

House File 862 - Reprinted

HOUSE FILE _____
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 299)

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.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1093HV 81
5 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, 2005, and
1 5 ending June 30, 2006, 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. To supplement the medical assistance program
1 10 appropriations for the fiscal year, including for
1 11 reimbursement of noninstitutional medical assistance providers
1 12 with the exception of anesthesia and dental providers and to
1 13 continue the resource-based relative value system of
1 14 reimbursement based upon the reimbursement rates established
1 15 for the fiscal year beginning July 1, 2005, and ending June
1 16 30, 2006, pursuant to 2005 Iowa Acts, House File 825, if
1 17 enacted; for reimbursement of dental services, hospitals, home
1 18 health care services, critical access hospitals, expansion of
1 19 home health care services and habilitative day care for
1 20 children with special needs, and expansion of respite care
1 21 services provided through home and community-based waivers
1 22 based upon the reimbursement rates established for the fiscal
1 23 year beginning July 1, 2005, and ending June 30, 2006,
1 24 pursuant to 2005 Iowa Acts, House File 825, if enacted; and
1 25 for provision of coverage to women who require treatment for
1 26 breast or cervical cancer as provided in section 249A.3,
1 27 subsection 2, paragraph "b":
1 28 \$ 35,013,803
1 29 Of the amount appropriated in this paragraph, \$50,000 shall
1 30 be used to continue the efforts of the Iowa chronic care
1 31 consortium pursuant to 2003 Iowa Acts, chapter 112, section
1 32 12, as amended by 2003 Iowa Acts, chapter 179, sections 166
1 33 and 167.
1 34 b. For child and family services and adoption subsidy
1 35 services including for reimbursement of rehabilitative
2 1 treatment and support services providers, adoption,
2 2 independent living, shelter care, and home studies services
2 3 providers, and other service providers under the purview of
2 4 the department of human services:
2 5 \$ 4,257,623
2 6 c. To continue the supplementation of the children's
2 7 health insurance program appropriation:
2 8 \$ 200,000
2 9 d. For general administration of health-related programs:
2 10 \$ 274,000
2 11 2. To the Iowa department of public health:
2 12 a. For the tobacco use prevention and control initiative,
2 13 including efforts at the state and local levels, as provided
2 14 in chapter 142A and for not more than the following full-time
2 15 equivalent positions:
2 16 \$ 5,011,565
2 17 FTEs 7.00
2 18 (1) The director of public health shall dedicate

2 19 sufficient resources to promote and ensure retailer compliance
2 20 with tobacco laws and ordinances relating to persons under 18
2 21 years of age, and shall prioritize the state's compliance in
2 22 the allocation of available funds to comply with 42 U.S.C. }
2 23 300x=26 and section 453A.2.

2 24 (2) Of the full-time equivalent positions funded in this
2 25 paragraph "a", two full-time equivalent positions shall be
2 26 utilized to provide for enforcement of tobacco laws,
2 27 regulations, and ordinances under a chapter 28D agreement
2 28 entered into between the Iowa department of public health and
2 29 the alcoholic beverages division of the department of
2 30 commerce.

2 31 (3) Of the funds appropriated in this paragraph "a", not
2 32 more than \$525,759 shall be expended on administration and
2 33 management of the program.

2 34 (4) Of the funds appropriated in this paragraph "a", not
2 35 less than 80 percent of the amount expended in the fiscal year
3 1 beginning July 1, 2001, for community partnerships shall be
3 2 expended in the fiscal year beginning July 1, 2005, for that
3 3 purpose.

3 4 b. For provision of smoking cessation and smoking-related
3 5 diseases products as provided in this paragraph:

3 6 \$ 75,000

3 7 The department shall award grants to free health clinics
3 8 that are tax-exempt organizations pursuant to 26 U.S.C. } 501
3 9 (c)(3) to fund the provision of smoking cessation and smoking-
3 10 related diseases products to patients. The department shall
3 11 adopt a methodology for the awarding of the grants to the
3 12 health clinics based upon the order of receipt of
3 13 applications.

3 14 c. For additional substance abuse treatment under the
3 15 substance abuse treatment program:

3 16 \$ 11,800,000

3 17 (1) The department shall use funds appropriated in this
3 18 paragraph "c" to enhance the quality of and to expand the
3 19 capacity to provide 24-hour substance abuse treatment
3 20 programs.

3 21 (2) The department shall use funds appropriated in this
3 22 paragraph "c" to expand the length of individual client
3 23 substance abuse treatment plans, as necessary to reduce
3 24 program recidivism.

