

House File 909 - Reprinted

HOUSE FILE _____
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 301)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations for health and human
2 services and including other related provisions and
3 appropriations, and including effective date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1130HV 82
6 pf/gg/14

PAG LIN

1 1 DIVISION I
1 2 GENERAL FUND AND BLOCK GRANT APPROPRIATIONS
1 3 ELDER AFFAIRS
1 4 Section 1. DEPARTMENT OF ELDER AFFAIRS. There is
1 5 appropriated from the general fund of the state to the
1 6 department of elder affairs for the fiscal year beginning July
1 7 1, 2007, and ending June 30, 2008, the following amount, or so
1 8 much thereof as is necessary, to be used for the purposes
1 9 designated:
1 10 For aging programs for the department of elder affairs and
1 11 area agencies on aging to provide citizens of Iowa who are 60
1 12 years of age and older with case management for the frail
1 13 elderly only if the monthly cost per client for case
1 14 management for the frail elderly services provided does not
1 15 exceed an average of \$70, resident advocate committee
1 16 coordination, employment, and other services which may include
1 17 but are not limited to adult day services, respite care, chore
1 18 services, telephone reassurance, information and assistance,
1 19 and home repair services, and for the construction of entrance
1 20 ramps which make residences accessible to the physically
1 21 handicapped, and for salaries, support, administration,
1 22 maintenance, and miscellaneous purposes and for not more than
1 23 the following full-time equivalent positions:
1 24 \$ 4,723,306
1 25 FTEs 34.50
1 26 1. Funds appropriated in this section may be used to
1 27 supplement federal funds under federal regulations. To
1 28 receive funds appropriated in this section, a local area
1 29 agency on aging shall match the funds with moneys from other
1 30 sources according to rules adopted by the department. Funds
1 31 appropriated in this section may be used for elderly services
1 32 not specifically enumerated in this section only if approved
1 33 by an area agency on aging for provision of the service within
1 34 the area.
1 35 2. Of the funds appropriated in this section, \$2,788,223
2 1 shall be used for case management for the frail elderly. Of
2 2 the funds allocated in this subsection, \$1,385,015 shall be
2 3 transferred to the department of human services in equal
2 4 amounts on a quarterly basis for reimbursement of case
2 5 management services provided under the medical assistance
2 6 elderly waiver. The department of human services shall adopt
2 7 rules for case management services provided under the medical
2 8 assistance elderly waiver in consultation with the department
2 9 of elder affairs. The monthly cost per client for case
2 10 management for the frail elderly services provided shall not
2 11 exceed an average of \$70.
2 12 3. Of the funds appropriated in this section, \$200,198
2 13 shall be transferred to the department of economic development
2 14 for the Iowa commission on volunteer services to be used for
2 15 the retired and senior volunteer program.
2 16 4. Of the funds appropriated in this section, \$130,000
2 17 shall be used to fund two additional long-term care resident's

2 18 advocate positions.
2 19 5. Of the funds appropriated in this section, \$15,000 is
2 20 allocated for costs associated with the Alzheimer's disease
2 21 task force established pursuant to 2007 Iowa Acts, Senate File
2 22 489, if enacted.

2 23 6. Of the funds appropriated in this subsection, \$250,000
2 24 shall be used for implementation of the substitute decision
2 25 maker Act pursuant to chapter 231E, to establish the state
2 26 office and two local offices.

2 27 HEALTH

2 28 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. There is
2 29 appropriated from the general fund of the state to the
2 30 department of public health for the fiscal year beginning July
2 31 1, 2007, and ending June 30, 2008, the following amounts, or
2 32 so much thereof as is necessary, to be used for the purposes
2 33 designated:

2 34 1. ADDICTIVE DISORDERS

2 35 For reducing the prevalence of use of tobacco, alcohol, and
3 1 other drugs, and treating individuals affected by addictive
3 2 behaviors, including gambling and for not more than the
3 3 following full-time equivalent positions:

3 4 \$ 1,971,890
3 5 FTEs 4.35

3 6 The requirement of section 123.53, subsection 3, is met by
3 7 the appropriations made in this Act for purposes of addictive
3 8 disorders for the fiscal year beginning July 1, 2007.

3 9 2. HEALTHY CHILDREN AND FAMILIES

3 10 For promoting the optimum health status for children,
3 11 adolescents from birth through 21 years of age, and families,
3 12 and for not more than the following full-time equivalent
3 13 positions:

3 14 \$ 2,509,438
3 15 FTEs 12.95

3 16 a. Of the funds appropriated in this subsection, not more
3 17 than \$645,917 shall be used for the healthy opportunities to
3 18 experience success (HOPES)=healthy families Iowa (HFI) program
3 19 established pursuant to section 135.106. The department shall
3 20 transfer the funding allocated for the HOPES=HFI program to
3 21 the Iowa empowerment board for distribution and shall assist
3 22 the board in managing the contracting for the funding. The
3 23 funding shall be distributed to renew the grants that were
3 24 provided to the grantees that operated the program during the
3 25 fiscal year ending June 30, 2007.

3 26 b. Of the funds appropriated in this subsection, \$325,000
3 27 shall be used to continue to address the healthy mental
3 28 development of children from birth through five years of age
3 29 through local evidence-based strategies that engage both the
3 30 public and private sectors in promoting healthy development,
3 31 prevention, and treatment for children.

3 32 c. Of the funds appropriated in this subsection, \$100,000
3 33 is allocated for distribution to the children's hospital of
3 34 Iowa mother's milk bank.

3 35 d. Of the funds appropriated in this subsection, \$40,000
4 1 shall be distributed to a statewide dental carrier to provide
4 2 funds to continue the donated dental services program
4 3 patterned after the projects developed by the national
4 4 foundation of dentistry for the handicapped to provide dental
4 5 services to indigent elderly and disabled individuals.

4 6 3. CHRONIC CONDITIONS

4 7 For serving individuals identified as having chronic
4 8 conditions or special health care needs and for not more than
4 9 the following full-time equivalent positions:

4 10 \$ 1,842,840
4 11 FTEs 4.30

4 12 Of the funds appropriated in this subsection, \$100,000
4 13 shall be used as additional funding to provide grants to
4 14 individual patients who have phenylketonuria (PKU) to assist
4 15 with the costs of necessary special foods.

4 16 4. COMMUNITY CAPACITY

4 17 For strengthening the health care delivery system at the
4 18 local level and for not more than the following full-time
4 19 equivalent positions:

4 20 \$ 1,758,147
4 21 FTEs 10.75

4 22 a. Of the funds appropriated in this subsection, \$100,000
4 23 is allocated for a child vision screening program implemented
4 24 through the university of Iowa hospitals and clinics in
4 25 collaboration with community empowerment areas.

4 26 b. Of the funds appropriated in this subsection, \$159,700
4 27 is allocated for an initiative implemented at the university
4 28 of Iowa and \$140,300 is allocated for an initiative at the

4 29 state mental health institute at Cherokee to expand and
4 30 improve the workforce engaged in mental health treatment and
4 31 services. The initiatives shall receive input from the
4 32 university of Iowa, the department of human services, the
4 33 department of public health, and the mental health, mental
4 34 retardation, developmental disabilities, and brain injury
4 35 commission to address the focus of the initiatives. The
5 1 department of human services, the department of public health,
5 2 and the commission shall receive regular updates concerning
5 3 the status of the initiatives.

5 4 5. ELDERLY WELLNESS

5 5 For promotion of healthy aging and optimization of the
5 6 health of older adults:

5 7 \$ 9,233,985

5 8 6. ENVIRONMENTAL HAZARDS

5 9 For reducing the public's exposure to hazards in the
5 10 environment, primarily chemical hazards, and for not more than
5 11 the following full-time equivalent positions:

5 12 \$ 747,960

5 13 FTEs 1.75

5 14 Of the funds appropriated in this subsection, \$121,000
5 15 shall be used for implementation and administration of 2007
5 16 Iowa Acts, House File 158, if enacted, relating to blood lead
5 17 testing of children.

5 18 7. INFECTIOUS DISEASES

5 19 For reducing the incidence and prevalence of communicable
5 20 diseases and for not more than the following full-time
5 21 equivalent positions:

5 22 \$ 1,640,571

5 23 FTEs 5.75

5 24 a. Of the funds appropriated in this subsection, \$100,000
5 25 shall be used to fund the position of a bureau chief for the
5 26 center for acute disease epidemiology (CADE).

5 27 b. Of the funds appropriated in this subsection, an
5 28 increase of \$260,608 is provided for the purchasing of
5 29 vaccines for immunizations.

5 30 8. PUBLIC PROTECTION

5 31 For protecting the health and safety of the public through
5 32 establishing standards and enforcing regulations and for not
5 33 more than the following full-time equivalent positions:

5 34 \$ 2,591,333

5 35 FTEs 125.90

6 1 a. Of the funds appropriated in this subsection, \$643,500
6 2 shall be credited to the emergency medical services fund
6 3 created in section 135.25. Moneys in the emergency medical
6 4 services fund are appropriated to the department to be used
6 5 for the purposes of the fund.

6 6 b. Of the funds appropriated in this subsection, \$23,810
6 7 shall be used as additional funding for the office of the
6 8 state medical examiner.

6 9 c. Of the funds appropriated in this subsection, \$10,000
6 10 shall be used to provide additional funding for
6 11 supplementation of current efforts utilizing a national
6 12 nonprofit organization to provide Iowa's information and
6 13 referral database for health and human services 211 system.

6 14 d. Of the funds appropriated in this subsection, \$150,000
6 15 shall be used for management of the antiviral stockpile.

6 16 e. Of the funds appropriated in this subsection, \$100,000
6 17 shall be used for an increase in sexual violence prevention
6 18 programming through a statewide organization representing
6 19 programs serving victims of sexual violence through the
6 20 department's sexual violence prevention program. In addition,
6 21 \$162,522 and any other amount remaining in the hospital trust
6 22 fund created in section 249I.4, Code 2005, on July 1, 2007,
6 23 are appropriated to the department of public health to be used
6 24 for the purposes of this paragraph "e". The amounts provided
6 25 pursuant to this paragraph "e" shall not be used to supplant
6 26 funding administered for other sexual violence prevention or
6 27 victims assistance programs.

6 28 9. RESOURCE MANAGEMENT

6 29 For establishing and sustaining the overall ability of the
6 30 department to deliver services to the public and for not more
6 31 than the following full-time equivalent positions:

6 32 \$ 1,195,557

6 33 FTEs 9.00

6 34 Of the funds appropriated in this subsection, \$150,150
6 35 shall be used for administration of tobacco-related programs.

7 1 The university of Iowa hospitals and clinics under the
7 2 control of the state board of regents shall not receive
7 3 indirect costs from the funds appropriated in this section.

7 4 Sec. 3. GAMBLING TREATMENT FUND == APPROPRIATION.

7 5 1. In lieu of the appropriation made in section 135.150,
7 6 subsection 1, there is appropriated from funds available in
7 7 the gambling treatment fund created in section 135.150 to the
7 8 department of public health for the fiscal year beginning July
7 9 1, 2007, and ending June 30, 2008, the following amount, or so
7 10 much thereof as is necessary, to be used for the purposes
7 11 designated:

7 12 To be utilized for the benefit of persons with addictions:
7 13 \$ 1,690,000

7 14 It is the intent of the general assembly that from the
7 15 moneys appropriated in this subsection, persons with a dual
7 16 diagnosis of substance abuse and gambling addictions shall be
7 17 given priority in treatment services.

7 18 2. The amount remaining in the gambling treatment fund
7 19 after the appropriation made in subsection 1 is appropriated
7 20 to the department to be used for funding of administrative
7 21 costs and to provide programs which may include but are not
7 22 limited to outpatient and follow-up treatment for persons
7 23 affected by problem gambling, rehabilitation and residential
7 24 treatment programs, information and referral services,
7 25 education and preventive services, and financial management
7 26 services. Of the amount appropriated in this subsection, up
7 27 to \$100,000 may be used for the licensing of gambling
7 28 treatment programs as provided in section 135.150.

7 29 DEPARTMENT OF VETERANS AFFAIRS

7 30 Sec. 4. DEPARTMENT OF VETERANS AFFAIRS. There is
7 31 appropriated from the general fund of the state to the
7 32 department of veterans affairs for the fiscal year beginning
7 33 July 1, 2007, and ending June 30, 2008, the following amounts,
7 34 or so much thereof as is necessary, to be used for the
7 35 purposes designated:

8 1 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

8 2 For salaries, support, maintenance, and miscellaneous
8 3 purposes, including the war orphans educational assistance
8 4 fund established pursuant to section 35.8 and for not more
8 5 than the following full-time equivalent positions:

8 6 \$ 863,457
8 7 FTEs 12.00

8 8 Of the amount appropriated in this subsection, \$50,000 is
8 9 allocated for implementation of the veterans counseling
8 10 program established pursuant to section 35.12, if enacted by
8 11 2007 Iowa Acts, House File 817.

8 12 2. IOWA VETERANS HOME

8 13 For salaries, support, maintenance, and miscellaneous
8 14 purposes and for not more than the following full-time
8 15 equivalent positions:

8 16 \$ 14,509,630
8 17 FTEs 909.33

8 18 3. VETERANS TRUST FUND

8 19 To be credited to the veterans trust fund created in
8 20 section 35A.13:

8 21 \$ 1,500,000

8 22 Of the amount appropriated in this subsection, \$150,000 is
8 23 transferred and appropriated to the department of cultural
8 24 affairs to be used to establish a conservation lab facility in
8 25 the state archives to preserve the civil war muster rolls,
8 26 including two full-time equivalent positions in addition to
8 27 any other positions authorized for the department.

8 28 4. COUNTY GRANT PROGRAM FOR VETERANS

8 29 For providing matching grants to counties to provide
8 30 improved services to veterans:

8 31 \$ 750,000

8 32 The department shall establish or continue a grant
8 33 application process and shall require each county applying for
8 34 a grant to submit a plan for utilizing the grant to improve
8 35 services for veterans. The maximum matching grant to be
9 1 awarded to a county shall be \$10,000 and the amount awarded
9 2 shall be matched on a dollar-for-dollar basis by the county.
9 3 Each county receiving a grant shall submit a report to the
9 4 department identifying the impact of the grant on increasing
9 5 services to veterans as specified by the department. The
9 6 department shall submit a report to the general assembly by
9 7 October 1, 2008, concerning the impact of the grant program on
9 8 services to veterans.

9 9 Notwithstanding section 8.33, moneys appropriated in this
9 10 subsection that remain unencumbered or unobligated at the
9 11 close of the fiscal year shall not revert to the fund from
9 12 which appropriated but shall be credited to the veterans trust
9 13 fund.

9 14 5. STATE EDUCATIONAL ASSISTANCE == CHILDREN OF DECEASED
9 15 VETERANS

9 16 For educational assistance pursuant to section 35.9:
 9 17 \$ 27,000
 9 18 Sec. 5. VETERANS TRUST FUND. Notwithstanding section
 9 19 35A.13, there is appropriated from the veterans trust fund
 9 20 established in section 35A.13 to the department of veterans
 9 21 affairs for the fiscal year beginning July 1, 2007, and ending
 9 22 June 30, 2008, the following amount, or so much thereof as is
 9 23 necessary, for the purpose designated:
 9 24 For transfer to the Iowa finance authority to be used for
 9 25 continuation of the home ownership assistance program for
 9 26 persons who are or were eligible members of the armed forces
 9 27 of the United States, implemented pursuant to 2005 Iowa Acts,
 9 28 chapter 161, section 1, subsection 5, and amended by 2005 Iowa
 9 29 Acts, chapter 115, section 37, as amended by 2006 Iowa Acts,
 9 30 chapter 1167, section 4:
 9 31 \$ 1,000,000
 9 32 Of the funds appropriated in this section, the Iowa finance
 9 33 authority may retain not more than \$20,000 for administrative
 9 34 purposes.
 9 35 Of the amount transferred to the Iowa finance authority
 10 1 pursuant to this section, not more than \$50,000 shall be
 10 2 transferred to the department of public defense to be used for
 10 3 the enduring families program.
 10 4 The appropriation and allocations made in this section are
 10 5 contingent upon the Iowa finance authority making a
 10 6 determination prior to January 1, 2008, that the amount
 10 7 appropriated for purposes of the home ownership assistance
 10 8 program in 2007 Iowa Acts, Senate File 95, will be completely
 10 9 expended prior to January 1, 2008. The authority's
 10 10 determination requires the concurrence of the department of
 10 11 management. At least two weeks prior to the contingency
 10 12 provided in this paragraph being exercised, the authority's
 10 13 determination shall be reported to the fiscal committee of the
 10 14 legislative council. If the amount appropriated in this
 10 15 section is insufficient to meet the need for the fiscal year,
 10 16 the authority shall request supplemental funding from the
 10 17 governor and the general assembly.
 10 18 Sec. 6. VETERANS NEEDS REPORT. The executive director of
 10 19 the department of veterans affairs shall prepare a report
 10 20 regarding the needs of veterans. The report shall include a
 10 21 comprehensive survey of existing benefits and services being
 10 22 provided to Iowa veterans at the local, state, and national
 10 23 levels, a comparison of Iowa veterans benefits and services
 10 24 programs with such programs offered in other states, the
 10 25 deficiencies in benefits and services identified by the
 10 26 commission, and any recommendations for eliminating the
 10 27 deficiencies identified. The completed report shall be
 10 28 approved by the commission of veterans affairs prior to
 10 29 submission of the report to the general assembly, which shall
 10 30 be done by October 15, 2008.
 10 31 HUMAN SERVICES
 10 32 Sec. 7. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
 10 33 GRANT. There is appropriated from the fund created in section
 10 34 8.41 to the department of human services for the fiscal year
 10 35 beginning July 1, 2007, and ending June 30, 2008, from moneys
 11 1 received under the federal temporary assistance for needy
 11 2 families (TANF) block grant pursuant to the federal Personal
 11 3 Responsibility and Work Opportunity Reconciliation Act of
 11 4 1996, Pub. L. No. 104-193, and successor legislation, which
 11 5 are federally appropriated for the federal fiscal years
 11 6 beginning October 1, 2006, and ending September 30, 2007, and
 11 7 beginning October 1, 2007, and ending September 30, 2008, the
 11 8 following amounts, or so much thereof as is necessary, to be
 11 9 used for the purposes designated:
 11 10 1. To be credited to the family investment program account
 11 11 and used for assistance under the family investment program
 11 12 under chapter 239B:
 11 13 \$ 36,890,944
 11 14 2. To be credited to the family investment program account
 11 15 and used for the job opportunities and basic skills (JOBS)
 11 16 program, and implementing family investment agreements, in
 11 17 accordance with chapter 239B:
 11 18 \$ 14,993,040
 11 19 3. To be used for the family development and
 11 20 self-sufficiency grant program as provided under section
 11 21 217.12 and this division of this Act:
 11 22 \$ 2,998,675
 11 23 4. For field operations:
 11 24 \$ 17,707,495
 11 25 5. For general administration:
 11 26 \$ 3,744,000

11 27 6. For local administrative costs:
11 28 \$ 2,189,830
11 29 7. For state child care assistance:
11 30 \$ 18,986,177
11 31 a. Of the funds appropriated in this subsection, \$200,000
11 32 shall be used for provision of educational opportunities to
11 33 registered child care home providers in order to improve
11 34 services and programs offered by this category of providers
11 35 and to increase the number of providers. The department may
12 1 contract with institutions of higher education or child care
12 2 resource and referral centers to provide the educational
12 3 opportunities. Allowable administrative costs under the
12 4 contracts shall not exceed 5 percent. The application for a
12 5 grant shall not exceed two pages in length.
12 6 b. The funds appropriated in this subsection shall be
12 7 transferred to the child care and development block grant
12 8 appropriation.
12 9 8. For mental health and developmental disabilities
12 10 community services:
12 11 \$ 4,894,052
12 12 9. For child and family services:
12 13 \$ 32,084,430
12 14 10. For child abuse prevention grants:
12 15 \$ 250,000
12 16 11. For pregnancy prevention grants on the condition that
12 17 family planning services are funded:
12 18 \$ 1,930,067
12 19 Pregnancy prevention grants shall be awarded to programs in
12 20 existence on or before July 1, 2007, if the programs are
12 21 comprehensive in scope and have demonstrated positive
12 22 outcomes. Grants shall be awarded to pregnancy prevention
12 23 programs which are developed after July 1, 2007, if the
12 24 programs are comprehensive in scope and are based on existing
12 25 models that have demonstrated positive outcomes. Grants shall
12 26 comply with the requirements provided in 1997 Iowa Acts,
12 27 chapter 208, section 14, subsections 1 and 2, including the
12 28 requirement that grant programs must emphasize sexual
12 29 abstinence. Priority in the awarding of grants shall be given
12 30 to programs that serve areas of the state which demonstrate
12 31 the highest percentage of unplanned pregnancies of females of
12 32 childbearing age within the geographic area to be served by
12 33 the grant.
12 34 12. For technology needs and other resources necessary to
12 35 meet federal welfare reform reporting, tracking, and case
13 1 management requirements:
13 2 \$ 1,037,186
13 3 13. For the healthy opportunities for parents to
13 4 experience success (HOPEs) program administered by the
13 5 department of public health to target child abuse prevention:
13 6 \$ 200,000
13 7 14. To be credited to the state child care assistance
13 8 appropriation made in this section to be used for funding of
13 9 community-based early childhood programs targeted to children
13 10 from birth through five years of age, developed by community
13 11 empowerment areas as provided in section 28.9:
13 12 \$ 7,350,000
13 13 The department shall transfer TANF block grant funding
13 14 appropriated and allocated in this subsection to the child
13 15 care and development block grant appropriation in accordance
13 16 with federal law as necessary to comply with the provisions of
13 17 this subsection.
13 18 15. For a pilot program to be established in one or more
13 19 judicial districts, selected by the department and the
13 20 judicial council, to provide employment and support services
13 21 to delinquent child support obligors as an alternative to
13 22 commitment to jail as punishment for contempt of court:
13 23 \$ 200,000
13 24 Of the amounts appropriated in this section, \$12,962,008
13 25 for the fiscal year beginning July 1, 2007, shall be
13 26 transferred to the appropriation of the federal social
13 27 services block grant for that fiscal year. If the federal
13 28 government revises requirements to reduce the amount that may
13 29 be transferred to the federal social services block grant, it
13 30 is the intent of the general assembly to act expeditiously
13 31 during the 2008 legislative session to adjust appropriations
13 32 or the transferred amount or take other actions to address the
13 33 reduced amount.
13 34 The department may transfer funds allocated in this section
13 35 to the appropriations in this Act for general administration
14 1 and field operations for resources necessary to implement and
14 2 operate the services referred to in this section and those

14 3 funded in the appropriation made in this division of this Act
14 4 for the family investment program from the general fund.

14 5 Sec. 8. FAMILY INVESTMENT PROGRAM ACCOUNT.

14 6 1. Moneys credited to the family investment program (FIP)
14 7 account for the fiscal year beginning July 1, 2007, and ending
14 8 June 30, 2008, shall be used to provide assistance in
14 9 accordance with chapter 239B.

14 10 2. The department may use a portion of the moneys credited
14 11 to the FIP account under this section as necessary for
14 12 salaries, support, maintenance, and miscellaneous purposes.

14 13 3. The department may transfer funds allocated in this
14 14 section to the appropriations in this Act for general
14 15 administration and field operations for resources necessary to
14 16 implement and operate the services referred to in this section
14 17 and those funded in the appropriation made in this division of
14 18 this Act for the family investment program from the general
14 19 fund of the state.

