computerized
30 income, asset, and identity eligibility verification system;
31 or contract with a third-party vendor to provide for identity
32 verification, identity authentication, asset verification, and
33 dual enrollment prevention in order to deter waste, fraud, and
34 abuse in each public assistance program administered by the
35 department.

1 2. The department may contract with a third-party vendor
2 to develop or provide a service for a real-time eligibility
3 system that allows the department to verify or authenticate
4 income, assets, and identity eligibility of applicants and
5 recipients to prevent fraud, misrepresentation, and inadequate
6 documentation when determining eligibility for public
7 assistance programs. The system shall be accessed prior to
8 determining eligibility, periodically between eligibility
9 redeterminations, and during eligibility redeterminations
10 and reviews. The department may also contract with a
11 third-party vendor to provide information to facilitate
12 reviews of recipient eligibility conducted by the department.
13 Specifically, the department may contract with a third-party
14 consumer reporting agency, as defined by the federal Fair
15 Credit Reporting Act, 15 U.S.C. §1681a, for the purpose of
16 obtaining real-time employment and income information.

17 3. A contract entered into under this section shall provide,
18 at a minimum, for all of the following:

19 *a.* The establishment of the annual savings amount from
20 utilization of the system or service, and a provision that the
21 contract may be terminated contingent upon the savings not
22 exceeding the total yearly cost to the state for utilization of
23 the system or service.

24 *b.* That the contract shall not preclude the department
25 from continuing to conduct additional eligibility verification
26 or authentication processes, to receive, review, or verify
27 additional information related to the eligibility of an
28 individual, or from contracting with a third-party vendor to
29 provide additional eligibility authentication or verification
30 information.

31 4. The department shall seek federal approval as necessary
32 to implement and administer this section.

33 Sec. 6. PROGRAM REPORT. The department of health and human
34 services shall submit a report to the governor and the general
35 assembly by January 15, 2025, and by January 15 annually

1 thereafter through January 15, 2030, detailing the impact of
2 the identity authentication measures taken under this division
3 of this Act.

4 DIVISION II

5 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM AND MEDICAID PROGRAM
6 INTEGRITY AND COOPERATION

7 Sec. 7. Section 234.1, subsection 3, Code 2023, is amended
8 by striking the subsection.

9 Sec. 8. Section 234.1, Code 2023, is amended by adding the
10 following new subsections:

11 NEW SUBSECTION. 3A. "*Department*" means the department of
12 health and human services.

13 NEW SUBSECTION. 5A. "*Supplemental nutrition assistance*
14 *program*" or "*SNAP*" means the same as defined in section 239.1.

15 Sec. 9. Section 234.12A, Code 2023, is amended to read as
16 follows:

17 **234.12A Electronic benefits transfer program.**

18 1. The department of ~~human services~~ shall maintain an
19 electronic benefits transfer program utilizing electronic funds
20 transfer systems for the ~~food~~ supplemental nutrition assistance
21 program. The electronic benefits transfer program implemented
22 under [this section](#) shall not require a retailer to make cash
23 disbursements or to provide, purchase, or upgrade electronic
24 funds transfer system equipment as a condition of participation
25 in the program.

26 2. A point-of-sale terminal which is used only for purchases
27 from a retailer by electronic benefits transfer utilizing
28 electronic funds transfer systems is not a satellite terminal
29 as defined in [section 527.2](#).

30 3. For the purposes of [this section](#), "*retailer*" means
31 a business authorized by the United States department of
32 agriculture to accept ~~food~~ supplemental nutrition assistance
33 program benefits.

34 Sec. 10. NEW SECTION. **234.12B Ensuring integrity in the**
35 **supplemental nutrition assistance program — rules.**

1 1. *State records — individuals.* The department shall
2 receive and review all of the following information concerning
3 individuals enrolled in the supplemental nutrition assistance
4 program that indicates a change in circumstances that may
5 affect eligibility:

6 *a. Death records.* On at least a daily basis, information
7 from the department including but not limited to death records.

8 *b. Employment information.* On at least a semimonthly
9 basis, information from the department of workforce development
10 including but not limited to changes in employment or wages.

11 *c. Residency information.* On at least a monthly basis,
12 information to confirm Iowa residency or to identify potential
13 changes in Iowa residency as identified through an automated
14 search process of a database of addresses.

15 *d. Incarceration information.* On at least a monthly basis,
16 information from the department of corrections.

17 2. *State records — households — unemployment*
18 *information.* The department shall receive and review on at
19 least a semimonthly basis, information from the department of
20 workforce development including but not limited to potential
21 changes in employment, income, or assets that indicate a change
22 in circumstances that may affect eligibility.