3 25 (3) The department shall use funds appropriated in this
3 26 paragraph "c" to share research-based best practices for
3 27 treatment with substance abuse treatment facilities.

3 28 (4) The department shall use funds appropriated in this
3 29 paragraph "c" to develop a results-based funding approach for
3 30 substance abuse treatment services.

3 31 (5) The department shall use funds appropriated in this
3 32 paragraph "c" to develop a program to encourage individuals
3 33 who are successfully managing their substance abuse problems
3 34 to serve as role models.

3 35 (6) The department shall submit a report annually by March
4 1 1, to the governor and the general assembly delineating the
4 2 success rates of the substance abuse treatment programs that
4 3 receive funding under this paragraph "c".

4 4 d. For the healthy Iowans 2010 plan within the Iowa
4 5 department of public health and for not more than the
4 6 following full-time equivalent positions:

4 7 \$ 2,509,960

4 8 FTEs 4.00

4 9 (1) Of the funds appropriated in this paragraph "d", not
4 10 more than \$1,157,482 shall be used for core public health
4 11 functions, including home health care and public health
4 12 nursing services, contracted through a formula by local boards
4 13 of health, to enhance disease and injury prevention services.

4 14 (2) Of the funds appropriated in this paragraph "d", not
4 15 more than \$387,320 shall be used for the continuation and
4 16 support of a coordinated system of delivery of trauma and
4 17 emergency medical services.

4 18 (3) Of the funds appropriated in this paragraph "d", not
4 19 more than \$600,000 shall be used for the state poison control
4 20 center.

4 21 (4) Of the funds appropriated in this paragraph "d", not
4 22 more than \$288,770 shall be used for the development of
4 23 scientific and medical expertise in environmental
4 24 epidemiology.

4 25 (5) Of the funds appropriated in this paragraph "d", not
4 26 more than \$76,388 shall be used for the childhood lead
4 27 poisoning prevention program.

4 28 e. For the automated external defibrillator grant program
4 29 established pursuant to section 135.26:

4 30 \$ 250,000
 4 31 f. For implementation and maintenance of a public access
 4 32 defibrillation plan to provide access to automatic external
 4 33 defibrillators throughout the state capitol complex on a 24=
 4 34 hour, 7 days per week basis and for not more than the
 4 35 following full-time equivalent positions:
 5 1 \$ 100,000
 5 2 FTEs 1.00
 5 3 g. For the center for congenital and inherited disorders
 5 4 established pursuant to section 136A.3:
 5 5 \$ 26,000
 5 6 h. For a grant program to provide substance abuse
 5 7 prevention programming for children:
 5 8 \$ 400,000
 5 9 A program approved for a grant under the program shall meet
 5 10 all of the following criteria:
 5 11 (1) The program is administered by a federally chartered
 5 12 nonprofit organization.
 5 13 (2) The program is located in multiple locations across
 5 14 the state, including in at least one location in a county
 5 15 ranked in the bottom quartile of population when compared with
 5 16 other counties.
 5 17 (3) The program has been nationally recognized for its
 5 18 effectiveness in reducing substance abuse by children.
 5 19 (4) The program is able to use the grant funding to target
 5 20 a minimum of 1,000 children for substance abuse prevention
 5 21 programming.
 5 22 i. For a grant to a program that utilizes high school
 5 23 mentors to teach life skills, violence prevention, and
 5 24 character education in an effort to reduce the illegal use of
 5 25 alcohol, tobacco, and other substances:
 5 26 \$ 400,000
 5 27 (1) The program described in this paragraph "i" shall meet
 5 28 all of the following requirements:
 5 29 (a) The program shall be a statewide mentoring program
 5 30 that is an alternative to mentoring programs that utilize the
 5 31 standards of effective practice.
 5 32 (b) The program shall contract with a university to assist
 5 33 in curriculum development and performance evaluation.
 5 34 (c) The program shall provide for some level of public=
 5 35 private partnership.
 6 1 (d) The program shall obtain the assistance of the Iowa
 6 2 department of public health in the development of the
 6 3 performance evaluation design.
 6 4 (e) The program shall demonstrate improvement in meeting
 6 5 current standards.
 6 6 (2) The Iowa department of public health shall negotiate a
 6 7 sole source contract with a nonprofit corporation that mentors
 6 8 through live music and receives funds through private
 6 9 partnership to implement this paragraph "i".
 6 10 (3) The Iowa department of public health may use up to
 6 11 \$50,000 of the moneys appropriated under this paragraph "i" to
 6 12 provide technical assistance to and monitoring of the program.
 6 13 (4) Notwithstanding section 8.33, moneys appropriated
 6 14 under this paragraph "i" that remain unencumbered or
 6 15 unobligated at the close of the fiscal year shall not revert
 6 16 but shall remain available for the purpose designated in the
 6 17 succeeding fiscal year.
 6 18 The Iowa department of public health shall procure a sole
 6 19 source contract to implement this paragraph "h".
 6 20 3. To the department of corrections:
 6 21 \$ 1,214,000
 6 22 a. Of the funds appropriated in this subsection, \$286,217
 6 23 is allocated to the second judicial district department of
 6 24 correctional services to replace expired federal funding for
 6 25 day programming and to replace expired federal funding for the
 6 26 drug court program. Of the amount allocated in this
 6 27 paragraph, \$40,000 shall be used for substance abuse
 6 28 treatment.
 6 29 b. Of the funds appropriated in this subsection, \$110,359
 6 30 is allocated to the third judicial district department of
 6 31 correctional services to replace expired federal funding for
 6 32 the drug court program. Of the amount allocated in this
 6 33 paragraph, \$20,000 shall be used for substance abuse
 6 34 treatment.
 6 35 c. Of the funds appropriated in this subsection, \$191,731
 7 1 is allocated to the fourth judicial district department of
 7 2 correctional services for a drug court program.
 7 3 d. Of the funds appropriated in this subsection, \$255,693
 7 4 is allocated to the fifth judicial district department of
 7 5 correctional services to replace expired funding for the drug