14 20 4. Moneys appropriated in this division of this Act and
14 21 credited to the FIP account for the fiscal year beginning July
14 22 1, 2007, and ending June 30, 2008, are allocated as follows:

14 23 a. To the department of human rights for staffing,
14 24 administration, and implementation of the family development
14 25 and self-sufficiency grant program as provided under section
14 26 217.12:

14 27 \$ 5,583,042

14 28 (1) Of the funds allocated for the family development and
14 29 self-sufficiency grant program in this lettered paragraph, not
14 30 more than 5 percent of the funds shall be used for the
14 31 administration of the grant program.

14 32 (2) The department may continue to implement the family
14 33 development and self-sufficiency grant program statewide
14 34 during FY 2007=2008.

14 35 (3) The department of human rights shall adopt appropriate
15 1 performance measures for the program and provide the
15 2 department of human services with information necessary for
15 3 compliance with federal temporary assistance for needy
15 4 families block grant requirements.

15 5 b. For the diversion subaccount of the FIP account:
15 6 \$ 2,814,000

15 7 (1) A portion of the moneys allocated for the subaccount
15 8 may be used for field operations salaries, data management
15 9 system development, and implementation costs and support
15 10 deemed necessary by the director of human services in order to
15 11 administer the FIP diversion program.

15 12 (2) Of the funds allocated in this lettered paragraph, not
15 13 more than \$250,000 shall be used to develop or continue
15 14 community-level parental obligation pilot projects. The
15 15 requirements established under 2001 Iowa Acts, chapter 191,
15 16 section 3, subsection 5, paragraph "c", subparagraph (3),
15 17 shall remain applicable to the parental obligation pilot
15 18 projects for fiscal year 2007=2008. Notwithstanding 441 IAC
15 19 100.8, providing for termination of rules relating to the
15 20 pilot projects the earlier of October 1, 2006, or when
15 21 legislative authority is discontinued, the rules relating to
15 22 the pilot projects shall remain in effect until June 30, 2008.

15 23 c. For developing and implementing a new program to
15 24 provide transitional benefits to families with members who are
15 25 employed at the time the family leaves the family investment
15 26 program in accordance with section 239B.11A, as enacted by
15 27 this Act:

15 28 \$ 2,000,000

15 29 The department may adopt emergency rules to implement the
15 30 new program.

15 31 d. For the food stamp employment and training program:
15 32 \$ 68,059

15 33 e. For the JOBS program:

15 34 Notwithstanding section 8.33, not more than 5 percent of
15 35 the moneys designated in this lettered paragraph that are
16 1 allocated by the department for contracted services other than
16 2 family development and self-sufficiency grant program services
16 3 allocated under this subsection, that remain unencumbered or
16 4 unobligated at the close of the fiscal year shall not revert
16 5 but shall remain available for expenditure for the purposes
16 6 designated until the close of the succeeding fiscal year.
16 7 However, unless such moneys are encumbered or obligated on or
16 8 before September 30, 2008, the moneys shall revert.

16 9 \$ 23,968,628

16 10 5. Of the child support collections assigned under FIP, an
16 11 amount equal to the federal share of support collections shall
16 12 be credited to the child support recovery appropriation. Of
16 13 the remainder of the assigned child support collections

16 14 received by the child support recovery unit, a portion shall
16 15 be credited to the FIP account, a portion may be used to
16 16 increase recoveries, and a portion may be used to sustain cash
16 17 flow in the child support payments account. If as a result,
16 18 the appropriations allocated in this section are insufficient
16 19 to sustain cash assistance payments and meet federal
16 20 maintenance of effort requirements, the department shall seek
16 21 supplemental funding.

16 22 6. The department may adopt emergency rules for the family
16 23 investment, JOBS, family development and self-sufficiency
16 24 grant, food stamp, and medical assistance programs if
16 25 necessary to comply with federal requirements.

16 26 7. If the department determines that the appropriations
16 27 allocated in this section are insufficient to sustain cash
16 28 assistance payments and to meet federal maintenance of effort
16 29 requirements, the department shall seek supplemental funding.

16 30 Sec. 9. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is
16 31 appropriated from the general fund of the state to the
16 32 department of human services for the fiscal year beginning
16 33 July 1, 2007, and ending June 30, 2008, the following amount,
16 34 or so much thereof as is necessary, to be used for the purpose
16 35 designated:

17 1 To be credited to the family investment program (FIP)
17 2 account and used for family investment program assistance
17 3 under chapter 239B:

17 4 \$ 42,658,263

17 5 1. Of the funds appropriated in this section, \$8,975,588
17 6 is allocated for the JOBS program.

17 7 2. Of the funds appropriated in this section, \$2,584,367
17 8 is allocated for the family development and self-sufficiency
17 9 grant program as provided under section 217.12 and this
17 10 division of this Act.

17 11 3. a. Of the funds appropriated in this section, \$250,000
17 12 shall be used to continue a grant to an Iowa-based nonprofit
17 13 organization with a history of providing tax preparation
17 14 assistance to low-income Iowans in order to expand the usage
17 15 of the earned income tax credit. The purpose of the grant is
17 16 to supply this assistance to underserved areas of the state.
17 17 The grant shall be provided to an organization that has
17 18 existing national foundation support for supplying such
17 19 assistance that can also secure local charitable match
17 20 funding.

17 21 b. The general assembly supports efforts by the
17 22 organization receiving funding under this subsection to create
17 23 a statewide earned income tax credit and asset-building
17 24 coalition to achieve both of the following purposes:

17 25 (1) Expanding the usage of the tax credit through new and
17 26 enhanced outreach and marketing strategies as well as
17 27 identifying new local sites and human and financial resources.

17 28 (2) Assessing and recommending various strategies for
17 29 Iowans to develop assets through savings, individual
17 30 development accounts, financial literacy, anti-predatory
17 31 lending initiatives, informed home ownership, use of various
17 32 forms of support for work, and microenterprise business
17 33 development targeted to persons who are self-employed or have
17 34 fewer than five employees.

17 35 4. Notwithstanding section 8.39, for the fiscal year
18 1 beginning July 1, 2007, if necessary to meet federal
18 2 maintenance of effort requirements or to transfer federal
18 3 temporary assistance for needy families block grant funding to
18 4 be used for purposes of the federal social services block
18 5 grant or to meet cash flow needs resulting from delays in
18 6 receiving federal funding or to implement, in accordance with
18 7 this division of this Act, activities currently funded with
18 8 juvenile court services, county, or community moneys and state
18 9 moneys used in combination with such moneys, the department of
18 10 human services may transfer funds within or between any of the
18 11 appropriations made in this division of this Act and
18 12 appropriations in law for the federal social services block
18 13 grant to the department for the following purposes, provided
18 14 that the combined amount of state and federal temporary
18 15 assistance for needy families block grant funding for each
18 16 appropriation remains the same before and after the transfer:

18 17 a. For the family investment program.

18 18 b. For child care assistance.

18 19 c. For child and family services.

18 20 d. For field operations.

18 21 e. For general administration.

18 22 f. MH/MR/DD/BI community services (local purchase).

18 23 This subsection shall not be construed to prohibit existing
18 24 state transfer authority for other purposes. The department

18 25 shall report any transfers made pursuant to this subsection to
18 26 the legislative services agency.

18 27 5. The department of human services shall identify options
18 28 and resources needed to support responsible fatherhood. The
18 29 department shall report on or before December 15, 2007,
18 30 concerning the options considered, potential funding
18 31 opportunities, and any options subsequently initiated to the
18 32 persons designated in this Act to receive reports.

18 33 Sec. 10. CHILD SUPPORT RECOVERY. There is appropriated
18 34 from the general fund of the state to the department of human
18 35 services for the fiscal year beginning July 1, 2007, and
19 1 ending June 30, 2008, the following amount, or so much thereof
19 2 as is necessary, to be used for the purposes designated:

19 3 For child support recovery, including salaries, support,
19 4 maintenance, and miscellaneous purposes and for not more than
19 5 the following full-time equivalent positions:

19 6 \$ 9,760,098
19 7 FTEs 508.00

19 8 1. The department shall expend up to \$31,000, including
19 9 federal financial participation, for the fiscal year beginning
19 10 July 1, 2007, for a child support public awareness campaign.
19 11 The department and the office of the attorney general shall
19 12 cooperate in continuation of the campaign. The public
19 13 awareness campaign shall emphasize, through a variety of media
19 14 activities, the importance of maximum involvement of both
19 15 parents in the lives of their children as well as the
19 16 importance of payment of child support obligations.

19 17 2. Federal access and visitation grant moneys shall be
19 18 issued directly to private not-for-profit agencies that
19 19 provide services designed to increase compliance with the
19 20 child access provisions of court orders, including but not
19 21 limited to neutral visitation sites and mediation services.

19 22 3. Beginning October 1, 2007, and notwithstanding chapter
19 23 252C, 252F, or 252H, or any other applicable chapter, either
19 24 parent may be ordered to provide medical support in accordance
19 25 with the federal Deficit Reduction Act of 2005, Pub. L. No.
19 26 109-171.

19 27 4. The appropriation made to the department for child
19 28 support recovery may be used throughout the fiscal year in the
19 29 manner necessary for purposes of cash flow management, and for
19 30 cash flow management, the department may temporarily draw more
19 31 than the amount appropriated, provided the amount appropriated
19 32 is not exceeded at the close of the fiscal year.

19 33 Sec. 11. MEDICAL ASSISTANCE. There is appropriated from
19 34 the general fund of the state to the department of human
19 35 services for the fiscal year beginning July 1, 2007, and
20 1 ending June 30, 2008, the following amount, or so much thereof
20 2 as is necessary, to be used for the purpose designated:

20 3 For medical assistance reimbursement and associated costs
20 4 as specifically provided in the reimbursement methodologies in
20 5 effect on June 30, 2007, except as otherwise expressly
20 6 authorized by law, including reimbursement for abortion
20 7 services, which shall be available under the medical
20 8 assistance program only for those abortions which are
20 9 medically necessary:

20 10 \$618,926,820

20 11 1. Medically necessary abortions are those performed under
20 12 any of the following conditions:

20 13 a. The attending physician certifies that continuing the
20 14 pregnancy would endanger the life of the pregnant woman.

20 15 b. The attending physician certifies that the fetus is
20 16 physically deformed, mentally deficient, or afflicted with a
20 17 congenital illness.

20 18 c. The pregnancy is the result of a rape which is reported
20 19 within 45 days of the incident to a law enforcement agency or
20 20 public or private health agency which may include a family
20 21 physician.

20 22 d. The pregnancy is the result of incest which is reported
20 23 within 150 days of the incident to a law enforcement agency or
20 24 public or private health agency which may include a family
20 25 physician.

20 26 e. Any spontaneous abortion, commonly known as a
20 27 miscarriage, if not all of the products of conception are
20 28 expelled.

20 29 2. The department shall utilize not more than \$60,000 of
20 30 the funds appropriated in this section to continue the
20 31 AIDS/HIV health insurance premium payment program as
20 32 established in 1992 Iowa Acts, Second Extraordinary Session,
20 33 chapter 1001, section 409, subsection 6. Of the funds
20 34 allocated in this subsection, not more than \$5,000 may be
20 35 expended for administrative purposes.

21 1 3. Of the funds appropriated in this Act to the department
21 2 of public health for addictive disorders, \$950,000 for the
21 3 fiscal year beginning July 1, 2007, shall be transferred to
21 4 the department of human services for an integrated substance
21 5 abuse managed care system. The department shall not assume
21 6 management of the substance abuse system in place of the
21 7 managed care contractor unless such a change in approach is
21 8 specifically authorized in law.

21 9 4. a. The department shall aggressively pursue options
21 10 for providing medical assistance or other assistance to
21 11 individuals with special needs who become ineligible to
21 12 continue receiving services under the early and periodic
21 13 screening, diagnosis, and treatment program under the medical
21 14 assistance program due to becoming 21 years of age, who have
21 15 been approved for additional assistance through the
21 16 department's exception to policy provisions, but who have
21 17 health care needs in excess of the funding available through
21 18 the exception to policy provisions.

21 19 b. Of the funds appropriated in this section, \$100,000
21 20 shall be used for participation in one or more pilot projects
21 21 operated by a private provider to allow the individual or
21 22 individuals to receive service in the community in accordance
21 23 with principles established in *Olmstead v. L.C.*, 527 U.S. 581
21 24 (1999), for the purpose of providing medical assistance or
21 25 other assistance to individuals with special needs who become
21 26 ineligible to continue receiving services under the early and
21 27 periodic screening, diagnosis, and treatment program under the
21 28 medical assistance program due to becoming 21 years of age,
21 29 who have been approved for additional assistance through the
21 30 department's exception to policy provisions, but who have
21 31 health care needs in excess of the funding available through
21 32 the exception to the policy provisions.

21 33 5. Of the funds appropriated in this section, up to
21 34 \$3,050,082 may be transferred to the field operations or
21 35 general administration appropriations in this Act for
22 1 operational costs associated with Part D of the federal
22 2 Medicare Prescription Drug, Improvement, and Modernization Act
22 3 of 2003, Pub. L. No. 108=173.

22 4 6. In addition to any other funds appropriated in this
22 5 Act, of the funds appropriated in this section, \$250,000 shall
22 6 be used for continuation of the grant to the Iowa healthcare
22 7 collaborative as defined in section 135.40.

22 8 7. The department may amend the Medicaid state plan to
22 9 provide medical assistance reciprocity for children who
22 10 receive an adoption subsidy who are not eligible for funding
22 11 under Title IV=E of the federal Social Security Act.

22 12 8. Of the funds appropriated in this section, up to
22 13 \$500,000 shall be used to enhance outreach efforts. The
22 14 department may transfer funds allocated in this subsection to
22 15 the appropriations in this division of this Act for general
22 16 administration, the state children's health insurance program,
22 17 or medical contracts, as necessary, to implement the outreach
22 18 efforts.

22 19 9. Of the funds appropriated in this section, up to
22 20 \$442,100 may be transferred to the appropriation in this Act
22 21 for medical contracts to be used for clinical assessment
22 22 services related to remedial services in accordance with
22 23 federal law.

22 24 10. Of the funds appropriated in this section, \$1,540,000
22 25 may be used for the demonstration to maintain independence and
22 26 employment (DMIE) if the waiver for DMIE is approved by the
22 27 centers for Medicare and Medicaid services of the United
22 28 States department of health and human services. Additionally,
22 29 if the waiver is approved, \$440,000 of the funds shall be
22 30 transferred to the department of corrections for the DMIE
22 31 activities.

22 32 11. The drug utilization review commission shall monitor
22 33 the smoking cessation benefit provided under the medical
22 34 assistance program and shall provide a report of utilization,
22 35 client success, cost=effectiveness, and recommendations for
23 1 any changes in the benefit to the persons designated in this
23 2 Act to receive reports by January 15, 2008.

23 3 12. The department shall review the maximum payment allowed
23 4 under each home and community=based services waiver and shall
23 5 report by December 15, 2007, to the persons designated in this
23 6 Act to receive reports, recommendations to adjust the maximum
23 7 payment levels to provide equity among the populations served.

23 8 13. A portion of the funds appropriated in this section
23 9 may be transferred to the appropriations in this division of
23 10 this Act for general administration, medical contracts, the
23 11 state children's health insurance program, or field operations

23 12 to be used for the state match cost to comply with the payment
23 13 error rate measurement (PERM) program for both the medical
23 14 assistance and state children's health insurance programs as
23 15 developed by the centers for Medicare and Medicaid services of
23 16 the United States department of health and human services to
23 17 comply with the federal Improper Payments Information Act of
23 18 2002, Pub. L. No. 107=300.

23 19 14. It is the intent of the general assembly that the
23 20 department implement the recommendations of the assuring
23 21 better child health and development initiative II (ABCDII)
23 22 clinical panel to the Iowa early and periodic screening,
23 23 diagnostic, and treatment services healthy mental development
23 24 collaborative board regarding changes to billing procedures,
23 25 codes, and eligible service providers.

23 26 15. Of the funds appropriated in this section, a
23 27 sufficient amount is allocated to supplement the incomes of
23 28 residents of nursing facilities with incomes of less than
23 29 fifty dollars in the amount necessary for the residents to
23 30 receive a personal needs allowance of fifty dollars per month
23 31 pursuant to section 249A.30A.

23 32 16. Of the funds appropriated in this section, \$230,618
23 33 shall be used as additional funding to reduce the waiting list
23 34 for the children's mental health home and community-based
23 35 services waiver.

24 1 Sec. 12. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There
24 2 is appropriated from the general fund of the state to the
24 3 department of human services for the fiscal year beginning
24 4 July 1, 2007, and ending June 30, 2008, the following amount,
24 5 or so much thereof as is necessary, to be used for the purpose
24 6 designated:

24 7 For administration of the health insurance premium payment
24 8 program, including salaries, support, maintenance, and
24 9 miscellaneous purposes:

24 10 \$ 654,568

24 11 Sec. 13. MEDICAL CONTRACTS. There is appropriated from
24 12 the general fund of the state to the department of human
24 13 services for the fiscal year beginning July 1, 2007, and
24 14 ending June 30, 2008, the following amount, or so much thereof
24 15 as is necessary, to be used for the purpose designated:

24 16 For medical contracts, including salaries, support,
24 17 maintenance, and miscellaneous purposes:

24 18 \$ 13,773,152

24 19 1. Of the funds appropriated in this section, \$50,000
24 20 shall be used for electronic cross-matching with state vital
24 21 records databases through the department of public health.

24 22 2. Of the funds appropriated in this section, \$250,000
24 23 shall be used for increased monitoring of home and
24 24 community-based services waivers.

24 25 Sec. 14. STATE SUPPLEMENTARY ASSISTANCE.

24 26 1. There is appropriated from the general fund of the
24 27 state to the department of human services for the fiscal year
24 28 beginning July 1, 2007, and ending June 30, 2008, the
24 29 following amount, or so much thereof as is necessary, to be
24 30 used for the purpose designated:

24 31 For the state supplementary assistance program:

24 32 \$ 17,210,335

24 33 2. The department shall increase the personal needs
24 34 allowance for residents of residential care facilities by the
24 35 same percentage and at the same time as federal supplemental
25 1 security income and federal social security benefits are
25 2 increased due to a recognized increase in the cost of living.
25 3 The department may adopt emergency rules to implement this
25 4 subsection.

25 5 3. If during the fiscal year beginning July 1, 2007, the
25 6 department projects that state supplementary assistance
25 7 expenditures for a calendar year will not meet the federal
25 8 pass-along requirement specified in Title XVI of the federal
25 9 Social Security Act, section 1618, as codified in 42 U.S.C. }
25 10 1382g, the department may take actions including but not
25 11 limited to increasing the personal needs allowance for
25 12 residential care facility residents and making programmatic
25 13 adjustments or upward adjustments of the residential care
25 14 facility or in-home health-related care reimbursement rates
25 15 prescribed in this division of this Act to ensure that federal
25 16 requirements are met. In addition, the department may make
25 17 other programmatic and rate adjustments necessary to remain
25 18 within the amount appropriated in this section while ensuring
25 19 compliance with federal requirements. The department may
25 20 adopt emergency rules to implement the provisions of this
25 21 subsection.

25 22 Sec. 15. CHILDREN'S HEALTH INSURANCE PROGRAM. There is

25 23 appropriated from the general fund of the state to the
 25 24 department of human services for the fiscal year beginning
 25 25 July 1, 2007, and ending June 30, 2008, the following amount,
 25 26 or so much thereof as is necessary, to be used for the purpose
 25 27 designated:
 25 28 For maintenance of the healthy and well kids in Iowa (hawk=
 25 29 i) program pursuant to chapter 514I for receipt of federal
 25 30 financial participation under Title XXI of the federal Social
 25 31 Security Act, which creates the state children's health
 25 32 insurance program:
 25 33 \$ 14,871,052
 25 34 Sec. 16. CHILD CARE ASSISTANCE. There is appropriated
 25 35 from the general fund of the state to the department of human
 26 1 services for the fiscal year beginning July 1, 2007, and
 26 2 ending June 30, 2008, the following amount, or so much thereof
 26 3 as is necessary, to be used for the purpose designated:
 26 4 For child care programs:
 26 5 \$ 38,225,701
 26 6 1. Of the funds appropriated in this section, \$34,969,889
 26 7 shall be used for state child care assistance in accordance
 26 8 with section 237A.13.
 26 9 2. Nothing in this section shall be construed or is
 26 10 intended as, or shall imply, a grant of entitlement for
 26 11 services to persons who are eligible for assistance due to an
 26 12 income level consistent with the waiting list requirements of
 26 13 section 237A.13. Any state obligation to provide services
 26 14 pursuant to this section is limited to the extent of the funds
 26 15 appropriated in this section.
 26 16 3. Of the funds appropriated in this section, \$525,524 is
 26 17 allocated for the statewide program for child care resource
 26 18 and referral services under section 237A.26. A list of the
 26 19 registered and licensed child care facilities operating in the
 26 20 area served by a child care resource and referral service
 26 21 shall be made available to the families receiving state child
 26 22 care assistance in that area.
 26 23 4. Of the funds appropriated in this section, \$1,530,288
 26 24 is allocated for child care quality improvement initiatives
 26 25 including but not limited to development and continuation of a
 26 26 quality rating system.
 26 27 5. The department may use any of the funds appropriated in
 26 28 this section as a match to obtain federal funds for use in
 26 29 expanding child care assistance and related programs. For the
 26 30 purpose of expenditures of state and federal child care
 26 31 funding, funds shall be considered obligated at the time
 26 32 expenditures are projected or are allocated to the
 26 33 department's service areas. Projections shall be based on
 26 34 current and projected caseload growth, current and projected
 26 35 provider rates, staffing requirements for eligibility
 27 1 determination and management of program requirements including
 27 2 data systems management, staffing requirements for
 27 3 administration of the program, contractual and grant
 27 4 obligations and any transfers to other state agencies, and
 27 5 obligations for decategorization or innovation projects.
 27 6 6. A portion of the state match for the federal child care
 27 7 and development block grant shall be provided as necessary to
 27 8 meet federal matching funds requirements through the state
 27 9 general fund appropriation for child development grants and
 27 10 other programs for at-risk children in section 279.51.
 27 11 7. Of the funds appropriated in this section, \$1,200,000
 27 12 is transferred to the Iowa empowerment fund from which it is
 27 13 appropriated to be used for professional development for the
 27 14 system of early care, health, and education.
 27 15 8. Notwithstanding section 8.33, moneys appropriated in
 27 16 this section or received from the federal appropriations made
 27 17 for the purposes of this section, that remain unencumbered or
 27 18 unobligated at the close of the fiscal year shall not revert
 27 19 to any fund but shall remain available for expenditure for the
 27 20 purposes designated until the close of the succeeding fiscal
 27 21 year.
 27 22 Sec. 17. JUVENILE INSTITUTIONS. There is appropriated
 27 23 from the general fund of the state to the department of human
 27 24 services for the fiscal year beginning July 1, 2007, and
 27 25 ending June 30, 2008, the following amounts, or so much
 27 26 thereof as is necessary, to be used for the purposes
 27 27 designated:
 27 28 1. For operation of the Iowa juvenile home at Toledo and
 27 29 for salaries, support, and maintenance and for not more than
 27 30 the following full-time positions:
 27 31 \$ 7,170,289
 27 32 FTEs 128.00
 27 33 Of the amount appropriated in this subsection, \$134,605 is

27 34 allocated to increase mental health and behavioral services
27 35 staffing.