23 3. *Federal records — households.* The department shall
24 cross-check information relating to individuals in households
25 enrolled in the supplemental nutrition assistance program with
26 federal databases including but not limited to all of the
27 following, on at least a monthly basis:

28 *a.* Earned income information, death register information,
29 incarceration records, supplemental security income
30 information, beneficiary records, and earnings information
31 maintained by the United States social security administration.

32 *b.* Income and employment information maintained in the
33 national directory of new hires database and child support
34 enforcement data maintained by the United States department of
35 health and human services.

1 *c.* National fleeing felon information maintained by the
2 United States federal bureau of investigation.

3 4. *Rules.* The department may adopt rules pursuant to
4 chapter 17A to administer this section.

5 Sec. 11. NEW SECTION. **234.12C Required employment**
6 **and training for supplemental nutrition assistance program**
7 **eligibility.**

8 The department shall require all able-bodied adults without
9 dependents to participate in mandatory employment and training
10 as a condition of eligibility for supplemental nutrition
11 assistance program benefits.

12 Sec. 12. NEW SECTION. **249A.58 Ensuring integrity in the**
13 **medical assistance program — recipient and applicant information**
14 **reviewed — rules.**

15 1. *State records — recipients.* The department shall
16 receive and review all of the following information concerning
17 recipients that indicates a change in circumstances that may
18 affect eligibility:

19 *a. Death records.* On at least a daily basis, information
20 from the department including but not limited to death records.

21 *b. Employment information.* On at least a semimonthly
22 basis, information from the department of workforce development
23 including but not limited to changes in employment or wages.

24 *c. Residency information.* On at least a monthly basis,
25 information to confirm Iowa residency or to identify potential
26 changes in Iowa residency as identified through an automated
27 search process of a database of addresses.

28 *d. Unemployment information.* On at least a semimonthly
29 basis, information from the department of workforce development
30 including but not limited to potential changes in employment,
31 income, or assets.

32 2. *Federal records — recipients.* The department shall
33 cross-check information relating to recipients with federal
34 databases including but not limited to all of the following, on
35 at least a monthly basis:

1 *a.* Earned income information, death register information,
2 incarceration records, supplemental security income
3 information, beneficiary records, and earnings information
4 maintained by the United States social security administration.

5 *b.* Income and employment information maintained by the
6 national directory of new hires database and child support
7 enforcement data maintained by the United States department of
8 health and human services.

9 *c.* National fleeing felon information maintained by the
10 United States federal bureau of investigation.

11 3. *Real-time record review — applicants.* Prior to
12 determining the eligibility of an applicant subject to an asset
13 test for Medicaid, the department shall access information
14 for every member of the applicant's household from the data
15 sources specified in this section and shall conduct a review
16 of nationwide public records data sources of physical asset
17 ownership. The nationwide public records data sources may
18 include but are not limited to records of real property and
19 automobiles, watercraft, aircraft, luxury vehicles, and any
20 other vehicles owned by the applicant.

21 4. *Rules.* The department may adopt rules pursuant to
22 chapter 17A to administer this section.

23 Sec. 13. NEW SECTION. **249A.59 Cooperation with child**
24 **support services.**

25 1. Unless exempt pursuant to state or federal law or
26 regulation, an applicant for or recipient of medical assistance
27 shall be required to cooperate with child support services as a
28 condition of eligibility.

29 2. The department shall adopt rules pursuant to chapter 17A
30 to administer this section.

31 Sec. 14. **MEDICAID — REASONABLE COMPATIBILITY STANDARD**
32 **INCOME THRESHOLD — DETERMINATION OF ELIGIBILITY.** The
33 department of health and human services shall reduce the
34 reasonable compatibility income threshold standard from ten
35 percent to five percent when the department is determining

1 eligibility for medical assistance, and shall continue to
2 utilize income data sources as a tool in the eligibility
3 determination process. The department of health and human
4 services shall request any federal approval necessary,
5 including any Medicaid state plan amendment or waiver, to
6 administer this section.

7 DIVISION III

8 IOWA HEALTH AND WELLNESS PLAN — REENROLLMENT

9 Sec. 15. IOWA HEALTH AND WELLNESS PLAN — MEMBER

10 REENROLLMENT FOLLOWING TERMINATION FOR NONPAYMENT OF MONTHLY
11 CONTRIBUTIONS. The department of health and human services
12 shall seek approval of an amendment to the section 1115
13 demonstration waiver for the Iowa health and wellness plan from
14 the centers for Medicare and Medicaid services of the United
15 States department of health and human services to provide the
16 following:

17 1. An Iowa health and wellness plan member who is not
18 otherwise exempt from payment of a monthly contribution, who
19 is subject to payment of a monthly contribution as the result
20 of failure to complete required healthy behaviors, and whose
21 eligibility for the program is terminated due to nonpayment
22 of monthly contributions, shall be allowed to subsequently
23 reenroll in the program without first paying any outstanding
24 monthly contributions, if the member has not been terminated
25 from the program previously for nonpayment of monthly
26 contributions.