7 6 court program.
7 7 e. Of the funds appropriated in this subsection, \$310,000
7 8 is allocated to the Newton correctional facility for a value=
7 9 based treatment program.
7 10 f. Of the funds appropriated in this subsection, \$60,000
7 11 is allocated to the Iowa correctional institution for women at
7 12 Mitchellville for a value-based treatment program.
7 13 4. To the department for the blind:
7 14 \$ 130,000
7 15 To plan, establish, administer, and promote a statewide
7 16 program to provide audio news and information services to
7 17 blind or visually impaired persons residing in this state as
7 18 provided pursuant to section 216B.3, subsection 18, paragraphs
7 19 "a" and "b".
7 20 Sec. 2. PURCHASE OF SERVICE CONTRACT PROVIDERS ==
7 21 REIMBURSEMENT INCREASE. There is appropriated from the
7 22 healthy Iowans tobacco trust created in section 12.65 to the
7 23 property tax relief fund created in section 426B.1 for the
7 24 fiscal year beginning July 1, 2005, and ending June 30, 2006,
7 25 the following amount, or so much thereof as is necessary, to
7 26 be used for the purposes designated:
7 27 For assistance to the counties with limited county mental
7 28 health, mental retardation, and developmental disabilities
7 29 services fund balances which were selected in accordance with
7 30 2000 Iowa Acts, chapter 1221, section 3, to receive such
7 31 assistance in the same amount provided during the fiscal year
7 32 beginning July 1, 2000, and ending June 30, 2001, to pay
7 33 reimbursement increases in accordance with 2000 Iowa Acts,
7 34 chapter 1221, section 3:
7 35 \$ 146,750
8 1 Sec. 3. IOWA EMPOWERMENT FUND. There is appropriated from
8 2 the healthy Iowans tobacco trust created in section 12.65, to
8 3 the Iowa empowerment fund created in section 28.9 for the
8 4 fiscal year beginning July 1, 2005, and ending June 30, 2006,
8 5 for deposit in the school ready children grants account:
8 6 \$ 2,153,250
8 7 Sec. 4. DEPARTMENT OF CORRECTIONS == SPECIAL NEEDS UNIT.
8 8 There is appropriated from the healthy Iowans tobacco trust
8 9 created in section 12.65, to the department of corrections for
8 10 the fiscal year beginning July 1, 2005, and ending June 30,
8 11 2006, the following amount, or so much thereof as is
8 12 necessary, to be used for the purpose designated:
8 13 For operating the special needs unit at the Fort Madison
8 14 correctional facility:
8 15 \$ 1,187,285
8 16 Sec. 5. ENDOWMENT FOR IOWA'S HEALTH ACCOUNT == TRANSFER.
8 17 In addition to the amount transferred pursuant to section
8 18 12E.12, subsection 1, paragraph "b", subparagraph (2),
8 19 subparagraph subdivision (b), \$6,800,000 is transferred from
8 20 the endowment for Iowa's health account of the tobacco
8 21 settlement trust fund created in section 12E.12 to the healthy
8 22 Iowans tobacco trust created in section 12.65 for the fiscal
8 23 year beginning July 1, 2005, and ending June 30, 2006.
8 24 HF 862
8 25 pf:jp/es/25