28 1 2. For operation of the state training school at Eldora
28 2 and for salaries, support, and maintenance and for not more
28 3 than the following full-time positions:

28 4 \$ 11,241,986
28 5 FTEs 204.88

28 6 Of the amount appropriated in this subsection, \$184,988 is
28 7 allocated to increase mental health and behavioral services
28 8 staffing.

28 9 3. A portion of the moneys appropriated in this section
28 10 shall be used by the state training school and by the Iowa
28 11 juvenile home for grants for adolescent pregnancy prevention
28 12 activities at the institutions in the fiscal year beginning
28 13 July 1, 2007.

28 14 Sec. 18. CHILD AND FAMILY SERVICES.

28 15 1. There is appropriated from the general fund of the
28 16 state to the department of human services for the fiscal year
28 17 beginning July 1, 2007, and ending June 30, 2008, the
28 18 following amount, or so much thereof as is necessary, to be
28 19 used for the purpose designated:

28 20 For child and family services:

28 21 \$ 88,520,320

28 22 2. In order to address a reduction of \$5,200,000 from the
28 23 amount allocated under the appropriation made for the purposes
28 24 of this section in prior years for purposes of juvenile
28 25 delinquent graduated sanction services, up to \$5,200,000 of
28 26 the amount of federal temporary assistance for needy families
28 27 block grant funding appropriated in this division of this Act
28 28 for child and family services shall be made available for
28 29 purposes of juvenile delinquent graduated sanction services.

28 30 3. The department may transfer funds appropriated in this
28 31 section as necessary to pay the nonfederal costs of services
28 32 reimbursed under the medical assistance program or the family
28 33 investment program which are provided to children who would
28 34 otherwise receive services paid under the appropriation in
28 35 this section. The department may transfer funds appropriated
29 1 in this section to the appropriations in this division of this
29 2 Act for general administration and for field operations for
29 3 resources necessary to implement and operate the services
29 4 funded in this section.

29 5 4. a. Of the funds appropriated in this section, up to
29 6 \$35,916,527 is allocated as the statewide expenditure target
29 7 under section 232.143 for group foster care maintenance and
29 8 services.

29 9 b. If at any time after September 30, 2007, annualization
29 10 of a service area's current expenditures indicates a service
29 11 area is at risk of exceeding its group foster care expenditure
29 12 target under section 232.143 by more than 5 percent, the
29 13 department and juvenile court services shall examine all group
29 14 foster care placements in that service area in order to
29 15 identify those which might be appropriate for termination. In
29 16 addition, any aftercare services believed to be needed for the
29 17 children whose placements may be terminated shall be
29 18 identified. The department and juvenile court services shall
29 19 initiate action to set dispositional review hearings for the
29 20 placements identified. In such a dispositional review
29 21 hearing, the juvenile court shall determine whether needed
29 22 aftercare services are available and whether termination of
29 23 the placement is in the best interest of the child and the
29 24 community.

29 25 c. Of the funds allocated in this subsection, \$2,373,942
29 26 is allocated as the state match funding for 50 highly
29 27 structured juvenile program beds. If the number of beds
29 28 provided for in this lettered paragraph is not utilized, the
29 29 remaining funds allocated may be used for group foster care.

29 30 The department of human services, in consultation with the
29 31 division of criminal and juvenile justice planning of the
29 32 department of human rights, shall review the programming and
29 33 effectiveness of the two existing highly structured juvenile
29 34 programs. The review shall include consideration of the
29 35 national research concerning juvenile "boot camp" programs,
30 1 comparison of recidivism rates and foster care reentry rates
30 2 for the highly structured programs with those of other group
30 3 foster care programs. The review shall provide a
30 4 recommendation as to whether or not funding should continue to
30 5 be specifically designated for the highly structured programs.
30 6 The department shall report on or before December 15, 2007,
30 7 with findings and recommendations to the persons designated by
30 8 this Act to receive reports.

30 9 5. In accordance with the provisions of section 232.188,

30 10 the department shall continue the child welfare and juvenile
30 11 justice funding initiative. Of the funds appropriated in this
30 12 section, \$2,605,000 is allocated specifically for expenditure
30 13 through the decategorization service funding pools and
30 14 governance boards established pursuant to section 232.188. In
30 15 addition, up to \$1,000,000 of the amount of federal temporary
30 16 assistance for needy families block grant funding appropriated
30 17 in this division of this Act for child and family services
30 18 shall be made available for purposes of the decategorization
30 19 initiative as provided in this subsection.

30 20 6. A portion of the funds appropriated in this section may
30 21 be used for emergency family assistance to provide other
30 22 resources required for a family participating in a family
30 23 preservation or reunification project or successor project to
30 24 stay together or to be reunified.

30 25 7. Notwithstanding section 234.35 or any other provision
30 26 of law to the contrary, for the fiscal year beginning July 1,
30 27 2007, state funding for shelter care shall be limited to the
30 28 amount necessary to fund 273 beds that are guaranteed and
30 29 seven beds that are not guaranteed.

30 30 8. Federal funds received by the state during the fiscal
30 31 year beginning July 1, 2007, as the result of the expenditure
30 32 of state funds appropriated during a previous state fiscal
30 33 year for a service or activity funded under this section, are
30 34 appropriated to the department to be used as additional
30 35 funding for services and purposes provided for under this
31 1 section. Notwithstanding section 8.33, moneys received in
31 2 accordance with this subsection that remain unencumbered or
31 3 unobligated at the close of the fiscal year shall not revert
31 4 to any fund but shall remain available for the purposes
31 5 designated until the close of the succeeding fiscal year.

31 6 9. Of the funds appropriated in this section, \$3,696,285
31 7 shall be used for protective child care assistance.

31 8 10. a. Of the funds appropriated in this section, up to
31 9 \$2,268,963 is allocated for the payment of the expenses of
31 10 court-ordered services provided to juveniles who are under the
31 11 supervision of juvenile court services, which expenses are a
31 12 charge upon the state pursuant to section 232.141, subsection
31 13 4. Of the amount allocated in this subsection, up to
31 14 \$1,556,287 shall be made available to provide school-based
31 15 supervision of children adjudicated under chapter 232, of
31 16 which not more than \$15,000 may be used for the purpose of
31 17 training. A portion of the cost of each school-based liaison
31 18 officer shall be paid by the school district or other funding
31 19 source as approved by the chief juvenile court officer.

31 20 b. Of the funds appropriated in this section, up to
31 21 \$823,965 is allocated for the payment of the expenses of
31 22 court-ordered services provided to children who are under the
31 23 supervision of the department, which expenses are a charge
31 24 upon the state pursuant to section 232.141, subsection 4.

31 25 c. Notwithstanding section 232.141 or any other provision
31 26 of law to the contrary, the amounts allocated in this
31 27 subsection shall be distributed to the judicial districts as
31 28 determined by the state court administrator and to the
31 29 department's service areas as determined by the administrator
31 30 of the department's division of children and family services.
31 31 The state court administrator and the division administrator
31 32 shall make the determination of the distribution amounts on or
31 33 before June 15, 2007.

31 34 d. Notwithstanding chapter 232 or any other provision of
31 35 law to the contrary, a district or juvenile court shall not
32 1 order any service which is a charge upon the state pursuant to
32 2 section 232.141 if there are insufficient court-ordered
32 3 services funds available in the district court or departmental
32 4 service area distribution amounts to pay for the service. The
32 5 chief juvenile court officer and the departmental service area
32 6 manager shall encourage use of the funds allocated in this
32 7 subsection such that there are sufficient funds to pay for all
32 8 court-related services during the entire year. The chief
32 9 juvenile court officers and departmental service area managers
32 10 shall attempt to anticipate potential surpluses and shortfalls
32 11 in the distribution amounts and shall cooperatively request
32 12 the state court administrator or division administrator to
32 13 transfer funds between the judicial districts' or departmental
32 14 service areas' distribution amounts as prudent.

32 15 e. Notwithstanding any provision of law to the contrary, a
32 16 district or juvenile court shall not order a county to pay for
32 17 any service provided to a juvenile pursuant to an order
32 18 entered under chapter 232 which is a charge upon the state
32 19 under section 232.141, subsection 4.

32 20 f. Of the funds allocated in this subsection, not more

32 21 than \$100,000 may be used by the judicial branch for
32 22 administration of the requirements under this subsection.

32 23 11. Of the funds appropriated in this section, \$1,030,000
32 24 shall be transferred to the department of public health to be
32 25 used for the child protection center grant program in
32 26 accordance with section 135.118.

32 27 12. Of the funds appropriated in this section, \$152,440
32 28 shall be used for funding of one or more child welfare
32 29 diversion and mediation pilot projects as provided in 2004
32 30 Iowa Acts, chapter 1130, section 1.

32 31 13. If the department receives federal approval to
32 32 implement a waiver under Title IV-E of the federal Social
32 33 Security Act to enable providers to serve children who remain
32 34 in the children's families and communities, for purposes of
32 35 eligibility under the medical assistance program children who
33 1 participate in the waiver shall be considered to be placed in
33 2 foster care.

33 3 14. Of the funds appropriated in this section, \$3,031,439
33 4 is allocated for the preparation for adult living program
33 5 pursuant to section 234.46. Of the amount allocated in this
33 6 subsection, \$210,000 is transferred and credited to the risk
33 7 pool in the property tax relief fund.

33 8 15. Of the funds appropriated in this section, \$51,500 is
33 9 allocated for a grant to continue an existing program operated
33 10 by a nonprofit organization providing family treatment and
33 11 community education services in a nine-county area.

33 12 16. Of the funds appropriated in this section, \$830,000
33 13 shall be used to continue juvenile drug courts. The amount
33 14 allocated in this subsection shall be distributed as follows:

33 15 a. To the judicial branch for salaries to assist with the
33 16 operation of juvenile drug court programs operated in the
33 17 following jurisdictions:

33 18 (1) Marshall county:

33 19 \$ 61,800

33 20 (2) Woodbury county:

33 21 \$ 123,862

33 22 (3) Polk county:

33 23 \$ 193,057

33 24 (4) For continuation of a program in the third judicial
33 25 district:

33 26 \$ 66,950

33 27 (5) For continuation of a program in the eighth judicial
33 28 district:

33 29 \$ 66,950

33 30 b. For court-ordered services to support substance abuse
33 31 and related services provided to the juveniles participating
33 32 in the juvenile drug court programs listed in paragraph "a"
33 33 and the juveniles' families:

33 34 \$ 317,381

33 35 The state court administrator shall allocate the funding
34 1 designated in this paragraph among the programs.

34 2 17. Of the funds appropriated in this section, \$203,000 is
34 3 allocated to continue the multidimensional treatment level
34 4 foster care program established pursuant to 2006 Iowa Acts,
34 5 chapter 1123.

34 6 18. Of the funds appropriated in this section, \$236,900
34 7 shall be used for continuation of a grant to a nonprofit human
34 8 services organization providing services to individuals and
34 9 families in multiple locations in southwest Iowa and Nebraska
34 10 for support of a project providing immediate, sensitive
34 11 support and forensic interviews, medical exams, needs
34 12 assessments and referrals for victims of child abuse and their
34 13 nonoffending family members.

34 14 19. Of the funds appropriated in this section, \$120,000 is
34 15 allocated for expansion of the elevate approach of providing a
34 16 support network to children placed in foster care.

34 17 20. Of the funds appropriated in this section, \$300,000 is
34 18 allocated for implementation of sibling visitation provisions
34 19 for children subject to a court order for out-of-home
34 20 placement in accordance with 2007 Iowa Acts, Senate File 480,
34 21 if enacted.

34 22 21. Of the funds appropriated in this section, \$200,000 is
34 23 allocated for use pursuant to section 235A.1 for a new
34 24 initiative to address child sexual abuse.

34 25 Sec. 19. ADOPTION SUBSIDY.

34 26 1. There is appropriated from the general fund of the
34 27 state to the department of human services for the fiscal year
34 28 beginning July 1, 2007, and ending June 30, 2008, the
34 29 following amount, or so much thereof as is necessary, to be
34 30 used for the purpose designated:

34 31 For adoption subsidy payments and services:

34 32 \$ 31,972,681

34 33 2. The department may transfer funds appropriated in this

34 34 section to the appropriations in this Act for child and family

34 35 services to be used for adoptive family recruitment and other

35 1 services to achieve adoption.

35 2 3. Federal funds received by the state during the fiscal

35 3 year beginning July 1, 2007, as the result of the expenditure

35 4 of state funds during a previous state fiscal year for a

35 5 service or activity funded under this section, are

35 6 appropriated to the department to be used as additional

35 7 funding for the services and activities funded under this

35 8 section. Notwithstanding section 8.33, moneys received in

35 9 accordance with this subsection that remain unencumbered or

35 10 unobligated at the close of the fiscal year shall not revert

35 11 to any fund but shall remain available for expenditure for the

35 12 purposes designated until the close of the succeeding fiscal

35 13 year.

35 14 Sec. 20. JUVENILE DETENTION HOME FUND. Moneys deposited

35 15 in the juvenile detention home fund created in section 232.142

35 16 during the fiscal year beginning July 1, 2007, and ending June

35 17 30, 2008, are appropriated to the department of human services

35 18 for the fiscal year beginning July 1, 2007, and ending June

35 19 30, 2008, for distribution as follows:

35 20 1. An amount equal to 10 percent of the costs of the

35 21 establishment, improvement, operation, and maintenance of

35 22 county or multicounty juvenile detention homes in the fiscal

35 23 year beginning July 1, 2006. Moneys appropriated for

35 24 distribution in accordance with this subsection shall be

35 25 allocated among eligible detention homes, prorated on the

35 26 basis of an eligible detention home's proportion of the costs

35 27 of all eligible detention homes in the fiscal year beginning

35 28 July 1, 2006. Notwithstanding section 232.142, subsection 3,

35 29 the financial aid payable by the state under that provision

35 30 for the fiscal year beginning July 1, 2007, shall be limited

35 31 to the amount appropriated for the purposes of this

35 32 subsection.

35 33 2. For renewal of a grant to a county with a population

35 34 between 189,000 and 196,000 in the latest preceding certified

35 35 federal census for implementation of the county's runaway

36 1 treatment plan under section 232.195:

36 2 \$ 80,000

36 3 3. For continuation and expansion of the community

36 4 partnership for child protection sites:

36 5 \$ 418,000

36 6 4. For continuation of the department's minority youth and

36 7 family projects under the redesign of the child welfare

36 8 system:

36 9 \$ 375,000

36 10 5. For funding of the state match for the federal

36 11 substance abuse and mental health services administration

36 12 (SAMHSA) system of care grant:

36 13 \$ 400,000

36 14 6. For transfer to the appropriation made in this Act for

36 15 child and family services to supplement the statewide

36 16 expenditure target amount under section 232.143 designated in

36 17 the appropriation made in this Act for child and family

36 18 services:

36 19 \$ 1,324,000

36 20 7. For training of nonlicensed relatives caring for

36 21 children in the child welfare system:

36 22 \$ 276,000

36 23 8. The remainder for additional allocations to county or

36 24 multicounty juvenile detention homes, in accordance with the

36 25 distribution requirements of subsection 1.

36 26 Sec. 21. FAMILY SUPPORT SUBSIDY PROGRAM.

36 27 1. There is appropriated from the general fund of the

36 28 state to the department of human services for the fiscal year

36 29 beginning July 1, 2007, and ending June 30, 2008, the

36 30 following amount, or so much thereof as is necessary, to be

36 31 used for the purpose designated:

36 32 For the family support subsidy program:

36 33 \$ 1,936,434

36 34 2. The department shall use at least \$333,212 of the

36 35 moneys appropriated in this section for the family support

37 1 center component of the comprehensive family support program

37 2 under section 225C.47. Not more than \$20,000 of the amount

37 3 allocated in this subsection shall be used for administrative

37 4 costs.

37 5 Sec. 22. CONNER DECREE. There is appropriated from the

37 6 general fund of the state to the department of human services

37 7 for the fiscal year beginning July 1, 2007, and ending June

37 8 30, 2008, the following amount, or so much thereof as is
37 9 necessary, to be used for the purpose designated:

37 10 For building community capacity through the coordination
37 11 and provision of training opportunities in accordance with the
37 12 consent decree of Conner v. Branstad, No. 4=86=CV=30871(S.D.
37 13 Iowa, July 14, 1994):

37 14 \$ 42,623

37 15 Sec. 23. MENTAL HEALTH INSTITUTES. There is appropriated
37 16 from the general fund of the state to the department of human
37 17 services for the fiscal year beginning July 1, 2007, and
37 18 ending June 30, 2008, the following amounts, or so much
37 19 thereof as is necessary, to be used for the purposes
37 20 designated:

37 21 1. For the state mental health institute at Cherokee for
37 22 salaries, support, maintenance, and miscellaneous purposes and
37 23 for not more than the following full-time equivalent
37 24 positions:

37 25 \$ 5,273,361
37 26 FTEs 210.00

37 27 2. For the state mental health institute at Clarinda for
37 28 salaries, support, maintenance, and miscellaneous purposes and
37 29 for not more than the following full-time equivalent
37 30 positions:

37 31 \$ 6,409,501
37 32 FTEs 109.95

37 33 3. For the state mental health institute at Independence
37 34 for salaries, support, maintenance, and miscellaneous purposes
37 35 and for not more than the following full-time equivalent
38 1 positions:

38 2 \$ 9,358,177
38 3 FTEs 285.66

38 4 4. For the state mental health institute at Mount Pleasant
38 5 for salaries, support, maintenance, and miscellaneous purposes
38 6 and for not more than the following full-time equivalent
38 7 positions:

38 8 \$ 1,339,216
38 9 FTEs 115.84

38 10 Sec. 24. STATE RESOURCE CENTERS.

38 11 1. There is appropriated from the general fund of the
38 12 state to the department of human services for the fiscal year
38 13 beginning July 1, 2007, and ending June 30, 2008, the
38 14 following amounts, or so much thereof as is necessary, to be
38 15 used for the purposes designated:

38 16 a. For the state resource center at Glenwood for salaries,
38 17 support, maintenance, and miscellaneous purposes:

38 18 \$ 15,938,762

38 19 b. For the state resource center at Woodward for salaries,
38 20 support, maintenance, and miscellaneous purposes:

38 21 \$ 10,087,272

38 22 2. The department may continue to bill for state resource
38 23 center services utilizing a scope of services approach used
38 24 for private providers of ICFMR services, in a manner which
38 25 does not shift costs between the medical assistance program,
38 26 counties, or other sources of funding for the state resource
38 27 centers.

38 28 3. The state resource centers may expand the time-limited
38 29 assessment and respite services during the fiscal year.

38 30 4. If the department's administration and the department
38 31 of management concur with a finding by a state resource
38 32 center's superintendent that projected revenues can reasonably
38 33 be expected to pay the salary and support costs for a new
38 34 employee position, or that such costs for adding a particular
38 35 number of new positions for the fiscal year would be less than
39 1 the overtime costs if new positions would not be added, the
39 2 superintendent may add the new position or positions. If the
39 3 vacant positions available to a resource center do not include
39 4 the position classification desired to be filled, the state
39 5 resource center's superintendent may reclassify any vacant
39 6 position as necessary to fill the desired position. The
39 7 superintendents of the state resource centers may, by mutual
39 8 agreement, pool vacant positions and position classifications
39 9 during the course of the fiscal year in order to assist one
39 10 another in filling necessary positions.

39 11 5. If existing capacity limitations are reached in
39 12 operating units, a waiting list is in effect for a service or
39 13 a special need for which a payment source or other funding is
39 14 available for the service or to address the special need, and
39 15 facilities for the service or to address the special need can
39 16 be provided within the available payment source or other
39 17 funding, the superintendent of a state resource center may
39 18 authorize opening not more than two units or other facilities

39 19 and to begin implementing the service or addressing the
39 20 special need during fiscal year 2007=2008.

39 21 Sec. 25. MI/MR/DD STATE CASES.

39 22 1. There is appropriated from the general fund of the
39 23 state to the department of human services for the fiscal year
39 24 beginning July 1, 2007, and ending June 30, 2008, the
39 25 following amount, or so much thereof as is necessary, to be
39 26 used for the purpose designated:

39 27 For distribution to counties for state case services for
39 28 persons with mental illness, mental retardation, and
39 29 developmental disabilities in accordance with section 331.440:
39 30 \$ 11,067,178

39 31 2. For the fiscal year beginning July 1, 2007, and ending
39 32 June 30, 2008, \$200,000 is allocated for state case services
39 33 from the amounts appropriated from the fund created in section
39 34 8.41 to the department of human services from the funds
39 35 received from the federal government under 42 U.S.C., chapter
40 1 6A, subchapter XVII, relating to the community mental health
40 2 center block grant, for the federal fiscal years beginning
40 3 October 1, 2005, and ending September 30, 2006, beginning
40 4 October 1, 2006, and ending September 30, 2007, and beginning
40 5 October 1, 2007, and ending September 30, 2008. The
40 6 allocation made in this subsection shall be made prior to any
40 7 other distribution allocation of the appropriated federal
40 8 funds.

40 9 3. Notwithstanding section 8.33, moneys appropriated in
40 10 this section that remain unencumbered or unobligated at the
40 11 close of the fiscal year shall not revert but shall remain
40 12 available for expenditure for the purposes designated until
40 13 the close of the succeeding fiscal year.

40 14 Sec. 26. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES ==
40 15 COMMUNITY SERVICES FUND. There is appropriated from the
40 16 general fund of the state to the mental health and
40 17 developmental disabilities community services fund created in
40 18 section 225C.7 for the fiscal year beginning July 1, 2007, and
40 19 ending June 30, 2008, the following amount, or so much thereof
40 20 as is necessary, to be used for the purpose designated:

40 21 For mental health and developmental disabilities community
40 22 services in accordance with this division of this Act:
40 23 \$ 18,017,890

40 24 1. Of the funds appropriated in this section, \$17,727,890
40 25 shall be allocated to counties for funding of community-based
40 26 mental health and developmental disabilities services. The
40 27 moneys shall be allocated to a county as follows:

40 28 a. Fifty percent based upon the county's proportion of the
40 29 state's population of persons with an annual income which is
40 30 equal to or less than the poverty guideline established by the
40 31 federal office of management and budget.

40 32 b. Fifty percent based upon the county's proportion of the
40 33 state's general population.

40 34 2. a. A county shall utilize the funding the county
40 35 receives pursuant to subsection 1 for services provided to
41 1 persons with a disability, as defined in section 225C.2.
41 2 However, no more than 50 percent of the funding shall be used
41 3 for services provided to any one of the service populations.

41 4 b. A county shall use at least 50 percent of the funding
41 5 the county receives under subsection 1 for contemporary
41 6 services provided to persons with a disability, as described
41 7 in rules adopted by the department.

41 8 3. Of the funds appropriated in this section, \$30,000
41 9 shall be used to support the Iowa compass program providing
41 10 computerized information and referral services for Iowans with
41 11 disabilities and their families.

41 12 4. a. Funding appropriated for purposes of the federal
41 13 social services block grant is allocated for distribution to
41 14 counties for local purchase of services for persons with
41 15 mental illness or mental retardation or other developmental
41 16 disability.

41 17 b. The funds allocated in this subsection shall be
41 18 expended by counties in accordance with the county's approved
41 19 county management plan. A county without an approved county
41 20 management plan shall not receive allocated funds until the
41 21 county's management plan is approved.