27 2. Following an initial termination from the Iowa health
28 and wellness plan pursuant to subsection 1, if an Iowa health
29 and wellness plan member is subsequently terminated from the
30 program pursuant to subsection 1 for nonpayment of monthly
31 contributions, the member shall be subject to payment of any
32 outstanding monthly contributions accrued since the subsequent
33 termination not to exceed the aggregate annual copayment and
34 monthly contribution limits prior to reenrollment in the
35 program.

1 3. This section shall not apply to an Iowa health and
2 wellness plan member who is deemed to be in substantial
3 compliance with the healthy behaviors requirement to complete a
4 wellness examination by providing proof of a scheduled wellness
5 examination appointment, if the appointment is scheduled
6 no later than ninety days beyond the end of the applicable
7 enrollment period.

8 DIVISION IV

9 MEDICAID DEMONSTRATION WAIVER REQUEST — IOWA HEALTH AND
10 WELLNESS PLAN

11 Sec. 16. MEDICAID DEMONSTRATION WAIVER REQUEST — COMMUNITY
12 ENGAGEMENT REQUIREMENTS FOR IOWA HEALTH AND WELLNESS PLAN
13 MEMBERS.

14 1. The department of health and human services shall submit
15 a request by July 1, 2023, and annually by July 1 thereafter
16 until federal approval is received from the centers for
17 Medicare and Medicaid services of the United States department
18 of health and human services, for a section 1115 demonstration
19 waiver to require that as a condition of eligibility, Iowa
20 health and wellness plan members participate in community
21 engagement activities.

22 2. The waiver request submitted by the department shall
23 require that, unless an individual is exempt pursuant to
24 subsection 3, as a condition of eligibility for the Iowa health
25 and wellness plan, a recipient shall do one of the following:

26 a. Work twenty hours or more per week, averaged on a monthly
27 basis.

28 b. Participate in and comply with the requirements of a work
29 program for twenty hours or more per week, as determined by the
30 department.

31 c. Volunteer twenty hours or more per week, as determined
32 by the department.

33 d. Meet a combination of work and work program participation
34 requirements for a total of twenty hours or more per week, as
35 determined by the department.

1 e. Participate in and comply with the PROMISE JOBS program
2 pursuant to chapter 239B.

3 3. The following individuals shall be exempt from the
4 requirements specified in subsection 2:

5 a. An individual medically certified as physically or
6 mentally unfit for employment.

7 b. A woman who is pregnant.

8 c. A parent or caretaker responsible for the care of a
9 dependent child under six years of age.

10 d. A parent or caretaker personally providing the care for a
11 dependent child with a serious medical condition or disability,
12 as determined by the department.

13 e. An individual receiving unemployment compensation and
14 complying with work requirements of the federal or state
15 unemployment compensation system.

16 f. An individual participating in a substance use disorder
17 treatment and rehabilitation program.

18 4. The department shall implement the Medicaid waiver upon
19 receipt of federal approval and shall adopt rules pursuant to
20 chapter 17A to administer the waiver provisions.

21 DIVISION V

22 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM — ELIGIBLE FOODS

23 Sec. 17. SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM —
24 INELIGIBLE FOODS. The department of health and human services
25 shall request a waiver from the food and nutrition service of
26 the United States department of agriculture to provide that
27 for the purposes of state administration of the supplemental
28 food and nutrition program, eligible foods as defined in 7
29 C.F.R. §271.2 do not include candy and non-sugar-free soda.
30 The department of health and human services shall implement the
31 waiver upon receipt of approval of the waiver.

32 Sec. 18. DEPARTMENT OF HEALTH AND HUMAN SERVICES — DOUBLE
33 UP FOOD BUCKS PROGRAM — SUPPLEMENTAL APPROPRIATION. There
34 is appropriated from the general fund of the state to the
35 department of health and human services for the fiscal year

1 beginning July 1, 2023, and ending June 30, 2024, in addition
2 to any other funding appropriated for such purposes for the
3 same fiscal year, the following amount or so much thereof as is
4 necessary, to be used for the purposes designated:

5 To provide grants to support the double up food bucks
6 program administered by the Iowa healthiest state initiative
7 to make fresh fruits and vegetables sold at farmers markets,
8 grocery stores, and other participating locations accessible
9 to individuals and families who reside in this state and
10 receive assistance through the federal supplemental nutrition
11 assistance program:

12 \$ 1,000,000

13 A grant recipient that receives funding pursuant to this
14 section shall provide at least a dollar-for-dollar match of the
15 grant assistance.

