

# House File 2577

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON APPROPRIATIONS  
(SUCCESSOR TO HSB 729)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to and making appropriations from the healthy  
2 Iowans tobacco trust and the tobacco settlement trust fund and  
3 providing an effective date.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 7051HV 80  
6 pf/pj/5

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1 1 Section 1. HEALTHY IOWANS TOBACCO TRUST == APPROPRIATIONS  
1 2 TO DEPARTMENTS. There is appropriated from the healthy Iowans  
1 3 tobacco trust created in section 12.65 to the following  
1 4 departments for the fiscal year beginning July 1, 2004, and  
1 5 ending June 30, 2005, the following amounts, or so much  
1 6 thereof as is necessary, to be used for the purposes  
1 7 designated:  
1 8 1. To the department of human services:  
1 9 a. Unless otherwise provided, to maintain the  
1 10 reimbursement rate for all noninstitutional medical assistance  
1 11 providers, with the exception of anesthesia and dental  
1 12 services, at the rate provided under the federal Medicare  
1 13 program for such providers during the fiscal year beginning  
1 14 July 1, 2000, and ending June 30, 2001, as specified in 2000  
1 15 Iowa Acts, chapter 1221, section 1, subsection 1, paragraph  
1 16 "a", for the fiscal year July 1, 2004, through June 30, 2005,  
1 17 and to continue the resource-based relative value system of  
1 18 reimbursement under the medical assistance program:  
1 19 ..... \$ 8,095,718  
1 20 b. To maintain the reimbursement rate at the usual and  
1 21 customary rate as established in 2000 Iowa Acts, chapter 1221,  
1 22 section 1, subsection 1, paragraph "b", for the fiscal year  
1 23 July 1, 2004, through June 30, 2005, for dental services under  
1 24 the medical assistance program:  
1 25 ..... \$ 3,814,973  
1 26 c. To maintain the reimbursement rate as established in  
1 27 2000 Iowa Acts, chapter 1221, section 1, subsection 1,  
1 28 paragraph "e", for the fiscal year July 1, 2004, through June  
1 29 30, 2005, for hospitals under the medical assistance program:  
1 30 ..... \$ 3,035,278  
1 31 d. To maintain the reimbursement rate as established in  
1 32 2000 Iowa Acts, chapter 1221, section 1, subsection 1,  
1 33 paragraph "f", for the fiscal year July 1, 2004, through June  
1 34 30, 2005, for home health care services under the medical  
1 35 assistance program:  
2 1 ..... \$ 2,108,279  
2 2 e. To maintain the reimbursement rate as established in  
2 3 2000 Iowa Acts, chapter 1221, section 1, subsection 1,  
2 4 paragraph "g", for the fiscal year July 1, 2004, through June  
2 5 30, 2005, for critical access hospitals under the medical  
2 6 assistance program:  
2 7 ..... \$ 250,000  
2 8 f. To maintain the expansion of home health care services  
2 9 and habilitative day care as established in 2000 Iowa Acts,  
2 10 chapter 1221, section 1, subsection 1, paragraph "h", under  
2 11 the medical assistance program for children with special  
2 12 needs:  
2 13 ..... \$ 1,975,496  
2 14 g. To maintain the expansion of respite care services  
2 15 provided through home and community-based waivers as  
2 16 established in 2000 Iowa Acts, chapter 1221, section 1,  
2 17 subsection 1, paragraph "i", under the medical assistance  
2 18 program:  
2 19 ..... \$ 1,137,309  
2 20 h. To maintain the cost-of-living adjustment as  
2 21 established in 2000 Iowa Acts, chapter 1221, section 1,