41 22 c. The funds provided by this subsection shall be
41 23 allocated to each county as follows:

41 24 (1) Fifty percent based upon the county's proportion of
41 25 the state's population of persons with an annual income which
41 26 is equal to or less than the poverty guideline established by
41 27 the federal office of management and budget.

41 28 (2) Fifty percent based upon the amount provided to the
41 29 county for local purchase of services in the preceding fiscal

41 30 year.

41 31 5. A county is eligible for funds under this section if
41 32 the county qualifies for a state payment as described in
41 33 section 331.439.

41 34 6. Of the funds appropriated in this section, \$260,000 is
41 35 allocated to the department for continuing the development of
42 1 an assessment process for use beginning in a subsequent fiscal
42 2 year as authorized specifically by a statute to be enacted in
42 3 a subsequent fiscal year, determining on a consistent basis
42 4 the needs and capacities of persons seeking or receiving
42 5 mental health, mental retardation, developmental disabilities,
42 6 or brain injury services that are paid for in whole or in part
42 7 by the state or a county. The assessment process shall be
42 8 developed with the involvement of counties and the mental
42 9 health, mental retardation, developmental disabilities, and
42 10 brain injury commission.

42 11 7. The most recent population estimates issued by the
42 12 United States bureau of the census shall be applied for the
42 13 population factors utilized in this section.

42 14 Sec. 27. SEXUALLY VIOLENT PREDATORS.

42 15 1. There is appropriated from the general fund of the
42 16 state to the department of human services for the fiscal year
42 17 beginning July 1, 2007, and ending June 30, 2008, the
42 18 following amount, or so much thereof as is necessary, to be
42 19 used for the purpose designated:

42 20 For costs associated with the commitment and treatment of
42 21 sexually violent predators in the unit located at the state
42 22 mental health institute at Cherokee, including costs of legal
42 23 services and other associated costs, including salaries,
42 24 support, maintenance, and miscellaneous purposes and for not
42 25 more than the following full-time equivalent positions:

42 26 \$ 6,296,003
42 27 FTEs 96.66

42 28 2. Unless specifically prohibited by law, if the amount
42 29 charged provides for recoupment of at least the entire amount
42 30 of direct and indirect costs, the department of human services
42 31 may contract with other states to provide care and treatment
42 32 of persons placed by the other states at the unit for sexually
42 33 violent predators at Cherokee. The moneys received under such
42 34 a contract shall be considered to be repayment receipts and
42 35 used for the purposes of the appropriation made in this
43 1 section.

43 2 Sec. 28. FIELD OPERATIONS. There is appropriated from the
43 3 general fund of the state to the department of human services
43 4 for the fiscal year beginning July 1, 2007, and ending June
43 5 30, 2008, the following amount, or so much thereof as is
43 6 necessary, to be used for the purposes designated:

43 7 For field operations, including salaries, support,
43 8 maintenance, and miscellaneous purposes and for not more than
43 9 the following full-time equivalent positions:
43 10 \$ 63,768,895
43 11 FTEs 2,045.71

43 12 1. The amount appropriated in this section includes an
43 13 increase for additional full-time equivalent positions to
43 14 provide for additional child and family visits.

43 15 2. Priority in filling full-time equivalent positions
43 16 shall be given to those positions related to child protection
43 17 services.

43 18 3. The department shall utilize a request for proposals
43 19 process to select the location for a new customer service call
43 20 center.

43 21 Sec. 29. GENERAL ADMINISTRATION. There is appropriated
43 22 from the general fund of the state to the department of human
43 23 services for the fiscal year beginning July 1, 2007, and
43 24 ending June 30, 2008, the following amount, or so much thereof
43 25 as is necessary, to be used for the purpose designated:

43 26 For general administration, including salaries, support,
43 27 maintenance, and miscellaneous purposes and for not more than
43 28 the following full-time equivalent positions:
43 29 \$ 15,901,927
43 30 FTEs 329.90

43 31 1. Of the funds appropriated in this section, \$57,000 is
43 32 allocated for the prevention of disabilities policy council
43 33 established in section 225B.3.

43 34 2. Of the funds appropriated in this section, \$350,000 is
43 35 allocated as additional funding for the division of mental
44 1 health and disability services for planning, analysis, and
44 2 other costs associated with improvements to the mental health
44 3 services system.

44 4 Sec. 30. VOLUNTEERS. There is appropriated from the
44 5 general fund of the state to the department of human services

44 6 for the fiscal year beginning July 1, 2007, and ending June
44 7 30, 2008, the following amount, or so much thereof as is
44 8 necessary, to be used for the purpose designated:
44 9 For development and coordination of volunteer services:
44 10 \$ 109,568
44 11 Sec. 31. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
44 12 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
44 13 DEPARTMENT OF HUMAN SERVICES.
44 14 1. a. (1) For the fiscal year beginning July 1, 2007,
44 15 the total state funding amount for the nursing facility budget
44 16 shall not exceed \$184,117,323.
44 17 (2) For the fiscal year beginning July 1, 2007, the
44 18 department shall rebase case-mix nursing facility rates.
44 19 However, total nursing facility budget expenditures, including
44 20 both case-mix and noncase-mix shall not exceed the amount
44 21 specified in subparagraph (1). When calculating case-mix per
44 22 diem cost and the patient-day-weighted medians used in rate
44 23 setting for nursing facilities effective July 1, 2007, the
44 24 inflation factor applied from the midpoint of the cost report
44 25 period to the first day of the state fiscal year rate period
44 26 shall be adjusted to maintain state funding within the amount
44 27 specified in subparagraph (1). The department, in cooperation
44 28 with nursing facility representatives, shall review
44 29 projections for state funding expenditures for reimbursement
44 30 of nursing facilities on a quarterly basis and the department
44 31 shall determine if an adjustment to the medical assistance
44 32 reimbursement rate is necessary in order to provide
44 33 reimbursement within the state funding amount. Any temporary
44 34 enhanced federal financial participation that may become
44 35 available to the Iowa medical assistance program during the
45 1 fiscal year shall not be used in projecting the nursing
45 2 facility budget. Notwithstanding 2001 Iowa Acts, chapter 192,
45 3 section 4, subsection 2, paragraph "c", and subsection 3,
45 4 paragraph "a", subparagraph (2), if the state funding
45 5 expenditures for the nursing facility budget for the fiscal
45 6 year beginning July 1, 2007, are projected to exceed the
45 7 amount specified in subparagraph (1), the department shall
45 8 adjust the reimbursement for nursing facilities reimbursed
45 9 under the case-mix reimbursement system to maintain
45 10 expenditures of the nursing facility budget within the
45 11 specified amount.
45 12 b. (1) For the fiscal year beginning July 1, 2007, the
45 13 department shall reimburse pharmacy dispensing fees using a
45 14 single rate of \$4.52 per prescription, or the pharmacy's usual
45 15 and customary fee, whichever is lower.
45 16 (2) Beginning July 1, 2007, the department of human
45 17 services shall adopt rules, pursuant to chapter 17A, to
45 18 provide for the adjustment of the pharmacy dispensing fee to
45 19 compensate for any reduction in the drug product cost
45 20 reimbursement resulting from implementation of the average
45 21 manufacturer price reimbursement standards for multisource
45 22 generic drug products imposed pursuant to the federal Deficit
45 23 Reduction Act of 2005, Pub. L. No. 109-171. In implementing
45 24 the reimbursement, the department may adjust the reimbursement
45 25 amount as necessary to provide reimbursement within the state
45 26 funding appropriated for the fiscal year beginning July 1,
45 27 2007, and ending June 30, 2008, for this purpose. The
45 28 department shall submit a medical assistance state plan
45 29 amendment to the centers for Medicare and Medicaid services of
45 30 the United States department of health and human services as
45 31 necessary to implement this subparagraph (2).
45 32 c. (1) For the fiscal year beginning July 1, 2007,
45 33 reimbursement rates for inpatient and outpatient hospital
45 34 services shall remain at the rates in effect on June 30, 2007.
45 35 The department shall continue the outpatient hospital
46 1 reimbursement system based upon ambulatory patient groups
46 2 implemented pursuant to 1994 Iowa Acts, chapter 1186, section
46 3 25, subsection 1, paragraph "f", unless the department adopts
46 4 the Medicare ambulatory payment classification methodology
46 5 authorized in subparagraph (2).
46 6 (2) The department may implement the Medicare ambulatory
46 7 payment classification methodology for reimbursement of
46 8 outpatient hospital services. Any change in hospital
46 9 reimbursement shall be budget neutral.
46 10 (3) In order to ensure the efficient use of limited state
46 11 funds in procuring health care services for low-income Iowans,
46 12 funds appropriated in this Act for hospital services shall not
46 13 be used for activities which would be excluded from a
46 14 determination of reasonable costs under the federal Medicare
46 15 program pursuant to 42 U.S.C. } 1395X(v)(1)(N).
46 16 d. For the fiscal year beginning July 1, 2007,

46 17 reimbursement rates for rural health clinics, hospices,
46 18 independent laboratories, and acute mental hospitals shall be
46 19 increased in accordance with increases under the federal
46 20 Medicare program or as supported by their Medicare audited
46 21 costs.

46 22 e. (1) For the fiscal year beginning July 1, 2007,
46 23 reimbursement rates for home health agencies shall remain at
46 24 the rates in effect on June 30, 2007, not to exceed a home
46 25 health agency's actual allowable cost.

46 26 (2) The department shall establish a fixed-fee
46 27 reimbursement schedule for home health agencies under the
46 28 medical assistance program beginning July 1, 2007.

46 29 f. For the fiscal year beginning July 1, 2007, federally
46 30 qualified health centers shall receive cost-based
46 31 reimbursement for 100 percent of the reasonable costs for the
46 32 provision of services to recipients of medical assistance.

46 33 g. For the fiscal year beginning July 1, 2007, the
46 34 reimbursement rates for dental services shall remain at the
46 35 rates in effect on June 30, 2007.

47 1 h. For the fiscal year beginning July 1, 2007, the maximum
47 2 reimbursement rate for psychiatric medical institutions for
47 3 children shall be \$160.71 per day.

47 4 i. For the fiscal year beginning July 1, 2007, unless
47 5 otherwise specified in this Act, all noninstitutional medical
47 6 assistance provider reimbursement rates shall remain at the
47 7 rates in effect on June 30, 2007, except for area education
47 8 agencies, local education agencies, infant and toddler
47 9 services providers, and those providers whose rates are
47 10 required to be determined pursuant to section 249A.20.

47 11 j. Notwithstanding section 249A.20, for the fiscal year
47 12 beginning July 1, 2007, the average reimbursement rate for
47 13 health care providers eligible for use of the federal Medicare
47 14 resource-based relative value scale reimbursement methodology
47 15 under that section shall remain at the rate in effect on June
47 16 30, 2007; however, this rate shall not exceed the maximum
47 17 level authorized by the federal government.

47 18 k. For the fiscal year beginning July 1, 2007, the
47 19 reimbursement rate for residential care facilities shall not
47 20 be less than the minimum payment level as established by the
47 21 federal government to meet the federally mandated maintenance
47 22 of effort requirement. The flat reimbursement rate for
47 23 facilities electing not to file semiannual cost reports shall
47 24 not be less than the minimum payment level as established by
47 25 the federal government to meet the federally mandated
47 26 maintenance of effort requirement.

47 27 1. For the fiscal year beginning July 1, 2007, inpatient
47 28 mental health services provided at hospitals shall be
47 29 reimbursed at the cost of the services, subject to Medicaid
47 30 program upper payment limit rules, community mental health
47 31 centers and providers of mental health services to county
47 32 residents pursuant to a waiver approved under section 225C.7,
47 33 subsection 3, shall be reimbursed at 100 percent of the
47 34 reasonable costs for the provision of services to recipients
47 35 of medical assistance, and psychiatrists shall be reimbursed
48 1 at the medical assistance program fee for service rate.

48 2 2. For the fiscal year beginning July 1, 2007, the
48 3 reimbursement rate for providers reimbursed under the in-
48 4 home-related care program shall not be less than the minimum
48 5 payment level as established by the federal government to meet
48 6 the federally mandated maintenance of effort requirement.

48 7 3. Unless otherwise directed in this section, when the
48 8 department's reimbursement methodology for any provider
48 9 reimbursed in accordance with this section includes an
48 10 inflation factor, this factor shall not exceed the amount by
48 11 which the consumer price index for all urban consumers
48 12 increased during the calendar year ending December 31, 2002.

48 13 4. For the fiscal year beginning July 1, 2007, the foster
48 14 family basic daily maintenance rate paid in accordance with
48 15 section 234.38, the maximum adoption subsidy rate, and the
48 16 maximum supervised apartment living foster care rate for
48 17 children ages 0 through 5 years shall be \$15.89, the rate for
48 18 children ages 6 through 11 years shall be \$16.54, the rate for
48 19 children ages 12 through 15 years shall be \$18.16, and the
48 20 rate for children ages 16 and older shall be \$18.37.

48 21 5. For the fiscal year beginning July 1, 2007, the maximum
48 22 reimbursement rates for social services providers reimbursed
48 23 under a purchase of social services contract shall be
48 24 increased by 3 percent over the rates in effect on June 30,
48 25 2007, or to the provider's actual and allowable cost plus
48 26 inflation for each service, whichever is less. The rates may
48 27 also be adjusted under any of the following circumstances:

48 28 a. If a new service was added after June 30, 2007, the
48 29 initial reimbursement rate for the service shall be based upon
48 30 actual and allowable costs.

48 31 b. If a social service provider loses a source of income
48 32 used to determine the reimbursement rate for the provider, the
48 33 provider's reimbursement rate may be adjusted to reflect the
48 34 loss of income, provided that the lost income was used to
48 35 support actual and allowable costs of a service purchased
49 1 under a purchase of service contract.

49 2 6. For the fiscal year beginning July 1, 2007, the
49 3 reimbursement rates for family-centered service providers,
49 4 family foster care service providers, group foster care
49 5 service providers, and the resource family recruitment and
49 6 retention contractor shall be increased by 3 percent over the
49 7 rates in effect on June 30, 2007.

49 8 7. The group foster care reimbursement rates paid for
49 9 placement of children out of state shall be calculated
49 10 according to the same rate-setting principles as those used
49 11 for in-state providers unless the director of human services
49 12 or the director's designee determines that appropriate care
49 13 cannot be provided within the state. The payment of the daily
49 14 rate shall be based on the number of days in the calendar
49 15 month in which service is provided.

49 16 8. For the fiscal year beginning July 1, 2007, the
49 17 reimbursement rates for remedial service providers shall
49 18 remain at the rates in effect for June 30, 2007.

49 19 9. a. For the fiscal year beginning July 1, 2007, the
49 20 combined service and maintenance components of the
49 21 reimbursement rate paid for shelter care services purchased
49 22 under a contract shall be based on the financial and
49 23 statistical report submitted to the department. The maximum
49 24 reimbursement rate shall be \$91.45 per day. The department
49 25 shall reimburse a shelter care provider at the provider's
49 26 actual and allowable unit cost, plus inflation, not to exceed
49 27 the maximum reimbursement rate.

49 28 b. Notwithstanding section 232.141, subsection 8, for the
49 29 fiscal year beginning July 1, 2007, the amount of the
49 30 statewide average of the actual and allowable rates for
49 31 reimbursement of juvenile shelter care homes that is utilized
49 32 for the limitation on recovery of unpaid costs shall be
49 33 increased by \$2.66 over the amount in effect for this purpose
49 34 in the preceding fiscal year.

49 35 10. For the fiscal year beginning July 1, 2007, the
50 1 department shall calculate reimbursement rates for
50 2 intermediate care facilities for persons with mental
50 3 retardation at the 80th percentile.

50 4 11. For the fiscal year beginning July 1, 2007, for child
50 5 care providers reimbursed under the state child care
50 6 assistance program, the department shall set provider
50 7 reimbursement rates based on the rate reimbursement survey
50 8 completed in December 2004. The department shall set rates in
50 9 a manner so as to provide incentives for a nonregistered
50 10 provider to become registered.

50 11 12. For the fiscal year beginning July 1, 2007,
50 12 reimbursements for providers reimbursed by the department of
50 13 human services may be modified if appropriated funding is
50 14 allocated for that purpose from the senior living trust fund
50 15 created in section 249H.4, or as specified in appropriations
50 16 from the healthy Iowans tobacco trust created in section
50 17 12.65.

50 18 13. The department may adopt emergency rules to implement
50 19 this section.

50 20 Sec. 32. MEDICAL ASSISTANCE == NURSING FACILITY
50 21 REIMBURSEMENT. There is appropriated from the general fund of
50 22 the state to the department of human services for the fiscal
50 23 year beginning July 1, 2006, and ending June 30, 2007, the
50 24 following amount, or so much thereof as is necessary, to be
50 25 used for the purposes designated:

50 26 For the purpose of funding total nursing facility budget
50 27 expenditures under the medical assistance program including
50 28 rebasing of the case-mix nursing facility rates and
50 29 non-case-mix nursing facility-related expenditures as provided
50 30 in this Act, for expenditure after June 30, 2007:
50 31 \$ 10,400,000

50 32 Notwithstanding section 8.33, moneys appropriated in this
50 33 section that remain unencumbered or unobligated at the close
50 34 of the fiscal year shall not revert but shall remain available
50 35 for expenditure for the purpose designated until the close of
51 1 the succeeding fiscal year.

51 2 Sec. 33. CHILD SUPPORT COLLECTIONS FEE. The department of
51 3 human services may adopt emergency rules to implement the

51 4 provisions of section 252B.5, subsection 12, as enacted by
51 5 this Act, during the fiscal year beginning July 1, 2007.
51 6 Sec. 34. EMERGENCY RULES. If specifically authorized by a
51 7 provision of this division of this Act, the department of
51 8 human services or the mental health, mental retardation,
51 9 developmental disabilities, and brain injury commission may
51 10 adopt administrative rules under section 17A.4, subsection 2,
51 11 and section 17A.5, subsection 2, paragraph "b", to implement
51 12 the provisions and the rules shall become effective
51 13 immediately upon filing or on a later effective date specified
51 14 in the rules, unless the effective date is delayed by the
51 15 administrative rules review committee. Any rules adopted in
51 16 accordance with this section shall not take effect before the
51 17 rules are reviewed by the administrative rules review
51 18 committee. The delay authority provided to the administrative
51 19 rules review committee under section 17A.4, subsection 5, and
51 20 section 17A.8, subsection 9, shall be applicable to a delay
51 21 imposed under this section, notwithstanding a provision in
51 22 those sections making them inapplicable to section 17A.5,
51 23 subsection 2, paragraph "b". Any rules adopted in accordance
51 24 with the provisions of this section shall also be published as
51 25 notice of intended action as provided in section 17A.4.

51 26 Sec. 35. REPORTS. Any reports or information required to
51 27 be compiled and submitted under this Act shall be submitted to
51 28 the chairpersons and ranking members of the joint
51 29 appropriations subcommittee on health and human services, the
51 30 legislative services agency, and the legislative caucus staffs
51 31 on or before the dates specified for submission of the reports
51 32 or information.

51 33 Sec. 36. NEW SECTION. 239B.11A TRANSITIONAL BENEFITS.

51 34 The department shall provide a transitional benefits
51 35 payment of one hundred dollars per month for up to three
52 1 months to families with members who are employed at the time
52 2 the family leaves the family investment program. Provision of
52 3 the transitional benefits payment is subject to the
52 4 availability of funding for the payment. The department shall
52 5 adopt administrative rules for the transitional benefits.

52 6 Sec. 37. Section 239B.17, subsection 1, Code 2007, is
52 7 amended to read as follows:

52 8 1. PROGRAM ESTABLISHED. The promoting independence and
52 9 self-sufficiency through employment job opportunities and
52 10 basic skills program is established for applicants and
52 11 participants of the family investment program. The
52 12 requirements of the JOBS program shall vary as provided in the
52 13 family investment agreement applicable to a family. The
52 14 department of workforce development, department of economic
52 15 development, department of education, and all other state,
52 16 county, and public educational agencies and institutions
52 17 providing vocational rehabilitation, adult education, or
52 18 vocational or technical training shall assist and cooperate in
52 19 the JOBS program. The departments, agencies, and institutions
52 20 shall make agreements and arrangements for maximum cooperation
52 21 and use of all available resources in the program. ~~By mutual~~
52 22 ~~agreement the~~ The department of human services may delegate
52 23 ~~any of the department of human services' powers and duties~~
52 24 ~~under this chapter to contract with the department of~~
52 25 ~~workforce development, or to the department of economic~~
52 26 ~~development, or another appropriate entity to provide JOBS~~
52 27 ~~program services.~~

52 28 Sec. 38. Section 249A.3, subsection 2, paragraphs i, j,
52 29 and k, Code 2007, are amended to read as follows:

52 30 i. ~~Individuals and families who would be eligible under~~
52 31 ~~subsection 1 or 2 of this section except for excess income or~~
52 32 ~~resources, or a reasonable category of those individuals and~~
52 33 ~~families. As allowed under 42 U.S.C. }~~
52 34 1396a(a)(10)(A)(ii)(XVII), individuals under twenty-one years
52 35 of age who were in foster care under the responsibility of the
53 1 state on the individual's eighteenth birthday, and whose
53 2 income is less than two hundred percent of the most recently
53 3 revised official poverty guidelines published by the United
53 4 States department of health and human services. Medical
53 5 assistance may be provided for an individual described by this
53 6 paragraph regardless of the individual's resources.
53 7 j. ~~Individuals who have attained the age of twenty-one but~~
53 8 ~~have not yet attained the age of sixty-five who qualify on a~~
53 9 ~~financial basis for, but who are otherwise ineligible to~~
53 10 ~~receive, federal supplemental security income or assistance~~
53 11 ~~under the family investment program. Women eligible for~~
53 12 ~~family planning services under a federally approved~~
53 13 ~~demonstration waiver.~~

53 14 k. ~~As allowed under 42 U.S.C. }~~ 1396a(a)(10)(A)(ii)(XVII),

~~53 15 individuals under twenty-one years of age who were in foster
53 16 care under the responsibility of the state on the individual's
53 17 eighteenth birthday, and whose income is less than two hundred
53 18 percent of the most recently revised official poverty
53 19 guidelines published by the United States department of health
53 20 and human services. Medical assistance may be provided for an
53 21 individual described by this paragraph regardless of the
53 22 individual's resources. Individuals and families who would be
53 23 eligible under subsection 1 or 2 of this section except for
53 24 excess income or resources, or a reasonable category of those
53 25 individuals and families.~~

53 26 Sec. 39. Section 249A.3, subsection 2, Code 2007, is
53 27 amended by adding the following new paragraph:

53 28 NEW PARAGRAPH. 1. Individuals who have attained the age
53 29 of twenty-one but have not yet attained the age of sixty-five
53 30 who qualify on a financial basis for, but who are otherwise
53 31 ineligible to receive, federal supplemental security income or
53 32 assistance under the family investment program.

53 33 Sec. 40. Section 249A.3, subsections 4, 5A, and 5B, Code
53 34 2007, are amended to read as follows:

53 35 4. Discretionary medical assistance, within the limits of
54 1 available funds and in accordance with section 249A.4,
54 2 subsection 1, may be provided to or on behalf of those
54 3 individuals and families described in subsection 2, paragraph
54 4 ~~"i"~~ "k" of this section.

54 5 5A. In determining eligibility for children under
54 6 subsection 1, paragraphs "b", "f", "g", "j", "k", "n", and
54 7 "s"; subsection 2, paragraphs "c", "e", "f", "h", and ~~"i"~~ "k";
54 8 and subsection 5, paragraph "b", all resources of the family,
54 9 other than monthly income, shall be disregarded.