16 Notwithstanding section 8.33, moneys appropriated under this
17 section shall not revert at the close of the fiscal year, but
18 shall remain available for the purposes designated.

19 Sec. 19. CONTINGENT EFFECTIVE DATE. The following takes
20 effect on the date the department of health and human services
21 receives federal approval of the waiver request relating to
22 supplemental nutrition assistance program ineligible foods as
23 specified under this division of this Act, if the waiver is
24 approved:

25 The section of this division of this Act making a
26 supplemental appropriation to the department of health and
27 human services to provide grants to support the double up food
28 bucks program.

29 DIVISION VI

30 IMPLEMENTATION PROVISIONS

31 Sec. 20. IMPLEMENTATION PROVISIONS.

32 1. The department of health and human services shall request
33 federal approval including for any state plan amendment or
34 waiver necessary to administer this Act.

35 2. If the department of health and human services determines

1 that any provision of this Act would result in the denial
2 of funds or services from the federal government that would
3 otherwise be available or would be inconsistent with the
4 requirements of federal law or regulation, such provision shall
5 be suspended, but only to the extent necessary to eliminate the
6 inconsistency with federal requirements.

7 3. Unless otherwise provided in a division of this Act, the
8 department of health and human services shall implement the
9 provisions of this Act in an incremental fashion, beginning
10 July 1, 2023, with a goal of full implementation no later
11 than June 30, 2025, to minimize duplication of efforts and to
12 maximize coordination with the implementation time frames of
13 other departmental resource enhancements.

14 4. The provisions of this Act requiring federal approval
15 shall be implemented upon receipt of federal approval.

16 5. The provisions of this Act not requiring federal approval
17 shall be implemented as specified in this Act, or if not
18 specified in this Act, no later than June 30, 2025.

19

EXPLANATION

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

22 This bill relates to various public assistance programs.

23 DIVISION I. This division establishes the income threshold
24 for the supplemental nutrition assistance program (SNAP) at
25 less than or equal to 160 percent of the federal poverty level.
26 The division also requires that prior to the department of
27 health and human services (HHS) awarding public assistance
28 benefits to an applicant, the applicant shall complete a
29 computerized identity authentication process to confirm the
30 identity of the applicant through the use of a knowledge-based
31 questionnaire consisting of financial and personal questions
32 tailored to assist persons without a bank account or those
33 who have poor access to financial and banking services or who
34 do not have an established credit history. The computerized
35 identity authentication process and questionnaire may be

1 submitted online, in person, or via telephone by the applicant
2 or a person authorized by the applicant. The bill also
3 requires HHS to conduct an asset test on all members of
4 the household of an applicant for SNAP benefits. The bill
5 specifies the minimum information, federal, state, and other
6 data sources, and public records that HHS must access prior to
7 determining eligibility for an applicant's SNAP benefits. The
8 bill requires HHS to enter into a memorandum of understanding
9 with any department or subunit of a department to obtain the
10 information specified. The bill's provisions do not apply if
11 every member of the applicant's household receives supplemental
12 security income.

13 The bill provides that no later than July 1, 2025, HHS
14 shall redesign an existing system, establish a new identity
15 eligibility verification system, or contract with a third-party
16 vendor to provide verification, authentication, and dual
17 enrollment prevention systems for public assistance programs.
18 The department may also contract with a third-party vendor
19 to develop or provide a real-time eligibility system. All
20 contracts are subject to minimum requirements specified in the
21 bill.

22 The bill authorizes HHS to adopt administrative rules to
23 administer the bill and requires HHS to submit an annual report
24 to the governor and the general assembly to assess the impact
25 of the bill.

26 DIVISION II. This division relates to SNAP and Medicaid
27 program integrity by requiring HHS to, within specified time
28 frames, receive and review state and federal information
29 from various entities concerning individuals or individuals
30 in households enrolled in SNAP or the Medicaid program
31 that indicates a change in circumstances that may affect
32 eligibility. The information relates to death, employment,
33 residency, incarceration, and unemployment information.
34 Additionally, the bill requires HHS to cross-check information
35 relating to individuals in households enrolled in SNAP or

1 the Medicaid program, as applicable, with specified federal
2 databases. With regard to the Medicaid program only, the bill
3 also requires that prior to determining eligibility for the
4 Medicaid program, HHS shall access information for every member
5 of an applicant's household from the data sources outlined in
6 the bill and conduct a review of nationwide public records data
7 sources of physical asset ownership. The bill also requires
8 an applicant for Medicaid benefits to cooperate with child
9 support services as a condition of eligibility as specified
10 under federal law.