subsection 1, paragraph "c", for the fiscal year July 1, 2004,  
 through June 30, 2005, for rehabilitative treatment and  
 support services providers under child and family services:  
 ..... \$ 3,243,026  
 i. To maintain the cost-of-living adjustment as  
 established in 2000 Iowa Acts, chapter 1221, section 1,  
 subsection 1, paragraph "d", for the fiscal year July 1, 2004,  
 through June 30, 2005, for adoption, independent living,  
 shelter care, and home studies services providers:  
 ..... \$ 468,967  
 j. To maintain the reimbursement rate as established in  
 2000 Iowa Acts, chapter 1221, section 1, subsection 1,  
 paragraph "j", for the fiscal year July 1, 2004, through June  
 30, 2005, to service providers under the purview of the  
 department of human services:  
 ..... \$ 545,630  
 2. To the department of human services to continue the  
 supplementation of the children's health insurance program  
 appropriation:  
 ..... \$ 200,000  
 3. To the department of human services to provide coverage  
 under the medical assistance program to women who require  
 treatment for breast or cervical cancer as provided in section  
 249A.3, subsection 2, paragraph "b":  
 ..... \$ 250,000  
 4. To the department of human services to continue the  
 supplementation of the medical assistance appropriation:  
 ..... \$ 14,346,750  
 Of the amount appropriated in this subsection, \$50,000  
 shall be used to continue the efforts of the Iowa chronic care  
 consortium pursuant to 2003 Iowa Acts, chapter 112, section  
 12, as amended by 2003 Iowa Acts, chapter 179, sections 166  
 and 167.  
 5. To the department of human services for general  
 administration of health-related programs:  
 ..... \$ 274,000  
 6. To the Iowa department of public health:  
 a. For the tobacco use prevention and control initiative,  
 including efforts at the state and local levels, as provided  
 in chapter 142A and for not more than the following full-time  
 equivalent positions:  
 ..... \$ 5,011,565  
 ..... FTEs 7.00  
 (1) The director of public health shall dedicate  
 sufficient resources to promote and ensure retailer compliance  
 with tobacco laws and ordinances relating to persons under 18  
 years of age, and shall prioritize the state's compliance in  
 the allocation of available funds to comply with 42 U.S.C. }  
 300x=26 and section 453A.2.  
 (2) Of the full-time equivalent positions funded under  
 this section, two full-time equivalent positions shall be  
 utilized to provide for enforcement of tobacco laws,  
 regulations, and ordinances under a chapter 28D agreement  
 entered into between the Iowa department of public health and  
 the alcoholic beverages division of the department of  
 commerce.  
 (3) Of the funds appropriated in this paragraph "a", not  
 more than \$525,759 shall be expended on administration and  
 management of the program.  
 (4) Of the funds appropriated in this paragraph "a", not  
 less than 80 percent of the amount expended in the fiscal year  
 beginning July 1, 2001, for community partnerships shall be  
 expended in the fiscal year beginning July 1, 2004, for that  
 purpose.  
 b. For provision of smoking cessation and smoking-related  
 diseases products as provided in this paragraph:  
 ..... \$ 75,000  
 The department shall award grants to free health clinics  
 that are tax-exempt organizations pursuant to 26 U.S.C. } 501  
 (c)(3) to fund the provision of smoking cessation and smoking-  
 related diseases products to patients. The department shall  
 adopt a methodology for the awarding of the grants to the  
 health clinics based upon the order of receipt of  
 applications.  
 c. For additional substance abuse treatment under the  
 substance abuse treatment program:  
 ..... \$ 11,800,000  
 (1) The department shall use funds appropriated in this  
 paragraph "c" to enhance the quality of and to expand the  
 capacity to provide 24-hour substance abuse treatment  
 programs.