54 10 5B. In determining eligibility for adults under subsection
54 11 1, paragraphs "b", "e", "h", "j", "k", "n", "s", and "t";
54 12 subsection 2, paragraphs "d", "e", "h", ~~"i"~~ "k", and ~~"j"~~ "l";
54 13 and subsection 5, paragraph "b", one motor vehicle per
54 14 household shall be disregarded.

54 15 Sec. 41. Section 249A.30A, Code 2007, is amended to read
54 16 as follows:

54 17 249A.30A MEDICAL ASSISTANCE == PERSONAL NEEDS ALLOWANCE.

54 18 The personal needs allowance under the medical assistance
54 19 program, which may be retained by a resident of a nursing
54 20 facility, an intermediate care facility for persons with
54 21 mental retardation, or an intermediate care facility for

54 22 persons with mental illness, as defined in section 135C.1, or
54 23 who is a resident of a psychiatric medical institution for

54 24 children as defined in section 135H.1, shall be fifty dollars
54 25 per month. A resident who has income of less than fifty

54 26 dollars per month shall receive a supplement from the state in
54 27 the amount necessary to receive a personal needs allowance of

54 28 fifty dollars per month, if funding is specifically
54 29 appropriated for this purpose.

54 30 Sec. 42. Section 252B.5, Code 2007, is amended by adding
54 31 the following new subsection:

54 32 NEW SUBSECTION. 12. a. Beginning October 1, 2007,
54 33 implement the provision of the federal Deficit Reduction Act
54 34 of 2005, Pub. L. No. 109-171 } 7310, requiring an annual
54 35 collections fee of twenty-five dollars in child support cases
55 1 in which the family has never received assistance under Title
55 2 IV=A of the federal Social Security Act for whom the unit has
55 3 collected at least five hundred dollars. After the first five
55 4 hundred dollars in support is collected in each year for a
55 5 family, the fee shall be collected from the obligor by
55 6 retaining twenty five dollars from subsequent collections. If
55 7 five hundred dollars but less than five hundred twenty-five
55 8 dollars is collected in any year, any unpaid portion of the
55 9 annual fee shall not accumulate and is not due. Any amount
55 10 retained to pay the twenty-five dollar fee shall not reduce
55 11 the amount of support due under the support order. The unit
55 12 shall send information regarding the requirements of this
55 13 subsection by regular mail to the last known address of an
55 14 affected obligor or obligee, or may include the information
55 15 for an obligee in an application for services signed by the
55 16 obligee. In addition, the unit shall take steps necessary
55 17 regarding the fee to qualify for federal funds in conformity
55 18 with the provisions of Title IV=D of the federal Social
55 19 Security Act, including receiving and accounting for fee
55 20 payments, as appropriate, through the collection services
55 21 center created in section 252B.13A.

55 22 b. Fees collected pursuant to this subsection shall be
55 23 considered repayment receipts as defined in section 8.2, and
55 24 shall be used for the purposes of the unit. The director
55 25 shall maintain an accurate record of the fees collected and

55 26 expended under this subsection.
55 27 c. If any requirement in paragraph "a" for implementation
55 28 of the annual fee does not conform to federal law, the fee
55 29 shall instead be implemented in conformance with federal law.
55 30 Additionally, if federal law does not permit collection of the
55 31 annual fee from the obligor as provided in paragraph "a", the
55 32 fee shall be collected from the obligee by retaining a
55 33 twenty-five dollar fee from support paid by the obligor.

55 34 Sec. 43. 2006 Iowa Acts, chapter 1123, section 1,
55 35 subsections 3 and 4, are amended to read as follows:

56 1 3. ELIGIBILITY. A child is eligible for the treatment
56 2 program if at the time of discharge from a psychiatric
56 3 institution the child is unable to return to the child's
56 4 family home or participation in the treatment program may
56 5 eliminate or limit the need for placement in a psychiatric
56 6 institution, and one of the following conditions is
56 7 applicable:

56 8 a. The child has treatment issues which cause the child to
56 9 be at high risk of failing in a foster care placement unless
56 10 targeted support services are provided.

56 11 b. The child has had multiple previous out-of-home
56 12 placements.

56 13 4. ELIGIBILITY DETERMINATION. Children who are
56 14 potentially eligible for a treatment program shall be
56 15 identified by the administrator of a treatment program prior
56 16 to or at the time of the child's admission to a psychiatric
56 17 institution. In order to be admitted to the treatment
56 18 program, the treatment program administrator must determine
56 19 the child has a need that can be met by the program, the child
56 20 can be placed with an appropriate family foster care provider,
56 21 and appropriate services to support the child are available in
56 22 the family foster care placement. The determination shall be
56 23 made in coordination with the child's family, department
56 24 staff, and other persons involved with decision making for the
56 25 child's out-of-home placement.

56 26 Sec. 44. 2006 Iowa Acts, chapter 1123, section 1, is
56 27 amended by adding the following new subsection:

56 28 NEW SUBSECTION. 5A. OTHER PROVISIONS.

56 29 a. The pilot project provisions shall allow children who
56 30 are voluntarily placed in a psychiatric institution to
56 31 participate in the pilot project.

56 32 b. The pilot project shall allow exceptions to allow more
56 33 than two children to be placed in a pilot project home if
56 34 deemed appropriate in order to keep siblings together or for
56 35 other good cause.

57 1 Sec. 45. 2006 Iowa Acts, chapter 1184, section 2,
57 2 subsection 1, is amended to read as follows:

57 3 1. ADDICTIVE DISORDERS

57 4 For reducing the prevalence of use of tobacco, alcohol, and
57 5 other drugs, and treating individuals affected by addictive
57 6 behaviors, including gambling, and for not more than the
57 7 following full-time equivalent positions:

57 8 \$ ~~1,761,036~~
57 9 2,443,036
57 10 FTEs 4.35

57 11 The department and any grantee or subgrantee of the
57 12 department shall not discriminate against a nongovernmental
57 13 organization that provides substance abuse treatment and
57 14 prevention services or applies for funding to provide those
57 15 services on the basis that the organization has a religious
57 16 character.

57 17 Of the ~~moneys~~ funds appropriated in this subsection,
57 18 \$30,310 shall be used to continue to provide funding to local
57 19 communities that have previously received funding from the
57 20 centers for disease control and prevention of the United
57 21 States department of health and human services for secondhand
57 22 smoke education initiatives.

57 23 Of the funds appropriated in this subsection, \$500,000
57 24 shall be used as additional funding for tobacco cessation
57 25 direct services and \$182,000 shall be used for other tobacco
57 26 use prevention, cessation, and treatment activities pursuant
57 27 to chapter 142A.

57 28 Notwithstanding section 8.33, moneys appropriated in this
57 29 subsection that remain unencumbered or unobligated at the
57 30 close of the fiscal year shall not revert but shall remain
57 31 available for expenditure in the succeeding fiscal year.

57 32 Sec. 46. 2006 Iowa Acts, chapter 1184, section 5,
57 33 subsection 2, is amended by adding the following new
57 34 unnumbered paragraph:

57 35 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33 and
58 1 section 35D.18, subsection 5, moneys appropriated in this

58 2 subsection that remain unencumbered or unobligated at the
58 3 close of the fiscal year shall not revert but shall remain
58 4 available for expenditure in succeeding fiscal years. Of the
58 5 amount remaining available for expenditure under this
58 6 paragraph, the first \$1,000,000 shall be used for Iowa
58 7 veterans home operations in the immediately succeeding fiscal
58 8 year, and the balance shall be transferred to the
58 9 appropriation made in 2006 Iowa Acts, chapter 1179, section
58 10 16, subsection 12, for the fiscal year beginning July 1, 2006,
58 11 to be used for purposes of capital improvements, renovations,
58 12 or new construction at the Iowa veterans home.
58 13 Sec. 47. 2006 Iowa Acts, chapter 1184, section 6,
58 14 subsection 7, is amended to read as follows:
58 15 7. For state child care assistance:
58 16 \$ ~~15,756,560~~
58 17 16,756,560

58 18 a. Of the funds appropriated in this subsection, \$200,000
58 19 shall be used for provision of educational opportunities to
58 20 registered child care home providers in order to improve
58 21 services and programs offered by this category of providers
58 22 and to increase the number of providers. The department may
58 23 contract with institutions of higher education or child care
58 24 resource and referral centers to provide the educational
58 25 opportunities. Allowable administrative costs under the
58 26 contracts shall not exceed 5 percent. The application for a
58 27 grant shall not exceed two pages in length.
58 28 b. The funds appropriated in this subsection shall be
58 29 transferred to the child care and development block grant
58 30 appropriation.

58 31 Notwithstanding section 8.33, moneys appropriated in this
58 32 subsection that remain unencumbered or unobligated at the
58 33 close of the fiscal year shall not revert but shall remain
58 34 available for expenditure for the purposes designated until
58 35 the close of the succeeding fiscal year.

59 1 Sec. 48. 2006 Iowa Acts, chapter 1184, section 7,
59 2 subsection 5, is amended to read as follows:
59 3 5. Of the child support collections assigned under FIP, an
59 4 amount equal to the federal share of support collections shall
59 5 be credited to the child support recovery appropriation. Of
59 6 the remainder of the assigned child support collections
59 7 received by the child support recovery unit, a portion shall
59 8 be credited to the FIP account and a portion may be used to
59 9 increase recoveries. If child support collections assigned
59 10 under FIP are greater than estimated or are otherwise
59 11 determined not to be required for maintenance of effort, the
59 12 state share of ~~that greater portion either amount~~ may be
59 13 transferred to or retained in the child support payments
59 14 account.

59 15 Sec. 49. 2006 Iowa Acts, chapter 1184, section 9, is
59 16 amended by adding the following new subsection:
59 17 NEW SUBSECTION. 3. Notwithstanding section 8.33, moneys
59 18 appropriated in this section that remain unencumbered or
59 19 unobligated at the close of the fiscal year shall not revert
59 20 but shall remain available for expenditure for the purposes
59 21 designated until the close of the succeeding fiscal year.

59 22 Sec. 50. 2006 Iowa Acts, chapter 1184, section 10,
59 23 unnumbered paragraph 2, is amended to read as follows:
59 24 For medical assistance reimbursement and associated costs
59 25 as specifically provided in the reimbursement methodologies in
59 26 effect on June 30, 2006, except as otherwise expressly
59 27 authorized by law, including reimbursement for abortion
59 28 services, which shall be available under the medical
59 29 assistance program only for those abortions which are
59 30 medically necessary:
59 31 \$ ~~652,311,610~~
59 32 664,311,610

59 33 Sec. 51. 2006 Iowa Acts, chapter 1184, section 13, is
59 34 amended by adding the following new subsection:
59 35 NEW SUBSECTION. 4. Notwithstanding section 8.33, up to
60 1 \$1,100,000 of the moneys appropriated in this section that
60 2 remain unencumbered or unobligated at the close of the fiscal
60 3 year shall not revert but shall remain available for
60 4 expenditure for the purposes designated until the close of the
60 5 succeeding fiscal year.

60 6 Sec. 52. 2006 Iowa Acts, chapter 1184, section 15, is
60 7 amended by adding the following new subsection:
60 8 NEW SUBSECTION. 8. Notwithstanding section 8.33, moneys
60 9 appropriated in this section that remain unencumbered or
60 10 unobligated at the close of the fiscal year shall not revert
60 11 to any fund but shall remain available for expenditure for the
60 12 purposes designated until the close of the succeeding fiscal

60 13 year.

60 14 Sec. 53. 2006 Iowa Acts, chapter 1184, section 17,
60 15 subsection 16, is amended by adding the following new
60 16 unnumbered paragraph:

60 17 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
60 18 moneys appropriated in this subsection that remain
60 19 unencumbered or unobligated at the close of the fiscal year
60 20 shall not revert but shall remain available for expenditure
60 21 for the purposes designated until the close of the succeeding
60 22 fiscal year.

60 23 Sec. 54. 2006 Iowa Acts, chapter 1184, section 18, is
60 24 amended by adding the following new subsection:

60 25 NEW SUBSECTION. 4. Notwithstanding section 8.33, up to
60 26 \$2,000,000 of the moneys appropriated in this section that
60 27 remain unencumbered or unobligated at the close of the fiscal
60 28 year shall not revert but shall remain available for
60 29 expenditure for the purposes designated until the close of the
60 30 succeeding fiscal year.

60 31 Sec. 55. 2006 Iowa Acts, chapter 1184, section 23, is
60 32 amended by adding the following new subsection:

60 33 NEW SUBSECTION. 7. a. Notwithstanding sections 8.33 and
60 34 222.92, of the revenues available to the state resource
60 35 centers that remain unencumbered or unobligated at the close
61 1 of the fiscal year, the indicated amounts shall not revert but
61 2 shall remain available for expenditure for the purposes
61 3 designated until the close of the succeeding fiscal year:

61 4 (1) For the state resource center at Glenwood, \$1,000,000.

61 5 (2) For the state resource center at Woodward, \$1,000,000.

61 6 b. Of the amounts designated in paragraph "a", the amounts
61 7 above \$750,000 at each resource center shall be used to
61 8 continue the procurement and installation of the electronic
61 9 medical records system initiated in the fiscal year beginning
61 10 July 1, 2005.

61 11 Sec. 56. 2006 Iowa Acts, chapter 1184, section 24, is
61 12 amended by adding the following new subsection:

61 13 NEW SUBSECTION. 3. Notwithstanding section 8.33, moneys
61 14 appropriated in this section that remain unencumbered or
61 15 unobligated at the close of the fiscal year shall not revert
61 16 but shall remain available for expenditure for the purposes
61 17 designated until the close of the succeeding fiscal year.

61 18 Sec. 57. 2006 Iowa Acts, chapter 1184, section 27, is
61 19 amended by adding the following new unnumbered paragraph:

61 20 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33, up
61 21 to \$1,850,000 of the moneys appropriated in this section that
61 22 remain unencumbered or unobligated at the close of the fiscal
61 23 year shall not revert but shall remain available for
61 24 expenditure until the close of the succeeding fiscal year. Of
61 25 this amount, \$350,000 shall be used to supplement other
61 26 funding to reduce the waiting list for the children's mental
61 27 health home and community-based services waiver.

61 28 Sec. 58. 2006 Iowa Acts, chapter 1184, section 28, is
61 29 amended by adding the following new subsection:

61 30 NEW SUBSECTION. 4. Notwithstanding section 8.33, federal
61 31 food stamp assistance award funds the department receives
61 32 during the fiscal year beginning July 1, 2006, that remain
61 33 unencumbered or unobligated at the close of the fiscal year,
61 34 shall not revert to any other fund but shall remain available
61 35 for expenditure to continue projects to increase access,
62 1 assure accuracy, avoid federal error rate sanctions, and
62 2 improve customer service, until the close of the succeeding
62 3 fiscal year. In addition, of the moneys appropriated in this
62 4 section that remain unencumbered or unobligated at the close
62 5 of the fiscal year, \$250,000 shall be credited to the risk
62 6 pool in the property tax relief fund.

62 7 Sec. 59. 2006 Iowa Acts, chapter 1184, section 60,
62 8 subsection 4, unnumbered paragraph 3, if enacted by 2007 Iowa
62 9 Acts, Senate File 403, section 12, is amended to read as
62 10 follows:

62 11 The amount appropriated in this subsection shall be
62 12 distributed only if ~~federal funds are available to match the~~
~~62 13 amount appropriated and expenses are incurred to serve the~~
62 14 IowaCare expansion population expansion population claims
62 15 adjudicated and paid by the Iowa Medicaid enterprise exceed
62 16 the appropriation to the state board of regents for
62 17 distribution to the university of Iowa hospitals and clinics
62 18 provided in subsection 1. The amount appropriated in this
62 19 subsection shall be distributed monthly for expansion
62 20 population claims adjudicated and approved for payment by the
62 21 Iowa Medicaid enterprise using medical assistance program
62 22 reimbursement rates.

62 23 Sec. 60. 2006 Iowa Acts, chapter 1184, section 124, is

62 24 amended to read as follows:

62 25 SEC. 124. VETERANS TRUST FUND == FEDERAL REPLACEMENT
62 26 FUNDS. If funds are received from the United States

62 27 department of veterans affairs for the establishment and
62 28 operation of a veterans cemetery in this state, a portion of
62 29 those funds, not to exceed \$500,000, shall be credited to the
62 30 general fund of the state, and the remainder is appropriated

62 31 to and shall be deposited in the veterans trust fund
62 32 established in section 35A.13, subject to the requirements of
62 33 this section and consistent with any federal requirements
62 34 associated with such funds. The portion deposited in the
62 35 veterans trust fund shall be at least equal to moneys expended
63 1 for the establishment and operation of a veterans cemetery
63 2 from moneys appropriated for that purpose pursuant to 2004
63 3 Iowa Acts, chapter 1175, section 288, subsection 16.

63 4 Sec. 61. 2006 Iowa Acts, chapter 1185, section 34, is
63 5 amended by adding the following new unnumbered paragraph:

63 6 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
63 7 the moneys appropriated in this section for the county grant
63 8 program for veterans that remain unencumbered or unobligated
63 9 at the close of the fiscal year shall not revert but shall
63 10 remain available for expenditure for the purposes designated
63 11 until the close of the succeeding fiscal year. Of the amount
63 12 addressed in this paragraph, not more than \$150,000 shall be
63 13 used to employ persons to fill two administrative full-time
63 14 equivalent positions in the department of veterans affairs in
63 15 addition to the number of positions authorized for the
63 16 department. If one or both of the two positions are not
63 17 employed by October 1, 2007, the unused funding shall be
63 18 credited to the veterans trust fund on October 2, 2007.
63 19 Otherwise, any remainder from the amount addressed in this
63 20 paragraph that remains unencumbered or unobligated at the
63 21 close of the fiscal year shall not be credited to the fund
63 22 from which appropriated but shall be credited to the veterans
63 23 trust fund.

63 24 Sec. 62. EFFECTIVE DATES. The following provisions of
63 25 this division of this Act, being deemed of immediate
63 26 importance, take effect upon enactment:

63 27 1. The provision under the appropriation for child and
63 28 family services, relating to requirements of section 232.143
63 29 for representatives of the department of human services and
63 30 juvenile court services to establish a plan for continuing
63 31 group foster care expenditures for the 2007=2008 fiscal year.

63 32 2. The provision making the appropriation from the general
63 33 fund of the state for the fiscal year beginning July 1, 2006,
63 34 and ending June 30, 2007, for the purpose of funding total
63 35 nursing facility budget expenditures including rebasing of the
64 1 case-mix nursing facility rates and non-case-mix nursing
64 2 facility-related expenditures, for expenditure after June 30,
64 3 2007.

64 4 3. The provision amending 2006 Iowa Acts, chapter 1184,
64 5 section 2, subsection 1.

64 6 4. The provision amending 2006 Iowa Acts, chapter 1184,
64 7 section 5.

64 8 5. The provision amending 2006 Iowa Acts, chapter 1184,
64 9 section 6.

64 10 6. The provision amending 2006 Iowa Acts, chapter 1184,
64 11 section 7.

64 12 7. The provision amending 2006 Iowa Acts, chapter 1184,
64 13 section 9.

64 14 8. The provision amending 2006 Iowa Acts, chapter 1184,
64 15 section 10.

64 16 9. The provision amending 2006 Iowa Acts, chapter 1184,
64 17 section 13.

64 18 10. The provision amending 2006 Iowa Acts, chapter 1184,
64 19 section 15.

64 20 11. The provision amending 2006 Iowa Acts, chapter 1184,
64 21 section 17, subsection 16.

64 22 12. The provision amending 2006 Iowa Acts, chapter 1184,
64 23 section 18.

64 24 13. The provision amending 2006 Iowa Acts, chapter 1184,
64 25 section 23.

64 26 14. The provision amending 2006 Iowa Acts, chapter 1184,
64 27 section 24.

64 28 15. The provision amending 2006 Iowa Acts, chapter 1184,
64 29 section 27.

64 30 16. The provision amending 2006 Iowa Acts, chapter 1184,
64 31 section 28.

64 32 17. The provision amending 2006 Iowa Acts, chapter 1184,
64 33 section 60.

64 34 18. The provision amending 2006 Iowa Acts, chapter 1184,

64 35 section 124.
65 1 19. The provision amending 2006 Iowa Acts, chapter 1185,
65 2 section 34.

65 3 DIVISION II
65 4 SENIOR LIVING TRUST FUND,
65 5 PHARMACEUTICAL SETTLEMENT ACCOUNT,
65 6 IOWACARE ACCOUNT, AND HEALTH CARE
65 7 TRANSFORMATION ACCOUNT

65 8 Sec. 63. DEPARTMENT OF ELDER AFFAIRS. There is
65 9 appropriated from the senior living trust fund created in
65 10 section 249H.4 to the department of elder affairs for the
65 11 fiscal year beginning July 1, 2007, and ending June 30, 2008,
65 12 the following amount, or so much thereof as is necessary, to
65 13 be used for the purpose designated:

65 14 For the development and implementation of a comprehensive
65 15 senior living program, including case management only if the
65 16 monthly cost per client for case management for the frail
65 17 elderly services provided does not exceed an average of \$70,
65 18 and including program administration and costs associated with
65 19 implementation, salaries, support, maintenance, and
65 20 miscellaneous purposes and for not more than the following
65 21 full-time equivalent positions:

65 22 \$ 8,384,044
65 23 FTEs 3.00

65 24 1. Of the funds appropriated in this section, \$2,196,967
65 25 shall be used for case management for the frail elderly. Of
65 26 the funds allocated in this subsection, \$1,010,000 shall be
65 27 transferred to the department of human services in equal
65 28 amounts on a quarterly basis for reimbursement of case
65 29 management services provided under the medical assistance
65 30 elderly waiver. The monthly cost per client for case
65 31 management for the frail elderly services provided shall not
65 32 exceed an average of \$70.

65 33 2. Notwithstanding section 249H.7, the department of elder
65 34 affairs shall distribute up to \$400,000 of the funds
65 35 appropriated in this section in a manner that will supplement
66 1 and maximize federal funds under the federal Older Americans
66 2 Act and shall not use the amount distributed for any
66 3 administrative purposes of either the department of elder
66 4 affairs or the area agencies on aging.

66 5 3. Of the funds appropriated in this section, \$60,000
66 6 shall be used to provide dementia-specific education to direct
66 7 care workers and other providers of long-term care to enhance
66 8 existing or scheduled efforts through the Iowa caregivers
66 9 association, the Alzheimer's association, and other
66 10 organizations identified as appropriate by the department.

66 11 Sec. 64. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
66 12 appropriated from the senior living trust fund created in
66 13 section 249H.4 to the department of inspections and appeals
66 14 for the fiscal year beginning July 1, 2007, and ending June
66 15 30, 2008, the following amount, or so much thereof as is
66 16 necessary, to be used for the purpose designated:

66 17 For the inspection and certification of assisted living
66 18 facilities and adult day care services, including program
66 19 administration and costs associated with implementation,
66 20 salaries, support, maintenance, and miscellaneous purposes and
66 21 for not more than the following full-time equivalent
66 22 positions:

66 23 \$ 790,751
66 24 FTEs 5.00

66 25 If legislation is enacted by the Eighty-second General
66 26 Assembly, 2007 Session, transferring full responsibility for
66 27 the oversight of assisted living programs, adult day services
66 28 programs, and elder group homes from the department of elder
66 29 affairs to the department of inspections and appeals, the
66 30 appropriation in this section is increased by \$349,051 and the
66 31 number of full-time equivalent positions authorized is
66 32 increased by 2.50 full-time equivalent positions.