11 The bill requires HHS to use a reasonable compatibility
12 standard threshold of 5 percent rather than 10 percent in
13 determining eligibility for Medicaid.

14 DIVISION III. This division requires HHS to seek federal
15 approval of an amendment to the section 1115 demonstration
16 waiver for the Iowa health and wellness plan to provide both
17 of the following: (1) that an Iowa health and wellness
18 plan member who is not otherwise exempt from payment of a
19 monthly contribution, who is subject to payment of a monthly
20 contribution as the result of failure to complete required
21 healthy behaviors, and whose eligibility for the program is
22 terminated due to nonpayment of monthly contributions, shall be
23 allowed to subsequently reenroll in the program without first
24 paying any outstanding monthly contributions, if the member has
25 not been terminated from the program previously for nonpayment
26 of monthly contributions, and (2) following an initial
27 termination from the Iowa health and wellness plan, if an Iowa
28 health and wellness plan member is subsequently terminated
29 from the program for nonpayment of monthly contributions, the
30 member shall be subject to payment of any outstanding monthly
31 contributions accrued since the subsequent termination not to
32 exceed program limits prior to reenrollment in the program.
33 The bill does not apply to an Iowa health and wellness plan
34 member who is deemed to be in substantial compliance with the
35 requirement to complete a wellness examination by providing

1 proof of a scheduled examination appointment if the appointment
2 is scheduled no later than 90 days beyond the end of the
3 applicable enrollment period.

4 DIVISION IV. This division requires HHS to submit a
5 request for federal approval by July 1, 2023, and annually
6 by July 1 thereafter until federal approval is received, for
7 a waiver to require that as a condition of eligibility, Iowa
8 health and wellness plan members participate in community
9 engagement activities. The bill specifies the types of
10 community engagement activities to be required under the waiver
11 submitted and provides exceptions to required participation
12 in community engagement activities. The bill directs HHS to
13 implement the waiver upon receipt of federal approval and to
14 adopt administrative rules to administer the waiver provisions.

15 DIVISION V. This division requires HHS to request a waiver
16 from the United States department of agriculture, food and
17 nutrition service, to provide that eligible foods under
18 the state administration of SNAP do not include candy and
19 non-sugar-free soda. The department is directed to implement
20 the waiver upon receipt of approval of the waiver.

21 The division also relates to the double up food bucks program
22 by making a supplemental appropriation from the general fund of
23 the state to HHS for fiscal year 2023-2024, in addition to any
24 other funding appropriated for such purpose for the same fiscal
25 year, to provide grants to support the double up food bucks
26 program administered by the Iowa healthiest state initiative
27 to make fresh fruits and vegetables sold at farmers markets,
28 grocery stores, and other participating locations accessible to
29 individuals and families who reside in this state and receive
30 assistance through SNAP. The division requires a double
31 up food bucks program grant recipient to provide at least
32 a dollar-for-dollar match of the grant assistance. Moneys
33 appropriated under the division do not revert at the close of
34 the fiscal year but remain available for the purposes of the
35 double up food bucks program.

1 The supplemental appropriation for the double up food bucks
2 program takes effect on the date HHS receives federal approval
3 of the SNAP waiver, if the waiver is approved.

4 DIVISION VI. This division provides implementation
5 provisions for the bill. The bill requires HHS to request
6 federal approval including for any state plan amendment or
7 waiver necessary to administer the bill. If HHS determines
8 that any provision of the bill would result in the denial
9 of funds or services from the federal government that would
10 otherwise be available or would be inconsistent with the
11 requirements of federal law or regulation, such provision shall
12 be suspended, but only to the extent necessary to eliminate
13 the inconsistency with federal requirements. Unless otherwise
14 provided in the bill, HHS shall implement the provisions of the
15 bill in an incremental fashion, beginning July 1, 2023, with
16 a goal of full implementation no later than June 30, 2025, to
17 minimize duplication of efforts and to maximize coordination
18 with the implementation time frames of other departmental
19 resource enhancements. The provisions of the bill requiring
20 federal approval shall be implemented upon receipt of federal
21 approval. The provisions of the bill not requiring federal
22 approval shall be implemented as specified in the bill, and
23 if it not specified in the bill, then not later than June 30,
24 2025.