4 33 (2) The department shall use funds appropriated in this  
 4 34 paragraph "c" to expand the length of individual client  
 4 35 substance abuse treatment plans, as necessary to reduce  
 5 1 program recidivism.  
 5 2 (3) The department shall use funds appropriated in this  
 5 3 paragraph "c" to share research-based best practices for  
 5 4 treatment with substance abuse treatment facilities.  
 5 5 (4) The department shall use funds appropriated in this  
 5 6 paragraph "c" to develop a results-based funding approach for  
 5 7 substance abuse treatment services.  
 5 8 (5) The department shall use funds appropriated in this  
 5 9 paragraph "c" to develop a program to encourage individuals  
 5 10 who are successfully managing their substance abuse problems  
 5 11 to serve as role models.  
 5 12 (6) The department shall submit a report annually by March  
 5 13 1, to the governor and the general assembly delineating the  
 5 14 success rates of the substance abuse treatment programs that  
 5 15 receive funding under this paragraph "c".  
 5 16 d. For the healthy Iowans 2010 plan within the Iowa  
 5 17 department of public health and for not more than the  
 5 18 following full-time equivalent positions:  
 5 19 ..... \$ 2,346,960  
 5 20 ..... FTEs 4.00  
 5 21 (1) Of the funds appropriated in this paragraph "d", not  
 5 22 more than \$1,157,482 shall be used for core public health  
 5 23 functions, including home health care and public health  
 5 24 nursing services, contracted through a formula by local boards  
 5 25 of health, to enhance disease and injury prevention services.  
 5 26 (2) Of the funds appropriated in this paragraph "d", not  
 5 27 more than \$387,320 shall be used for the continuation and  
 5 28 support of a coordinated system of delivery of trauma and  
 5 29 emergency medical services.  
 5 30 (3) Of the funds appropriated in this paragraph "d", not  
 5 31 more than \$437,000 shall be used for the state poison control  
 5 32 center.  
 5 33 (4) Of the funds appropriated in this paragraph "d", not  
 5 34 more than \$288,770 shall be used for the development of  
 5 35 scientific and medical expertise in environmental  
 6 1 epidemiology.  
 6 2 (5) Of the funds appropriated in this paragraph "d", not  
 6 3 more than \$76,388 shall be used for the childhood lead  
 6 4 poisoning prevention program.  
 6 5 e. For the automated external defibrillator grant program  
 6 6 established by 2004 Iowa Acts, House File 2464, if enacted:  
 6 7 ..... \$ 250,000  
 6 8 f. For the center for congenital and inherited disorders:  
 6 9 ..... \$ 26,000  
 6 10 6. To the department of corrections:  
 6 11 ..... \$ 980,000  
 6 12 a. Of the funds appropriated in this subsection, \$127,217  
 6 13 is allocated to the second judicial district department of  
 6 14 correctional services to replace expired federal funding for  
 6 15 day programming.  
 6 16 b. Of the funds appropriated in this subsection, \$35,359  
 6 17 is allocated to the third judicial district department of  
 6 18 correctional services to replace expired federal funding for  
 6 19 the drug court program.  
 6 20 c. Of the funds appropriated in this subsection, \$191,731  
 6 21 is allocated to the fourth judicial district department of  
 6 22 correctional services for a drug court program.  
 6 23 d. Of the funds appropriated in this subsection, \$255,693  
 6 24 is allocated to the fifth judicial district department of  
 6 25 correctional services to replace expired funding for the drug  
 6 26 court program.  
 6 27 e. Of the funds appropriated in this subsection, \$370,000  
 6 28 is allocated to the Newton correctional facility for a value-  
 6 29 based treatment program. Of the funds allocated in this  
 6 30 paragraph, \$60,000 shall be used to operate a similar value-  
 6 31 based treatment program at the Iowa correctional institution  
 6 32 for women at Mitchellville. Moneys allocated for the program  
 6 33 at Mitchellville that remain unencumbered or unobligated for  
 6 34 that purpose at the close of the fiscal year shall revert.  
 6 35 7. To the department for the blind:  
 7 1 ..... \$ 130,000  
 7 2 To plan, establish, administer, and promote a statewide  
 7 3 program to provide audio news and information services to  
 7 4 blind or visually impaired persons residing in this state.  
 7 5 Sec. 2. PURCHASE OF SERVICE CONTRACT PROVIDERS ==  
 7 6 REIMBURSEMENT INCREASE. There is appropriated from the  
 7 7 healthy Iowans tobacco trust created in section 12.65 to the  
 7 8 property tax relief fund created in section 426B.1 for the

7 9 fiscal year beginning July 1, 2004, and ending June 30, 2005,  
7 10 the following amount, or so much thereof as is necessary, to  
7 11 be used for the purposes designated:

7 12 For assistance to the counties with limited county mental  
7 13 health, mental retardation, and developmental disabilities  
7 14 services fund balances which were selected in accordance with  
7 15 2000 Iowa Acts, chapter 1221, section 3, to receive such  
7 16 assistance in the same amount provided during the fiscal year  
7 17 beginning July 1, 2000, and ending June 30, 2001, to pay  
7 18 reimbursement increases in accordance with 2000 Iowa Acts,  
7 19 chapter 1221, section 3:

7 20 ..... \$ 146,750

7 21 Sec. 3. IOWA EMPOWERMENT FUND. There is appropriated from  
7 22 the healthy Iowans tobacco trust created in section 12.65, to  
7 23 the Iowa empowerment fund created in section 28.9 for the  
7 24 fiscal year beginning July 1, 2004, and ending June 30, 2005,  
7 25 for deposit in the school ready children grants account and  
7 26 for distribution as provided in this section:

7 27 ..... \$ 2,153,250

7 28 Sec. 4. DEPARTMENT OF CORRECTIONS == SPECIAL NEEDS UNIT.  
7 29 There is appropriated from the healthy Iowans tobacco trust  
7 30 created in section 12.65, to the department of corrections for  
7 31 the fiscal year beginning July 1, 2004, and ending June 30,  
7 32 2005, the following amount, or so much thereof as is  
7 33 necessary, to be used for the purpose designated:

7 34 For operating the special needs unit at the Fort Madison  
7 35 correctional facility:

8 1 ..... \$ 1,187,285

8 2 Sec. 5. ENDOWMENT FOR IOWA'S HEALTH ACCOUNT == TRANSFER.

8 3 In addition to the amount transferred pursuant to section  
8 4 12E.12, subsection 1, paragraph "b", subparagraph (2),  
8 5 subparagraph subdivision (b), \$6,316,077 is transferred from  
8 6 the endowment for Iowa's health account of the tobacco  
8 7 settlement trust fund created in section 12E.12 to the healthy  
8 8 Iowans tobacco trust created in section 12.65 for the fiscal  
8 9 year beginning July 1, 2004, and ending June 30, 2005.

8 10 Sec. 6. Section 216B.3, Code Supplement 2003, is amended  
8 11 by adding the following new subsection:

8 12 NEW SUBSECTION. 18. Plan, establish, administer, and  
8 13 promote a statewide program to provide audio news and  
8 14 information services to blind or visually impaired persons  
8 15 residing in this state.

8 16 a. The commission may enter into necessary contracts and  
8 17 arrangements with the national federation for the blind to  
8 18 provide for the delivery of newspapers over the telephone,  
8 19 furnished by the national federation for the blind.

8 20 b. The commission may enter into necessary contracts and  
8 21 arrangements with the Iowa radio reading information service  
8 22 for the blind and print handicapped to provide for the  
8 23 delivery of newspapers, magazines, and other printed materials  
8 24 over the radio, furnished by the Iowa radio reading  
8 25 information service for the blind and print handicapped.

8 26 Sec. 7. Section 216B.4, unnumbered paragraph 1, Code 2003,  
8 27 is amended to read as follows:

8 28 The director may accept financial aid from the government  
8 29 of the United States for carrying out rehabilitation and  
8 30 physical restoration of the blind and for providing library,  
8 31 news, and information services to persons who are blind and  
8 32 persons with physical disabilities.

8 33 Sec. 8. 2003 Iowa Acts, chapter 183, section 1, subsection  
8 34 5, paragraph b, is amended to read as follows:

8 35 b. For a grant to a program that utilizes high school  
9 1 mentors to teach life skills, violence prevention, and  
9 2 character education in an effort to reduce the illegal use of  
9 3 alcohol, tobacco, and other substances:

9 4 ..... \$ 400,000

9 5 (1) The program described in this paragraph "b" shall meet  
9 6 all of the following requirements:

9 7 (a) The program shall be a statewide mentoring program  
9 8 that is an alternative to mentoring programs that utilize the  
9 9 standards of effective practice.

9 10 (b) The program shall contract with a university to assist  
9 11 in curriculum development and performance evaluation.

9 12 (c) The program shall provide for some level of public=  
9 13 private partnership.

9 14 (d) The program shall obtain the assistance of the Iowa  
9 15 department of public health in the development of the  
9 16 performance evaluation design.

9 17 (e) The program shall demonstrate improvement in meeting  
9 18 the current standards.

9 19 (2) The Iowa department of public health may use up to

9 20 \$50,000 of the moneys appropriated under this paragraph "b" to  
9 21 provide technical assistance to and monitoring of the program.  
9 22 (3) Notwithstanding section 8.33, moneys appropriated under  
9 23 this paragraph "b" that remain unencumbered or unobligated at  
9 24 the close of the fiscal year shall not revert but shall remain  
9 25 available for the purpose designated in the succeeding fiscal  
9 26 year.  
9 27 Sec. 9. EFFECTIVE DATE. The section of this Act amending  
9 28 2003 Iowa Acts, chapter 183, being deemed of immediate  
9 29 importance, takes effect upon enactment.  
9 30 HF 2577  
9 31 pf/es/25