66 33 Sec. 65. DEPARTMENT OF HUMAN SERVICES. There is
66 34 appropriated from the senior living trust fund created in
66 35 section 249H.4 to the department of human services for the
67 1 fiscal year beginning July 1, 2007, and ending June 30, 2008,
67 2 the following amount, or so much thereof as is necessary, to
67 3 be used for the purpose designated:

67 4 To supplement the medical assistance appropriation,
67 5 including program administration and costs associated with
67 6 implementation, salaries, support, maintenance, and
67 7 miscellaneous purposes and for not more than the following
67 8 full-time equivalent positions:

67 9 \$ 65,000,000
67 10 FTEs 5.00

67 11 In order to carry out the purposes of this section, the
67 12 department may transfer funds appropriated in this section to
67 13 supplement other appropriations made to the department of
67 14 human services.

67 15 Sec. 66. IOWA FINANCE AUTHORITY. There is appropriated
67 16 from the senior living trust fund created in section 249H.4 to
67 17 the Iowa finance authority for the fiscal year beginning July
67 18 1, 2007, and ending June 30, 2008, the following amount, or so
67 19 much thereof as is necessary, to be used for the purposes
67 20 designated:

67 21 To provide reimbursement for rent expenses to eligible
67 22 persons:

67 23 \$ 700,000

67 24 Participation in the rent subsidy program shall be limited
67 25 to only those persons who meet the requirements for the
67 26 nursing facility level of care for home and community-based
67 27 services waiver services as in effect on July 1, 2007.

67 28 Sec. 67. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
67 29 appropriated from the pharmaceutical settlement account
67 30 created in section 249A.33 to the department of human services
67 31 for the fiscal year beginning July 1, 2007, and ending June
67 32 30, 2008, the following amount, or so much thereof as is
67 33 necessary, to be used for the purpose designated:

67 34 To supplement the appropriations made for medical contracts
67 35 under the medical assistance program:

68 1 \$ 1,323,833

68 2 Sec. 68. APPROPRIATIONS FROM IOWACARE ACCOUNT.

68 3 1. There is appropriated from the IowaCare account created
68 4 in section 249J.24 to the state board of regents for
68 5 distribution to the university of Iowa hospitals and clinics
68 6 for the fiscal year beginning July 1, 2007, and ending June
68 7 30, 2008, the following amount, or so much thereof as is
68 8 necessary, to be used for the purposes designated:

68 9 For salaries, support, maintenance, equipment, and
68 10 miscellaneous purposes, for the provision of medical and
68 11 surgical treatment of indigent patients, for provision of
68 12 services to members of the expansion population pursuant to
68 13 chapter 249J, and for medical education:

68 14 \$ 27,284,584

68 15 a. Funds appropriated in this subsection shall not be used
68 16 to perform abortions except medically necessary abortions, and
68 17 shall not be used to operate the early termination of
68 18 pregnancy clinic except for the performance of medically
68 19 necessary abortions. For the purpose of this subsection, an
68 20 abortion is the purposeful interruption of pregnancy with the
68 21 intention other than to produce a live-born infant or to
68 22 remove a dead fetus, and a medically necessary abortion is one
68 23 performed under one of the following conditions:

68 24 (1) The attending physician certifies that continuing the
68 25 pregnancy would endanger the life of the pregnant woman.

68 26 (2) The attending physician certifies that the fetus is
68 27 physically deformed, mentally deficient, or afflicted with a
68 28 congenital illness.

68 29 (3) The pregnancy is the result of a rape which is
68 30 reported within 45 days of the incident to a law enforcement
68 31 agency or public or private health agency which may include a
68 32 family physician.

68 33 (4) The pregnancy is the result of incest which is
68 34 reported within 150 days of the incident to a law enforcement
68 35 agency or public or private health agency which may include a
69 1 family physician.

69 2 (5) The abortion is a spontaneous abortion, commonly known
69 3 as a miscarriage, wherein not all of the products of
69 4 conception are expelled.

69 5 b. Notwithstanding any provision of law to the contrary,
69 6 the amount appropriated in this subsection shall be allocated
69 7 in twelve equal monthly payments as provided in section
69 8 249J.24.

69 9 2. There is appropriated from the IowaCare account created
69 10 in section 249J.24 to the state board of regents for
69 11 distribution to the university of Iowa hospitals and clinics
69 12 for the fiscal year beginning July 1, 2007, and ending June
69 13 30, 2008, the following amount, or so much thereof as is
69 14 necessary, to be used for the purposes designated:

69 15 For salaries, support, maintenance, equipment, and
69 16 miscellaneous purposes, for the provision of medical and
69 17 surgical treatment of indigent patients, for provision of
69 18 services to members of the expansion population pursuant to
69 19 chapter 249J, and for medical education:

69 20 \$ 10,000,000

69 21 The amount appropriated in this subsection shall be

69 22 distributed only if expansion population claims adjudicated
69 23 and paid by the Iowa Medicaid enterprise exceed the
69 24 appropriation to the state board of regents for distribution
69 25 to the university of Iowa hospitals and clinics provided in
69 26 subsection 1. The amount appropriated in this subsection
69 27 shall be distributed monthly for expansion population claims
69 28 adjudicated and approved for payment by the Iowa Medicaid
69 29 enterprise using medical assistance program reimbursement
69 30 rates.

69 31 3. There is appropriated from the IowaCare account created
69 32 in section 249J.24 to the department of human services for the
69 33 fiscal year beginning July 1, 2007, and ending June 30, 2008,
69 34 the following amount, or so much thereof as is necessary, to
69 35 be used for the purposes designated:

70 1 For distribution to a publicly owned acute care teaching
70 2 hospital located in a county with a population over three
70 3 hundred fifty thousand for the provision of medical and
70 4 surgical treatment of indigent patients, for provision of
70 5 services to members of the expansion population pursuant to
70 6 chapter 249J, and for medical education:

70 7 \$ 40,000,000

70 8 Notwithstanding any provision of law to the contrary, the
70 9 amount appropriated in this subsection shall be allocated in
70 10 twelve equal monthly payments as provided in section 249J.24.
70 11 Any amount appropriated in this subsection in excess of
70 12 \$37,000,000 shall be allocated only if federal funds are
70 13 available to match the amount allocated.

70 14 4. There is appropriated from the IowaCare account created
70 15 in section 249J.24 to the department of human services for the
70 16 fiscal year beginning July 1, 2007, and ending June 30, 2008,
70 17 the following amounts, or so much thereof as is necessary, to
70 18 be used for the purposes designated:

70 19 a. For the state mental health institute at Cherokee, for
70 20 salaries, support, maintenance, and miscellaneous purposes,
70 21 including services to members of the expansion population
70 22 pursuant to chapter 249J:

70 23 \$ 9,098,425

70 24 b. For the state mental health institute at Clarinda, for
70 25 salaries, support, maintenance, and miscellaneous purposes,
70 26 including services to members of the expansion population
70 27 pursuant to chapter 249J:

70 28 \$ 1,977,305

70 29 c. For the state mental health institute at Independence,
70 30 for salaries, support, maintenance, and miscellaneous
70 31 purposes, including services to members of the expansion
70 32 population pursuant to chapter 249J:

70 33 \$ 9,045,894

70 34 d. For the state mental health institute at Mount
70 35 Pleasant, for salaries, support, maintenance, and
71 1 miscellaneous purposes, including services to members of the
71 2 expansion population pursuant to chapter 249J:

71 3 \$ 5,752,587

71 4 Sec. 69. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE
71 5 TRANSFORMATION. There is appropriated from the account for
71 6 health care transformation created in section 249J.23, to the
71 7 department of human services, for the fiscal year beginning
71 8 July 1, 2007, and ending June 30, 2008, the following amounts,
71 9 or so much thereof as is necessary, to be used for the
71 10 purposes designated:

71 11 1. For the costs of medical examinations and development
71 12 of personal health improvement plans for the expansion
71 13 population pursuant to section 249J.6:

71 14 \$ 556,800

71 15 2. For the provision of a medical information hotline for
71 16 the expansion population as provided in section 249J.6:

71 17 \$ 150,000

71 18 3. For the mental health transformation pilot program:

71 19 \$ 250,000

71 20 4. For other health promotion partnership activities
71 21 pursuant to section 249J.14:

71 22 \$ 550,000

71 23 5. For the costs related to audits, performance
71 24 evaluations, and studies required pursuant to chapter 249J:

71 25 \$ 400,000

71 26 6. For administrative costs associated with chapter 249J:

71 27 \$ 930,352

71 28 7. For planning and development, in cooperation with the
71 29 department of public health, of a phased-in program to provide
71 30 a dental home for children:

71 31 \$ 1,186,475

71 32 The department shall issue a request for proposals for a

71 33 performance-based contract to implement the dental home for
71 34 children and shall apply for any waivers from the centers for
71 35 Medicare and Medicaid services of the United States department
72 1 of health and human services, as necessary, to pursue a
72 2 phased-in approach. The department shall submit progress
72 3 reports regarding the planning and development of the dental
72 4 home for children to the medical assistance projections and
72 5 assessment council on a periodic basis.

72 6 Notwithstanding section 8.39, subsection 1, without the
72 7 prior written consent and approval of the governor and the
72 8 director of the department of management, the director of
72 9 human services may transfer funds among the appropriations
72 10 made in this section, as necessary to carry out the purposes
72 11 of the account for health care transformation. The department
72 12 shall report any transfers made pursuant to this section to
72 13 the legislative services agency.

72 14 Sec. 70. TRANSFER FROM ACCOUNT FOR HEALTH CARE
72 15 TRANSFORMATION. There is transferred from the account for
72 16 health care transformation created pursuant to section
72 17 249J.23, to the IowaCare account created in section 249J.24, a
72 18 total of \$5,000,000 for the fiscal year beginning July 1,
72 19 2007, and ending June 30, 2008.

72 20 Sec. 71. MEDICAL ASSISTANCE PROGRAM == REVERSION TO SENIOR
72 21 LIVING TRUST FUND FOR FY 2007=2008. Notwithstanding section
72 22 8.33, if moneys appropriated for purposes of the medical
72 23 assistance program for the fiscal year beginning July 1, 2007,
72 24 and ending June 30, 2008, from the general fund of the state,
72 25 the senior living trust fund, the healthy Iowans tobacco trust
72 26 fund, and the health care trust fund are in excess of actual
72 27 expenditures for the medical assistance program and remain
72 28 unencumbered or unobligated at the close of the fiscal year,
72 29 the excess moneys shall not revert but shall be transferred to
72 30 the senior living trust fund created in section 249H.4.

72 31 DIVISION III
72 32 MH/MR/DD/BI SERVICES
72 33 ALLOWED GROWTH FUNDING ==
72 34 FY 2007=2008

72 35 Sec. 72. RISK POOL. There is appropriated from the
73 1 general fund of the state to the department of human services
73 2 for the fiscal year beginning July 1, 2007, and ending June
73 3 30, 2008, the following amount, or so much thereof as is
73 4 necessary, to be used for the purposes designated:

73 5 To be credited to the risk pool in the property tax relief
73 6 fund for distribution in accordance with section 426B.5,
73 7 subsection 2:

73 8 \$ 756,638

73 9 Sec. 73. Section 225C.7, subsection 2, Code 2007, is
73 10 amended to read as follows:

73 11 2. Moneys appropriated to the fund shall be allocated to
73 12 counties for funding of community-based mental health, mental
73 13 retardation, developmental disabilities, and brain injury
73 14 services in the manner provided in the appropriation to the
73 15 fund. If the allocation methodology includes a population
73 16 factor, the most recent population estimates issued by the
73 17 United States bureau of the census shall be applied.

73 18 Sec. 74. Section 331.438, subsection 1, paragraph b, Code
73 19 2007, is amended by striking the paragraph.

73 20 Sec. 75. Section 331.438, subsection 2, Code 2007, is
73 21 amended to read as follows:

73 22 2. ~~a-~~ A state payment to a county for a fiscal year shall
73 23 consist of the sum of the state funding the county is eligible
73 24 to receive from the property tax relief fund in accordance
73 25 with section 426B.2 plus the county's portion of state funds
73 26 appropriated for the allowed growth factor adjustment
73 27 established by the general assembly under section 331.439,
73 28 subsection 3, and paid from the allowed growth funding pool in
73 29 accordance with section 426B.5.

~~73 30 b. A county's portion of the allowed growth factor
73 31 adjustment appropriation for a fiscal year shall be determined
73 32 based upon the county's proportion of the state's general
73 33 population.~~

~~73 34 c. The department of human services shall provide for
73 35 payment of the amount due a county for the county's allowed
74 1 growth factor adjustment determined in accordance with this
74 2 subsection. The director of human services shall authorize
74 3 warrants payable to the county treasurer for the amounts due
74 4 and the warrants shall be mailed in January of each year. The
74 5 county treasurer shall credit the amount of the warrant to the
74 6 county's services fund created under section 331.424A.~~

~~74 7 d. Unless otherwise provided by law, in order to be
74 8 included in any distribution formula for the allowed growth~~

~~74 9 factor adjustment and to receive an allowed growth factor
74 10 adjustment payment, a county must levy seventy percent or more
74 11 of the maximum amount allowed for the county's services fund
74 12 for taxes due and payable in the fiscal year for which the
74 13 allowed growth factor adjustment is payable.~~

74 14 Sec. 76. Section 426B.5, subsection 1, Code 2007, is
74 15 amended to read as follows:

74 16 1. ~~PER CAPITA EXPENDITURE TARGET~~ ALLOWED GROWTH FUNDING
74 17 POOL.

74 18 a. ~~A per capita expenditure target~~ An allowed growth
74 19 funding pool is created in the property tax relief fund. The
74 20 pool shall consist of the moneys credited to the pool by law.

~~74 21 b. A statewide per capita expenditure target amount is
74 22 established. The statewide per capita expenditure target
74 23 amount shall be equal to the one-hundredth percentile of all
74 24 county per capita expenditures in the fiscal year beginning
74 25 July 1, 1997, and ending June 30, 1998.~~

~~74 26 c. b. Moneys available in the per capita expenditure
74 27 allowed growth funding pool for a fiscal year are appropriated
74 28 to the department of human services for distribution as
74 29 provided in this subsection.~~

~~74 30 c. The first twelve million dollars credited to the
74 31 funding pool shall be allocated to counties based upon the
74 32 county's relative proportion of the state's general
74 33 population.~~

~~74 34 d. (1) The amount in the funding pool remaining after the
74 35 allocation made in paragraph "c" shall be distributed~~

~~75 1 allocated to those counties that meet all of the following
75 2 eligibility requirements:~~

~~75 3 (1) (a) The county is levying the maximum amount allowed
75 4 for the county's mental health, mental retardation, and
75 5 developmental disabilities services fund under section
75 6 331.424A for the fiscal year in which the funding is
75 7 distributed.~~

~~75 8 (2) The county's per capita expenditure in the latest
75 9 fiscal year for which the actual expenditure information is
75 10 available is equal to or less than the statewide per capita
75 11 expenditure target amount.~~

~~75 12 (3) (b) In the latest fiscal year that commenced two
75 13 years prior to the fiscal year of distribution reported in
75 14 accordance with section 331.403, the county's mental health,
75 15 mental retardation, and developmental disabilities services
75 16 fund ending balance under generally accepted accounting
75 17 principles was equal to or less than twenty-five percent of
75 18 the county's actual gross expenditures for the that fiscal
75 19 year that commenced two years prior to the fiscal year of
75 20 distribution.~~

~~75 21 (4) The county is in compliance with the filing date
75 22 requirements under section 331.403.~~

~~75 23 d. (2) The distribution amount allocated to a county
75 24 receives from the moneys available in the pool under this
75 25 paragraph "d" shall be determined based upon the county's
75 26 proportion of the general population of the counties eligible
75 27 to receive moneys from the pool for that fiscal year.
75 28 However, a county shall not receive moneys in excess of the
75 29 amount which would cause the county's per capita expenditure
75 30 to exceed the statewide per capita expenditure target.~~

~~75 31 e. In order to receive an allocation under this section, a
75 32 county must comply with the filing date requirements under
75 33 section 331.403. Moneys credited to the per capita~~

~~75 34 expenditure target allowed growth funding pool which remain
75 35 unobligated or unexpended at the close of a fiscal year shall
76 1 remain in the pool for distribution in the succeeding fiscal
76 2 year.~~

~~76 3 f. The most recent population estimates issued by the
76 4 United States bureau of the census shall be applied in
76 5 determining population for the purposes of this subsection.~~

~~76 6 e. g. The department of human services shall annually
76 7 calculate the amount of moneys due to eligible counties in
76 8 accordance with this subsection. The department shall
76 9 authorize the issuance of warrants payable to the county
76 10 treasurer for the amounts due and the warrants shall be issued
76 11 in January.~~

76 12 Sec. 77. 2006 Iowa Acts, chapter 1185, section 1, is
76 13 amended to read as follows:

76 14 SECTION 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND
76 15 DEVELOPMENTAL DISABILITIES ALLOWED GROWTH FACTOR ALLOCATIONS
76 16 == FISCAL YEAR 2007=2008.

76 17 1. There is appropriated from the general fund of the
76 18 state to the department of human services for the fiscal year
76 19 beginning July 1, 2007, and ending June 30, 2008, the

76 20 following amount, or so much thereof as is necessary, to be
76 21 used for the purpose designated:
76 22 For distribution to counties of the county mental health,
76 23 mental retardation, and developmental disabilities allowed
76 24 growth factor adjustment, as provided in this section in lieu
76 25 of the provisions of section 331.438, subsection 2, and
76 26 section 331.439, subsection 3, and chapter 426B:
76 27 \$ 43,287,141
76 28 36,888,041

76 29 1A. There is appropriated from the property tax relief
76 30 fund to the department of human services for the fiscal year
76 31 beginning July 1, 2007, and ending June 30, 2008, the
76 32 following amount, or so much thereof as is necessary, to be
76 33 used for the purposes designated:

76 34 For distribution to counties of the county mental health,
76 35 mental retardation, and developmental disabilities allowed
77 1 growth factor adjustment, as provided in this section in lieu
77 2 of the provisions of section 331.438, subsection 2, and
77 3 section 331.439, subsection 3, and chapter 426B:
77 4 \$ 7,592,099

77 5 1B. There is appropriated from the general fund of the
77 6 state to the department of human services for the fiscal year
77 7 beginning July 1, 2007, and ending June 30, 2008, the
77 8 following amount, or so much thereof as is necessary, to be
77 9 used for the purpose designated:

77 10 For distribution to counties that meet the requirements of
77 11 this subsection:
77 12 \$ 12,000,000

77 13 a. To be eligible to receive an allocation under this
77 14 subsection, a county must meet the following requirements:

77 15 (1) The county is levying for the maximum amount allowed
77 16 for the county's mental health, mental retardation, and
77 17 developmental disabilities services fund under section
77 18 331.424A for taxes due and payable in the fiscal year
77 19 beginning July 1, 2007, or the county is levying for at least
77 20 90 percent of the maximum amount allowed for the county's
77 21 services fund and that levy rate is more than \$2 per \$1,000 of
77 22 the assessed value of all taxable property in the county.

77 23 (2) In the fiscal year beginning July 1, 2006, the
77 24 county's mental health, mental retardation, and developmental
77 25 disabilities services fund ending balance under generally
77 26 accepted accounting principles was equal to or less than 15
77 27 percent of the county's actual gross expenditures for that
77 28 fiscal year.

77 29 b. A county's allocation of the amount appropriated in
77 30 this subsection shall be determined based upon the county's
77 31 proportion of the general population of the counties eligible
77 32 to receive an allocation under this subsection. The most
77 33 recent population estimates issued by the United States bureau
77 34 of the census shall be applied in determining population for
77 35 the purposes of this paragraph.

78 1 c. The allocations made pursuant to this subsection are
78 2 subject to the distribution provisions and withholding
78 3 requirements established in this section for the county mental
78 4 health, mental retardation, and developmental disabilities
78 5 allowed growth factor adjustment for the fiscal year beginning
78 6 July 1, 2007.

78 7 2. The funding appropriated in this section is the allowed
78 8 growth factor adjustment for fiscal year 2007=2008, and is
78 9 allocated as follows:

78 10 a. For distribution to counties for fiscal year 2007=2008
78 11 in accordance with the formula in section 331.438, subsection
78 12 2, paragraph "b":

78 13 \$ 12,000,000

78 14 b. a. For deposit in the per capita expenditure target
78 15 allowed growth funding pool created in the property tax relief
78 16 fund and for distribution in accordance with section 426B.5,
78 17 subsection 1:

78 18 \$ 24,360,548
78 19 41,553,547

78 20 e. b. For deposit in the risk pool created in the
78 21 property tax relief fund and for distribution in accordance
78 22 with section 426B.5, subsection 2:

78 23 \$ 2,000,000

78 24 0
78 25 d. c. For expansion of services to persons with transfer
78 26 to the department of public health for the brain injury
78 27 services program in accordance with the law enacted by the
78 28 Eighty-first General Assembly, 2006 Session, as law providing
78 29 for such expansion of services to commence in the fiscal year
78 30 beginning July 1, 2006 section 135.22B:

78 31 \$ 4,926,593
78 32 2,926,593
78 33 ~~If 2006 Iowa Acts, House File 2772, is enacted by the~~
78 34 ~~Eighty-first General Assembly, 2006 Session, the allocation~~
78 35 ~~made in this lettered paragraph shall be transferred to the~~
79 1 ~~Iowa department of public health to be used for the brain~~
79 2 ~~injury services program created pursuant to that Act.~~
79 3 Sec. 78. 2006 Iowa Acts, chapter 1185, section 1, is
79 4 amended by adding the following new subsections:
79 5 NEW SUBSECTION. 3. The following formula amounts shall be
79 6 utilized only to calculate preliminary distribution amounts
79 7 for fiscal year 2007=2008 under this section by applying the
79 8 indicated formula provisions to the formula amounts and
79 9 producing a preliminary distribution total for each county:
79 10 a. For calculation of a distribution amount for eligible
79 11 counties from the allowed growth funding pool created in the
79 12 property tax relief fund in accordance with the requirements
79 13 in section 426B.5, subsection 1:
79 14 \$ 49,218,123
79 15 b. For calculation of a distribution amount for counties
79 16 from the mental health and developmental disabilities (MH/DD)
79 17 community services fund in accordance with the formula
79 18 provided in the appropriation made for the MH/DD community
79 19 services fund for the fiscal year beginning July 1, 2007:
79 20 \$ 17,727,890
79 21 NEW SUBSECTION. 4. After applying the applicable
79 22 statutory distribution formulas to the amounts indicated in
79 23 subsection 3 for purposes of producing preliminary
79 24 distribution totals, the department of human services shall
79 25 apply a withholding factor to adjust an eligible individual
79 26 county's preliminary distribution total. In order to be
79 27 eligible for a distribution under this section, a county must
79 28 be levying seventy percent or more of the maximum amount
79 29 allowed for the county's mental health, mental retardation,
79 30 and developmental disabilities services fund under section
79 31 331.424A for taxes due and payable in the fiscal year for
79 32 which the distribution is payable. An ending balance
79 33 percentage for each county shall be determined by expressing
79 34 the county's ending balance on a modified accrual basis under
79 35 generally accepted accounting principles for the fiscal year
80 1 beginning July 1, 2006, in the county's mental health, mental
80 2 retardation, and developmental disabilities services fund
80 3 created under section 331.424A, as a percentage of the
80 4 county's gross expenditures from that fund for that fiscal
80 5 year. If a county borrowed moneys for purposes of providing
80 6 services from the county's services fund on or before July 1,
80 7 2006, and the county's services fund ending balance for that
80 8 fiscal year includes the loan proceeds or an amount designated
80 9 in the county budget to service the loan for the borrowed
80 10 moneys, those amounts shall not be considered to be part of
80 11 the county's ending balance for purposes of calculating an
80 12 ending balance percentage under this subsection. The
80 13 withholding factor for a county shall be the following
80 14 applicable percent:
80 15 a. For an ending balance percentage of less than 5
80 16 percent, a withholding factor of 0 percent. In addition, a
80 17 county that is subject to this lettered paragraph shall
80 18 receive an inflation adjustment equal to 3 percent of the
80 19 gross expenditures reported for the county's services fund for
80 20 the fiscal year.
80 21 b. For an ending balance percentage of 5 or more but less
80 22 than 10 percent, a withholding factor of 0 percent. In
80 23 addition, a county that is subject to this lettered paragraph
80 24 shall receive an inflation adjustment equal to 2 percent of
80 25 the gross expenditures reported for the county's services fund
80 26 for the fiscal year.
80 27 c. For an ending balance percentage of 10 or more but less
80 28 than 25 percent, a withholding factor of 25 percent. However,
80 29 for counties with an ending balance percentage of 10 or more
80 30 but less than 15 percent, the amount withheld shall be limited
80 31 to the amount by which the county's ending balance was in
80 32 excess of the ending balance percentage of 10 percent.
80 33 d. For an ending balance percentage of 25 percent or more,
80 34 a withholding percentage of 100 percent.
80 35 NEW SUBSECTION. 5. The total withholding amounts applied
81 1 pursuant to subsection 4 shall be equal to a withholding
81 2 target amount of \$7,664,576. If the department of human
81 3 services determines that the amount to be withheld in
81 4 accordance with subsection 4 is not equal to the target
81 5 withholding amount, the department shall adjust the
81 6 withholding factors listed in subsection 4 as necessary to

81 7 achieve the target withholding amount. However, in making
81 8 such adjustments to the withholding factors, the department
81 9 shall strive to minimize changes to the withholding factors
81 10 for those ending balance percentage ranges that are lower than
81 11 others and shall not adjust the zero withholding factor or the
81 12 inflation adjustment percentage specified in subsection 4,
81 13 paragraph "a".

81 14 Sec. 79. MENTAL HEALTH PATIENT ADVOCATE STUDY. The
81 15 legislative council is requested to authorize a 2007
81 16 legislative interim study of the duties, responsibilities,
81 17 funding, and authority for the mental health patient advocates
81 18 appointed by the courts under chapter 229. The study
81 19 committee membership should include representatives of
81 20 counties, the judicial branch, mental health patient
81 21 advocates, and the department of human services. The study
81 22 should specifically identify the appropriate appointing
81 23 authority and funding source for the advocates in the study
81 24 recommendations.

81 25 Sec. 80. Section 331.440A, Code 2007, is repealed.

81 26 DIVISION IV
81 27 MH/MR/DD DATA REPORTING
81 28 == RISK POOL ASSISTANCE

81 29 Sec. 81. Section 225C.6A, subsection 2, paragraph c, Code
81 30 2007, is amended by adding the following new subparagraph:
81 31 NEW SUBPARAGRAPH. (3) Each county shall report to the
81 32 department annually on or before December 1, for the preceding
81 33 fiscal year the following information for each individual
81 34 served: demographic information, expenditure data, and data
81 35 concerning the services and other support provided to each
82 1 individual, as specified in administrative rule adopted by the
82 2 commission.

82 3 Sec. 82. Section 331.439, subsection 1, paragraph a, Code
82 4 2007, is amended to read as follows:

82 5 a. The county accurately reported by December 1 the
82 6 county's expenditures for mental health, mental retardation,
82 7 and developmental disabilities services and the information
82 8 required under section 225C.6A, subsection 2, paragraph "c",
82 9 for the previous fiscal year on forms prescribed by rules
82 10 adopted by the department of human services state commission.

82 11 Sec. 83. Section 426B.5, subsection 2, Code 2007, is
82 12 amended to read as follows:

82 13 2. RISK POOL.

82 14 a. For the purposes of this subsection, unless the context
82 15 otherwise requires,

82 16 (1) ~~"Net expenditure amount" means a county's gross~~
82 17 ~~expenditures from the services fund for a fiscal year as~~
82 18 ~~adjusted by subtracting all services fund revenues for that~~
82 19 ~~fiscal year that are received from a source other than~~
82 20 ~~property taxes, as calculated on a modified accrual basis.~~

82 21 (2) ~~"Services "~~services fund" means a county's mental
82 22 health, mental retardation, and developmental disabilities
82 23 services fund created in section 331.424A.

82 24 b. A risk pool is created in the property tax relief fund.
82 25 The pool shall consist of the moneys credited to the pool by
82 26 law.

82 27 c. A risk pool board is created. The board shall consist
82 28 of two county supervisors, two county auditors, a member of
82 29 the mental health, mental retardation, developmental
82 30 disabilities, and brain injury commission who is not a member
82 31 of a county board of supervisors, a member of the county
82 32 finance committee created in chapter 333A who is not an
82 33 elected official, a representative of a provider of mental
82 34 health or developmental disabilities services selected from
82 35 nominees submitted by the Iowa association of community
83 1 providers, and two central point of coordination process
83 2 administrators, all appointed by the governor, and one member
83 3 appointed by the director of human services. All members
83 4 appointed by the governor shall be subject to confirmation by
83 5 the senate. Members shall serve for three-year terms. A
83 6 vacancy shall be filled in the same manner as the original
83 7 appointment. Expenses and other costs of the risk pool board
83 8 members representing counties shall be paid by the county of
83 9 origin. Expenses and other costs of risk pool board members
83 10 who do not represent counties shall be paid from a source
83 11 determined by the governor. Staff assistance to the board
83 12 shall be provided by the department of human services and
83 13 counties. Actuarial expenses and other direct administrative
83 14 costs shall be charged to the pool.

83 15 d. (1) A county must apply to the risk pool board for
83 16 assistance from the risk pool on or before January 25 to cover
83 17 ~~an unanticipated net expenditure amount in excess of the~~

~~83 18 county's current fiscal year budgeted net expenditure amount
83 19 for the county's services fund. The risk pool board shall
83 20 make its final decisions on or before February 25 regarding
83 21 acceptance or rejection of the applications for assistance and
83 22 the total amount accepted shall be considered obligated. For
83 23 purposes of applying for risk pool assistance and for repaying
83 24 unused risk pool assistance, the current fiscal year budgeted
83 25 net expenditure amount shall be deemed to be the higher of
83 26 either the budgeted net expenditure amount in the management
83 27 plan approved under section 331.439 for the fiscal year in
83 28 which the application is made or the prior fiscal year's net
83 29 expenditure amount.~~

~~83 30 (2) e. Basic eligibility for risk pool assistance shall
83 31 require a projected net expenditure amount in excess of the
83 32 sum of one hundred five percent of the county's current fiscal
83 33 year budgeted net expenditure amount and any amount of the
83 34 county's prior fiscal year ending fund balance in excess of
83 35 twenty-five percent of the county's gross expenditures from
84 1 the services fund in the prior fiscal year. However, if a
84 2 county's services fund ending balance in the previous fiscal
84 3 year was less than ten percent of the amount of the county's
84 4 gross expenditures from the services fund for that fiscal year
84 5 and the county has a projected net expenditure amount for the
84 6 current fiscal year that is in excess of one hundred one
84 7 percent of the budgeted net expenditure amount for the current
84 8 fiscal year, the county shall be considered to have met the
84 9 basic eligibility requirement and is qualified for risk pool
84 10 assistance. requires that a county meet all of the following
84 11 conditions:~~

~~84 12 (1) The county is in compliance with the requirements of
84 13 section 331.439.~~

~~84 14 (2) The county levied the maximum amount allowed for the
84 15 county's services fund under section 331.424A for the fiscal
84 16 year of application for risk pool assistance.~~

~~84 17 (3) At the close of the fiscal year that immediately
84 18 preceded the fiscal year of application, the county's services
84 19 fund ending balance under generally accepted accounting
84 20 principles was equal to or less than twenty percent of the
84 21 county's actual gross expenditures for that fiscal year.~~

~~84 22 (3) f. The board shall review the fiscal year-end
84 23 financial records for all counties that are granted risk pool
84 24 assistance. If the board determines a county's actual need
84 25 for risk pool assistance was less than the amount of risk pool
84 26 assistance granted to the county, the county shall refund the
84 27 difference between the amount of assistance granted and the
84 28 actual need. The county shall submit the refund within thirty
84 29 days of receiving notice from the board. Refunds shall be
84 30 credited to the risk pool.~~

~~84 31 (4) A county receiving risk pool assistance in a fiscal
84 32 year in which the county did not levy the maximum amount
84 33 allowed for the county's services fund under section 331.424A
84 34 shall be required to repay the risk pool assistance during the
84 35 two succeeding fiscal years. The repayment amount shall be
85 1 limited to the amount by which the actual amount levied was
85 2 less than the maximum amount allowed, with at least fifty
85 3 percent due in the first succeeding fiscal year and the
85 4 remainder due in the second succeeding fiscal year.~~

~~85 5 (5) g. The board shall determine application requirements
85 6 to ensure prudent use of risk pool assistance. The board may
85 7 accept or reject an application for assistance in whole or in
85 8 part. The decision of the board is final.~~

~~85 9 (6) h. The total amount of risk pool assistance shall be
85 10 limited to the amount available in the risk pool for a fiscal
85 11 year. If the total amount of eligible assistance exceeds the
85 12 amount available in the risk pool, the amount of assistance
85 13 paid shall be prorated among the counties eligible for
85 14 assistance. Moneys remaining unexpended or unobligated in the
85 15 risk pool following the risk pool board's decisions made
85 16 pursuant to subparagraph (1) shall be distributed to the
85 17 counties eligible to receive funding from the allowed growth
85 18 factor adjustment appropriation for the fiscal year using the
85 19 distribution methodology applicable to that appropriation. A
85 20 county shall not receive more than forty percent of the amount
85 21 available in the risk pool for a fiscal year. Any unobligated
85 22 balance in the risk pool at the close of a fiscal year shall
85 23 remain in the risk pool for distribution in the succeeding
85 24 fiscal year.~~

~~85 25 e. i. A county may apply for preapproval for risk pool
85 26 assistance based upon an individual who has an unanticipated
85 27 disability condition with an exceptional cost and the
85 28 individual is either new to the county's service system or the~~

~~85 29 individual's unanticipated disability condition is new to the~~
~~85 30 individual. Whether for a preapproval or regular application,~~
~~85 31 risk pool assistance shall only be made available to address~~
~~85 32 one or more of the following circumstances:~~

~~85 33 (1) Continuing support for mandated services.~~

~~85 34 (2) Avoiding the need for reduction or elimination of~~
~~85 35 critical services when the reduction or elimination places~~
~~86 1 consumers' health or safety at risk.~~

~~86 2 (3) Avoiding the need for reduction or elimination of~~
~~86 3 critical emergency services when the reduction or elimination~~
~~86 4 places the public's health or safety at risk.~~

~~86 5 (4) Avoiding the need for reduction or elimination of the~~
~~86 6 services or other support provided to entire disability~~
~~86 7 populations.~~

~~86 8 (5) Avoiding the need for reduction or elimination of~~
~~86 9 services or other support that maintain consumers in a~~
~~86 10 community setting, creating a risk that the consumers would be~~
~~86 11 placed in more restrictive, higher cost settings.~~

~~86 12 f. j. The department of human services shall annually~~
~~86 13 calculate the amount of moneys due to eligible counties in~~
~~86 14 accordance with the board's decisions and that amount is~~
~~86 15 appropriated from the risk pool to the department for payment~~
~~86 16 of the moneys due. The department shall authorize the~~

~~86 17 issuance of warrants payable to the county treasurer for the~~
~~86 18 amounts due and the warrants shall be issued before the close~~
~~86 19 of the fiscal year.~~

~~86 20 g. k. On or before March 1 and September 1 of each fiscal~~
~~86 21 year, the department of human services shall provide the risk~~
~~86 22 pool board with a report of the financial condition of each~~
~~86 23 funding source administered by the board. The report shall~~
~~86 24 include but is not limited to an itemization of the funding~~
~~86 25 source's balances, types and amount of revenues credited, and~~
~~86 26 payees and payment amounts for the expenditures made from the~~
~~86 27 funding source during the reporting period.~~

~~86 28 Sec. 84. INFORMATION TECHNOLOGY. The department of human~~
~~86 29 services shall meet with the Iowa state association of~~
~~86 30 counties to develop a joint proposal addressing the~~
~~86 31 information technology needed for counties to comply with the~~
~~86 32 data reporting requirements applicable under this division.~~
~~86 33 The joint proposal shall be submitted to the chairpersons and~~
~~86 34 ranking members of the general assembly's committees on human~~
~~86 35 resources and the joint appropriations subcommittee on health~~
~~87 1 and human services by November 15, 2007.~~

~~87 2 Sec. 85. EMERGENCY RULES. The mental health, mental~~
~~87 3 retardation, developmental disabilities, and brain injury~~
~~87 4 commission may adopt administrative rules under section 17A.4,~~
~~87 5 subsection 2, and section 17A.5, subsection 2, paragraph "b",~~
~~87 6 to implement the provisions of this division of this Act and~~
~~87 7 the rules shall become effective immediately upon filing or on~~
~~87 8 a later effective date specified in the rules, unless the~~
~~87 9 effective date is delayed by the administrative rules review~~
~~87 10 committee. Any rules adopted in accordance with this section~~
~~87 11 shall not take effect before the rules are reviewed by the~~
~~87 12 administrative rules review committee. The delay authority~~
~~87 13 provided to the administrative rules review committee under~~
~~87 14 section 17A.4, subsection 5, and section 17A.8, subsection 9,~~
~~87 15 shall be applicable to a delay imposed under this section,~~
~~87 16 notwithstanding a provision in those sections making them~~
~~87 17 inapplicable to section 17A.5, subsection 2, paragraph "b".~~
~~87 18 Any rules adopted in accordance with the provisions of this~~
~~87 19 section shall also be published as notice of intended action~~
~~87 20 as provided in section 17A.4.~~

~~87 21 Sec. 86. EFFECTIVE DATE == RETROACTIVE APPLICABILITY.~~
~~87 22 This division of this Act, being deemed of immediate~~
~~87 23 importance, takes effect upon enactment and is retroactively~~
~~87 24 applicable to December 1, 2006, and is applicable on and after~~
~~87 25 that date for information collected by a county as of that~~
~~87 26 date. A county that has not submitted the data specified in~~
~~87 27 section 225C.6A for the preceding fiscal year as of the~~
~~87 28 effective date of this division, shall submit the data within~~
~~87 29 twenty-five business days of the effective date of the rules~~
~~87 30 adopted to implement the provisions of this division. Unless~~
~~87 31 the department approves an exception for good cause, if a~~
~~87 32 county does not submit the data specified within the required~~
~~87 33 time period, the county is subject to withholding of the~~
~~87 34 county's state payment for property tax relief and allowed~~
~~87 35 growth factor adjustment for the fiscal year beginning July 1,~~
~~88 1 2007.~~

~~88 2~~
~~88 3 DIVISION V~~
~~88 4 MENTAL HEALTH SERVICES SYSTEM IMPROVEMENT~~
~~88 5 Sec. 87. NEW SECTION. 225C.6B MENTAL HEALTH SERVICES~~

88 5 SYSTEM IMPROVEMENT == LEGISLATIVE INTENT == PLANNING AND
88 6 IMPLEMENTATION.
88 7 1. INTENT.
88 8 a. The general assembly intends for the state to implement
88 9 a comprehensive, continuous, and integrated state mental
88 10 health services plan in accordance with the requirements of
88 11 sections 225C.4 and 225C.6 and other provisions of this
88 12 chapter, by increasing the department's responsibilities in
88 13 the development, funding, oversight, and ongoing leadership of
88 14 mental health services in this state.
88 15 b. In order to further the purposes listed in sections
88 16 225C.1 and 225C.27 and in other provisions of this chapter,
88 17 the general assembly intends that efforts focus on the goal of
88 18 making available a comprehensive array of high-quality,
88 19 evidence-based consumer and family-centered mental health
88 20 services and other support in the least restrictive,
88 21 community-based setting appropriate for a consumer.
88 22 c. In addition, it is the intent of the general assembly
88 23 to promote policies and practices that achieve for consumers
88 24 the earliest possible detection of mental health problems and
88 25 early intervention; to stress that all health care programs
88 26 address mental health disorders with the same urgency as
88 27 physical health disorders; to promote the policies of all
88 28 public programs that serve adults and children with mental
88 29 disorders, including but not limited to child welfare,
88 30 Medicaid, education, housing, criminal and juvenile justice,
88 31 substance abuse treatment, and employment services; to
88 32 consider the special mental health needs of adults and
88 33 children; and to promote recovery and resiliency as expected
88 34 outcomes for all consumers.
88 35 2. PLANNING AND IMPLEMENTATION. In order to build upon
89 1 the partnership between the state and counties in providing
89 2 mental health and disability services in the state, the
89 3 workgroups established for purposes of this subsection shall
89 4 engage equal proportions representing the department,
89 5 counties, and service providers. The county and provider
89 6 representatives shall be appointed by the statewide
89 7 associations representing counties and community providers. In
89 8 addition, each workgroup shall include a representative of the
89 9 commission, the mental health planning and advisory council,
89 10 consumers, and a statewide advocacy organization. A workgroup
89 11 shall be established for each of the following tasks provided
89 12 for in this subsection: alternative distribution formulas,
89 13 community mental health center plan, core mental health
89 14 services, and the two comprehensive plan items. The division
89 15 shall perform all of the following tasks in taking steps to
89 16 improve the mental health services system for adults and
89 17 children in this state:
89 18 a. ALTERNATIVE DISTRIBUTION FORMULAS. Identify
89 19 alternative formulas for distributing mental health, mental
89 20 retardation, and developmental disabilities allowed growth
89 21 factor adjustment funding to counties. The alternative
89 22 formulas shall provide methodologies that, as compared to the
89 23 current methodologies, are more readily understood, better
89 24 reflect the needs for services, respond to utilization
89 25 patterns, acknowledge historical county spending, and address
89 26 disparities in funding and service availability. The formulas
89 27 shall serve to strengthen the partnership between the
89 28 department and counties in the state's services system. The
89 29 division may engage assistance from expert consultants with
89 30 experience with funding allocation systems as necessary to
89 31 evaluate options. The department shall report with findings
89 32 and recommendations to the commission on or before November 1,
89 33 2007, and shall review and make recommendations to the
89 34 department on or before December 1, 2007. The department
89 35 shall submit the final report to the chairpersons and ranking
90 1 members of the general assembly's committees on human
90 2 resources and the joint appropriations subcommittee on health
90 3 and human services, and to associated legislative staff, on or
90 4 before January 31, 2008.
90 5 b. COMMUNITY MENTAL HEALTH CENTER PLAN. Prepare a phased
90 6 plan for increasing state responsibility for and oversight of
90 7 mental health services provided by community mental health
90 8 centers and the providers approved to fill the role of a
90 9 center. The plan shall provide for an initial implementation
90 10 date of July 1, 2008. The plan shall be submitted to the
90 11 commission on or before October 1, 2007. The commission shall
90 12 review the plan and provide comments to the department on or
90 13 before November 1, 2007. The plan shall be submitted to the
90 14 governor and general assembly on or before January 31, 2008.
90 15 The department shall ensure that key stakeholders are engaged

90 16 in the planning process, including but not limited to the
90 17 commission, mental health services providers, individuals with
90 18 expertise in the delivery of mental health services, youth and
90 19 adult consumers, family members of consumers, advocacy
90 20 organizations, and counties.

90 21 c. CORE MENTAL HEALTH SERVICES. Identify core mental
90 22 health services to be offered in each area of the state by
90 23 community mental health centers and core services agency
90 24 providers. The workgroup for this task shall be established
90 25 no later than August 1, 2007. The core services shall be
90 26 designed to address the needs of target populations identified
90 27 by the workgroup and the services may include but are not
90 28 limited to emergency services, school-based mental health
90 29 services, short-term counseling, prescreening for those
90 30 subject to involuntary treatment orders, and evidence-based
90 31 practices. The division shall submit to the commission on or
90 32 before October 1, 2007, proposed administrative rules and
90 33 legislation to amend chapter 230A as necessary to implement
90 34 the core services beginning July 1, 2008. The commission shall
90 35 review and revise the proposed administrative rules and shall
91 1 adopt the administrative rules after the general assembly has
91 2 reviewed and approved the proposal. The proposals shall be
91 3 submitted to the general assembly for review on or before
91 4 January 31, 2008.

91 5 d. MENTAL HEALTH AND CORE SERVICE AGENCY STANDARDS AND
91 6 ACCREDITATION. Identify standards for accreditation of core
91 7 services agencies that are not a community mental health
91 8 center but may serve as a provider approved to fill the role
91 9 of a center. Such core services agencies could be approved to
91 10 provide core mental health services for children and adults on
91 11 a regional basis. The standards shall be submitted to the
91 12 commission for review and recommendation on or before December
91 13 1, 2007, and to the governor and general assembly on or before
91 14 January 31, 2008.

91 15 e. CO-OCCURRING DISORDERS. The division and the
91 16 department of public health shall give priority to the efforts
91 17 underway to develop an implementation plan for addressing
91 18 co-occurring mental health and substance abuse disorders in
91 19 order to establish a comprehensive, continuous, and integrated
91 20 system of care for such disorders. The division and the
91 21 department of public health shall participate in a policy
91 22 academy on co-occurring mental health and substance abuse
91 23 disorders as part of developing an implementation plan for
91 24 commission review by April 1, 2008. The commission shall
91 25 review and make recommendations on the plan on or before May
91 26 1, 2008. The plan shall then be submitted to the governor and
91 27 general assembly on or before June 1, 2008. The division may
91 28 engage experts in the field of co-occurring mental health and
91 29 substance abuse disorders to facilitate this planning process.

91 30 f. EVIDENCE-BASED PRACTICES. Begin phased implementation
91 31 of evidence-based practices for mental health services over a
91 32 period of several years.

91 33 (1) Not later than October 1, 2007, in order to provide a
91 34 reasonable timeline for the implementation of evidence-based
91 35 practices with mental health and disability services
92 1 providers, the division shall provide for implementation of
92 2 two adult and two children evidence-based practices per year
92 3 over a three-year period.

92 4 (2) The division shall develop a comprehensive training
92 5 program concerning such practices for community mental health
92 6 centers, state resource centers and mental health institutes,
92 7 and other providers, in collaboration with the Iowa consortium
92 8 for mental health and mental health service providers. The
92 9 division shall consult with experts on behavioral health
92 10 workforce development regarding implementation of the mental
92 11 health and disability services training and the curriculum and
92 12 training opportunities offered.

92 13 (3) The department shall apply measures to ensure
92 14 appropriate reimbursement is available to all providers for
92 15 the implementation of mandated evidence-based practices and
92 16 request appropriate funding for evidence-based practices from
92 17 the governor and general assembly as part of the
92 18 implementation plan. The implementation plan shall be
92 19 submitted to the governor and general assembly on or before
92 20 January 31, 2008.

92 21 (4) The department shall provide the commission with a
92 22 plan for review to implement the provisions of this paragraph
92 23 "f".

92 24 g. COMPREHENSIVE PLAN.

92 25 (1) Complete a written plan describing the key components
92 26 of the state's mental health services system, including the

92 27 services addressed in this subsection and those that are
92 28 community-based, state institution-based, or regional or
92 29 state-based. The plan shall incorporate the community mental
92 30 health center plan provisions implemented pursuant to this
92 31 subsection. The plan shall be submitted to the commission on
92 32 or before November 15, 2008, and to the governor and general
92 33 assembly on or before December 15, 2008.

92 34 (2) In addition, complete a written plan for the
92 35 department to assume leadership and to assign and reassign
93 1 significant financial responsibility for the components of the
93 2 mental health services system in this state, including but not
93 3 limited to the actions needed to implement the provisions of
93 4 this subsection involving community mental health centers,
93 5 core mental health services, core services agencies,
93 6 co-occurring disorders, and evidence-based practices. The
93 7 plan shall include recommendations for funding levels, payment
93 8 methodologies for new and existing services, and allocation
93 9 changes necessary for the department to assume significant
93 10 financial responsibility for mental health services. The plan
93 11 shall be submitted to the commission on or before November 15,
93 12 2008, and the commission shall provide review and
93 13 recommendations on the plan to the department on or before
93 14 December 15, 2008. The plan shall be submitted to the
93 15 governor and general assembly on or before January 15, 2009.

93 16 (3) The planning provisions of this paragraph shall be
93 17 directed toward the goal of strengthening the partnership
93 18 between the department and counties in the state's services
93 19 system.

DIVISION VI

DECATEGORIZATION PROJECT FUNDING

93 21 Sec. 88. 2005 Iowa Acts, chapter 175, section 16,
93 22 subsection 4, is amended by adding the following new
93 23 unnumbered paragraph:

93 24 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
93 25 moneys in the allocations made in this subsection or made from
93 26 any other source for the decategorization of the child welfare
93 27 and juvenile justice funding initiative under section 232.188
93 28 that remain unencumbered or unobligated at the close of the
93 29 fiscal year beginning July 1, 2006, shall not revert but shall
93 30 remain available for expenditure for the purposes allocated
93 31 until the close of the succeeding fiscal year. Priority for
93 32 the moneys addressed in this paragraph shall be given to
93 33 services for children with special needs such as mental health
93 34 needs, sexual abuse victims or offenders, and substance abuse.
94 1 If moneys addressed in this paragraph are used to support
94 2 services for children with special needs that were previously
94 3 provided under a county contract funded from a county's mental
94 4 health, mental retardation, and developmental disabilities
94 5 services fund under section 331.424A, a decategorization
94 6 project may contract with a provider of such services in place
94 7 of the county contract, notwithstanding any request for
94 8 proposals requirement otherwise applicable under section
94 9 8A.311.

94 10 Sec. 89. EFFECTIVE DATE. This division of this Act, being
94 11 deemed of immediate importance, takes effect upon enactment.

DIVISION VII

COUNTY FUNDS

94 14 Sec. 90. Notwithstanding section 331.424A, subsection 5,
94 15 and section 331.432, subsection 3, for the fiscal year
94 16 beginning July 1, 2007, and ending June 30, 2008, a county may
94 17 transfer moneys from other funds of the county to the county's
94 18 services fund created in section 331.424A.

DIVISION VIII

HEALTH CARE TRUST FUND APPROPRIATIONS ==

HEALTH CARE ACTIVITIES

94 22 Sec. 91. DEPARTMENT OF PUBLIC HEALTH. In addition to any
94 23 other appropriation made in this Act for the purposes
94 24 designated, there is appropriated from the health care trust
94 25 fund created in section 453A.35A to the department of public
94 26 health for the fiscal year beginning July 1, 2007, and ending
94 27 June 30, 2008, the following amounts, or so much thereof as is
94 28 necessary, for the purposes designated and for not more than
94 29 the following full-time equivalent positions:

94 30 1. ADDICTIVE DISORDERS
94 31 \$ 9,332,254
94 32 FTEs 4.00

94 33 a. Of the funds appropriated in this subsection, \$450,000
94 34 shall be used for implementation of culturally competent
94 35 substance abuse treatment pilot projects.

95 1 (1) The department shall utilize the amount allocated in
95 2 this lettered paragraph to expand existing contracts to

95 3 implement at least three pilot projects to provide culturally
95 4 competent substance abuse treatment in various areas of the
95 5 state. Each pilot project shall target a particular ethnic
95 6 minority population. The populations targeted shall include
95 7 but are not limited to African-American, Asian, and Latino.
95 8 (2) The pilot project requirements shall provide for
95 9 documentation or other means to ensure access to the cultural
95 10 competence approach used by a pilot project so that such
95 11 approach can be replicated and improved upon in successor
95 12 programs.

95 13 b. Of the funds appropriated in this subsection,
95 14 \$8,200,254 shall be used for tobacco use prevention,
95 15 cessation, and treatment. The department shall utilize the
95 16 funds to provide for a variety of activities related to
95 17 tobacco use prevention, cessation, and treatment including to
95 18 support Quitline Iowa, QuitNet cessation counseling and
95 19 education, grants to school districts and community
95 20 organizations to support Just Eliminate Lies youth chapters
95 21 and youth tobacco prevention activities, expansion of the Just
95 22 Eliminate Lies tobacco prevention media campaign with a focus
95 23 on rural areas, nicotine replacement therapy, and other
95 24 prevention and cessation materials and media promotion.

95 25 c. Of the funds appropriated in this subsection, \$255,000
95 26 may be utilized by the department for administrative purposes.

95 27 d. Of the funds appropriated in this subsection, \$682,000
95 28 shall be used for substance abuse treatment activities.

95 29 2. HEALTHY CHILDREN AND FAMILIES

95 30 \$ 439,000
95 31 FTEs 0.50

95 32 a. Of the funds appropriated in this subsection, \$200,000
95 33 shall be used as additional funding to address the healthy
95 34 mental development of children from birth through five years
95 35 of age through local evidence-based strategies that engage
96 1 both the public and private sectors in promoting healthy
96 2 development, prevention, and treatment for children.

96 3 b. Of the funds appropriated in this subsection, \$180,000
96 4 shall be used for childhood obesity prevention.

96 5 c. Of the funds appropriated in this subsection, \$20,000
96 6 shall be used to implement the task force on postnatal tissue
96 7 and fluid banking, if enacted by 2007 Iowa Acts, House File
96 8 337.

96 9 d. Of the funds appropriated in this subsection, \$39,000
96 10 shall be used for the dental screening of children program
96 11 pursuant to section 135.17, if enacted by 2007 Iowa Acts,
96 12 House File 517.

96 13 3. CHRONIC CONDITIONS

96 14 \$ 1,178,981
96 15 FTEs 1.00

96 16 a. Of the funds appropriated in this subsection, \$473,981
96 17 shall be used as additional funding for child health specialty
96 18 clinics.

96 19 b. Of the funds appropriated in this subsection, \$500,000
96 20 shall be used for the Iowa consortium for comprehensive cancer
96 21 control to reduce the burden of cancer in Iowa through
96 22 prevention, early detection, effective treatment, and ensuring
96 23 quality of life. The department shall utilize one of the
96 24 full-time equivalent positions authorized in this subsection
96 25 for administration of the activities related to the Iowa
96 26 consortium for comprehensive cancer control.

96 27 c. Of the funds appropriated in this subsection, \$5,000
96 28 shall be used for the hemophilia advisory council pursuant to
96 29 chapter 135N, if enacted by 2007 Iowa Acts, Senate File 548.

96 30 d. Of the funds appropriated in this subsection, \$200,000
96 31 shall be used for cervical and colon cancer screening.

96 32 4. COMMUNITY CAPACITY

96 33 \$ 3,025,000
96 34 FTEs 2.00

96 35 a. Of the funds appropriated in this subsection, \$75,000
97 1 shall be used for local public health infrastructure to
97 2 examine minimum standards for local public health.

97 3 b. Of the funds appropriated in this subsection, \$200,000
97 4 shall be used for the mental health professional shortage area
97 5 program implemented pursuant to section 135.80, as enacted by
97 6 this Act.

97 7 c. Of the funds appropriated in this subsection, \$50,000
97 8 shall be used for a grant to a statewide association of
97 9 psychologists that is affiliated with the American
97 10 psychological association to be used for initial
97 11 implementation of a program to rotate intern psychologists in
97 12 placements in urban and rural mental health professional
97 13 shortage areas, as defined in section 135.80, as enacted by

97 14 this Act.
97 15 d. Of the funds appropriated in this subsection, the
97 16 following amounts shall be allocated to the Iowa collaborative
97 17 safety net provider network as enacted in this Act to be used
97 18 for the purposes designated:
97 19 (1) For distribution to the Iowa=Nebraska primary care
97 20 association for statewide coordination of the Iowa
97 21 collaborative safety net provider network:
97 22 \$ 100,000
97 23 (2) For distribution to the Iowa family planning network
97 24 agencies for necessary infrastructure, statewide coordination,
97 25 provider recruitment, service delivery, and provision of
97 26 assistance to patients in determining an appropriate medical
97 27 home:
97 28 \$ 100,000
97 29 (3) For distribution to the local boards of health that
97 30 provide direct services for pilot programs in three counties
97 31 to assist patients in determining an appropriate medical home:
97 32 \$ 100,000
97 33 (4) For distribution to maternal and child health centers
97 34 for pilot programs in three counties to assist patients in
97 35 determining an appropriate medical home:
98 1 \$ 100,000
98 2 (5) For distribution to free clinics for necessary
98 3 infrastructure, statewide coordination, provider recruitment,
98 4 service delivery, and provision of assistance to patients in
98 5 determining an appropriate medical home:
98 6 \$ 250,000
98 7 (6) For distribution to rural health clinics for necessary
98 8 infrastructure, statewide coordination, provider recruitment,
98 9 service delivery, and provision of assistance to patients in
98 10 determining an appropriate medical home:
98 11 \$ 150,000
98 12 (7) For the safety net provider patient access to
98 13 specialty health care initiative as described in this Act:
98 14 \$ 400,000
98 15 (8) For the pharmaceutical infrastructure for safety net
98 16 providers as described in this Act:
98 17 \$ 400,000
98 18 e. Of the funds appropriated in this subsection, \$450,000
98 19 shall be used to continue the contract for the program to
98 20 develop an Iowa collaborative safety net provider network.
98 21 f. Of the funds appropriated in this subsection, \$650,000
98 22 shall be used to continue the incubation grant program to
98 23 community health centers that receive a total score of 85
98 24 based on the evaluation criteria of the health resources and
98 25 services administration of the United States department of
98 26 health and human services.
98 27 g. The department shall utilize one of the full-time
98 28 equivalent positions authorized in this subsection for
98 29 administration of the activities related to the Iowa
98 30 collaborative safety net provider network.
98 31 h. The department shall utilize one of the full-time
98 32 equivalent positions authorized in this subsection for
98 33 administration of the voluntary health care provider program
98 34 pursuant to section 135.24.
98 35 Sec. 92. DEPARTMENT OF HUMAN SERVICES. In addition to any
99 1 other appropriation made in this Act for the purposes
99 2 designated, there is appropriated from the health care trust
99 3 fund created in section 453A.35A to the department of human
99 4 services for the fiscal year beginning July 1, 2007, and
99 5 ending June 30, 2008, the following amounts, or so much
99 6 thereof as is necessary, for the purposes designated:
99 7 1. MEDICAL ASSISTANCE
99 8 \$ 97,103,096
99 9 a. Of the funds appropriated in this subsection,
99 10 \$78,065,357 shall be used for costs of services and eligibles
99 11 including but not limited to the remedial services program;
99 12 intermediate care facilities for persons with mental
99 13 retardation (ICFMR); state cases; ambulance, clinic, and
99 14 hospice services; dental services; medical supplies and
99 15 equipment; targeted case management; medical related=provider
99 16 services; mental health-related optional services; and home
99 17 and community-based services inflation.
99 18 b. Of the funds appropriated in this subsection,
99 19 \$9,337,435 shall be used to expand access to medical
99 20 assistance for parents by increasing the earned income
99 21 disregard for parents in the family and child medical
99 22 assistance programs.
99 23 c. Of the funds appropriated in this subsection,
99 24 \$1,995,405 shall be used to reduce the waiting list for the

99 25 children's mental health home and community-based services
99 26 waiver.
99 27 d. Of the funds appropriated in this subsection, \$860,301
99 28 shall be used for the Medicaid for independent young adults
99 29 (MIYA) program.
99 30 e. Of the funds appropriated in this subsection,
99 31 \$1,001,000 shall be used for provision of habilitation
99 32 services.
99 33 f. Of the funds appropriated in this subsection,
99 34 \$4,361,598 shall be used for increased enrollment of medical
99 35 assistance-eligible children in the medical assistance
100 1 program.
100 2 g. Of the funds appropriated in this subsection,
100 3 \$1,100,000 shall be used for the money follows the person
100 4 demonstration project to assist individuals in utilizing or
100 5 transitioning to community services options.
100 6 h. Of the funds appropriated in this subsection, \$250,000
100 7 shall be used as additional funding for the grant to the Iowa
100 8 healthcare collaborative as described in section 135.40.
100 9 i. Of the funds appropriated in this subsection, \$132,000
100 10 shall be used for provisions relating to medical assistance
100 11 income trusts pursuant to the amendment to section 633C.3, if
100 12 enacted by 2007 Iowa Acts, House File 397.
100 13 2. STATE CHILDREN'S HEALTH INSURANCE PROGRAM
100 14 \$ 8,329,570
100 15 a. Of the funds appropriated in this subsection,
100 16 \$4,697,363 shall be used to support current enrollment and
100 17 natural growth in the program.
100 18 b. Of the funds appropriated in this subsection, \$135,300
100 19 shall be used to maintain current outreach efforts.
100 20 c. Of the funds appropriated in this subsection,
100 21 \$3,496,907 shall be used for increased enrollment of eligible
100 22 children in the state children's health insurance program and
100 23 necessary outreach.
100 24 3. MH/MR/DD ALLOWED GROWTH FACTOR
100 25 \$ 7,592,099
100 26 The funds appropriated in this subsection shall be credited
100 27 to the property tax relief fund created in section 426B.1.
100 28 4. MH/MR/DD RISK POOL
100 29 \$ 100,000
100 30 The funds appropriated in this subsection shall be credited
100 31 to the risk pool in the property tax relief fund created in
100 32 section 426B.1.
100 33 Sec. 93. LEGISLATIVE SERVICES AGENCY == LEGISLATIVE
100 34 COMMISSION ON AFFORDABLE HEALTH CARE PLANS FOR SMALL
100 35 BUSINESSES AND FAMILIES APPROPRIATION. There is appropriated
101 1 from the health care trust fund created in section 453A.35A to
101 2 the legislative services agency for the legislative commission
101 3 on affordable health care plans for small businesses as
101 4 enacted by this Act, for the fiscal year beginning July 1,
101 5 2007, and ending June 30, 2008, the following amount, or so
101 6 much thereof as is necessary, for the purpose designated:
101 7 For carrying out the duties of the commission and the
101 8 health care data research advisory council:
101 9 \$ 500,000
101 10 Of the amount appropriated in this section, a portion shall
101 11 be used for the health and long-term care workforce review to
101 12 be conducted by the department of public health as described
101 13 in this Act.
101 14 Sec. 94. Section 135.24, subsection 2, paragraphs a and b,
101 15 Code 2007, are amended to read as follows:
101 16 a. Procedures for expedited registration of health care
101 17 providers deemed qualified by the board of medical examiners,
101 18 the board of physician assistant examiners, the board of
101 19 dental examiners, the board of nursing, the board of
101 20 chiropractic examiners, the board of psychology examiners, the
101 21 board of social work examiners, the board of behavioral
101 22 science examiners, the board of pharmacy examiners, the board
101 23 of optometry examiners, the board of podiatry examiners, the
101 24 board of physical and occupational therapy examiners, the
101 25 state board for respiratory care, and the Iowa department of
101 26 public health, as applicable. An expedited registration shall
101 27 be completed within fifteen days of application of the health
101 28 care provider.
101 29 b. Procedures for expedited registration of free clinics.
101 30 An expedited registration shall be completed within fifteen
101 31 days of application of the free clinic.
101 32 Sec. 95. Section 135.24, subsection 3, unnumbered
101 33 paragraph 1, Code 2007, is amended to read as follows:
101 34 A health care provider providing free care under this
101 35 section shall be considered an employee of the state under

102 1 chapter 669, ~~and shall be afforded protection as an employee~~
102 2 ~~of the state under section 669.21, and shall not be subject to~~
102 3 ~~payment of claims arising out of the free care provided under~~
102 4 ~~this section through the health care provider's own~~
102 5 ~~professional liability insurance coverage,~~ provided that the
102 6 health care provider has done all of the following:
102 7 Sec. 96. NEW SECTION. 135.80 MENTAL HEALTH PROFESSIONAL
102 8 SHORTAGE AREA PROGRAM.
102 9 1. For the purposes of this section, "mental health
102 10 professional shortage areas" means geographic areas in this
102 11 state that have been designated by the United States
102 12 department of health and human services, health resources and
102 13 services administration, bureau of health professionals, as
102 14 having a shortage of mental health professionals.
102 15 2. The department shall establish and administer a mental
102 16 health professional shortage area program in accordance with
102 17 this section. Implementation of the program shall be limited
102 18 to the extent of the funding appropriated or otherwise made
102 19 available for the program.
102 20 3. The program shall provide stipends to support
102 21 psychiatrist positions with an emphasis on securing and
102 22 retaining medical directors at community mental health
102 23 centers, providers of mental health services to county
102 24 residents pursuant to a waiver approved under section 225C.7,
102 25 subsection 3, and hospital psychiatric units that are located
102 26 in mental health professional shortage areas.
102 27 4. The department shall apply the rules in determining the
102 28 number and amounts of stipends within the amount of funding
102 29 available for the program for a fiscal year.
102 30 5. For each fiscal year in which funding is allocated by
102 31 the program, the department shall report to the governor and
102 32 general assembly summarizing the program's activities and the
102 33 impact made to address the shortage of mental health
102 34 professionals.
102 35 Sec. 97. NEW SECTION. 135.153 IOWA COLLABORATIVE SAFETY
103 1 NET PROVIDER NETWORK ESTABLISHED.
103 2 1. The department shall establish an Iowa collaborative
103 3 safety net provider network that includes community health
103 4 centers, rural health clinics, free clinics, maternal and
103 5 child health centers, the expansion population provider
103 6 network as described in chapter 249J, local boards of health
103 7 that provide direct services, Iowa family planning network
103 8 agencies, child health specialty clinics, and other safety net
103 9 providers. The network shall be a continuation of the network
103 10 established pursuant to 2005 Iowa Acts, chapter 175, section
103 11 2, subsection 12. The network shall include all of the
103 12 following:
103 13 a. An Iowa safety net provider advisory group consisting
103 14 of representatives of community health centers, rural health
103 15 clinics, free clinics, maternal and child health centers, the
103 16 expansion population provider network as described in chapter
103 17 249J, local boards of health that provide direct services,
103 18 Iowa family planning network agencies, child health specialty
103 19 clinics, other safety net providers, patients, and other
103 20 interested parties.
103 21 b. A planning process to logically and systematically
103 22 implement the Iowa collaborative safety net provider network.
103 23 c. A database of all community health centers, rural
103 24 health clinics, free clinics, maternal and child health
103 25 centers, the expansion population provider network as
103 26 described in chapter 249J, local boards of health that provide
103 27 direct services, Iowa family planning network agencies, child
103 28 health specialty clinics, and other safety net providers. The
103 29 data collected shall include the demographics and needs of the
103 30 vulnerable populations served, current provider capacity, and
103 31 the resources and needs of the participating safety net
103 32 providers.
103 33 d. Network initiatives to, at a minimum, improve quality,
103 34 improve efficiency, reduce errors, and provide clinical
103 35 communication between providers. The network initiatives
104 1 shall include but are not limited to activities that address
104 2 all of the following:
104 3 (1) Training.
104 4 (2) Information technology.
104 5 (3) Financial resource development.
104 6 (4) A referral system for ambulatory care.
104 7 (5) A referral system for specialty care.
104 8 (6) Pharmaceuticals.
104 9 (7) Recruitment of health professionals.
104 10 2. The network shall form a governing group which includes
104 11 two individuals each representing community health centers,

104 12 rural health clinics, free clinics, maternal and child health
104 13 centers, the expansion population provider network as
104 14 described in chapter 249J, local boards of health that provide
104 15 direct services, the state board of health, Iowa family
104 16 planning network agencies, child health specialty clinics, and
104 17 other safety net providers.

104 18 3. The department shall provide for evaluation of the
104 19 network and its impact on the medically underserved.

104 20 Sec. 98. Section 249J.8, subsection 1, Code 2007, is
104 21 amended to read as follows:

104 22 1. ~~Beginning July 1, 2005, each~~ Each expansion population
104 23 member whose family income ~~equals or~~ exceeds one hundred
104 24 percent of the federal poverty level as defined by the most
104 25 recently revised poverty income guidelines published by the
104 26 United States department of health and human services shall
104 27 pay a monthly premium not to exceed one-twelfth of five
104 28 percent of the member's annual family income, ~~and each.~~ Each
104 29 expansion population member whose family income is equal to or
104 30 less than one hundred percent of the federal poverty level as
104 31 defined by the most recently revised poverty income guidelines
104 32 published by the United States department of health and human
104 33 services shall ~~pay not be subject to payment of a monthly~~
104 34 premium not to exceed one-twelfth of two percent of the

~~104 35 member's annual family income.~~ All premiums shall be paid on
105 1 the last day of the month of coverage. The department shall
105 2 deduct the amount of any monthly premiums paid by an expansion
105 3 population member for benefits under the healthy and well kids
105 4 in Iowa program when computing the amount of monthly premiums
105 5 owed under this subsection. An expansion population member
105 6 shall pay the monthly premium during the entire period of the
105 7 member's enrollment. Regardless of the length of enrollment,
105 8 the member is subject to payment of the premium for a minimum
105 9 of four consecutive months. However, an expansion population
105 10 member who complies with the requirement of payment of the
105 11 premium for a minimum of four consecutive months during a
105 12 consecutive twelve-month period of enrollment shall be deemed
105 13 to have complied with this requirement for the subsequent
105 14 consecutive twelve-month period of enrollment and shall only
105 15 be subject to payment of the monthly premium on a
105 16 month-by-month basis. Timely payment of premiums, including
105 17 any arrearages accrued from prior enrollment, is a condition
105 18 of receiving any expansion population services. Premiums
105 19 collected under this subsection shall be deposited in the
105 20 premiums subaccount of the account for health care
105 21 transformation created pursuant to section 249J.23. An
105 22 expansion population member shall also pay the same copayments
105 23 required of other adult recipients of medical assistance.

105 24 Sec. 99. Section 283A.2, Code 2007, is amended by adding
105 25 the following new subsection:

105 26 NEW SUBSECTION. 3. Each school district that operates or
105 27 provides for a school breakfast or lunch program shall provide
105 28 for the forwarding of information from the applications for
105 29 the school breakfast or lunch program, for which federal
105 30 funding is provided, to identify children for enrollment in
105 31 the medical assistance program pursuant to chapter 249A or the
105 32 healthy and well kids in Iowa program pursuant to chapter 514I
105 33 to the department of human services.

105 34 Sec. 100. Section 514I.5, subsection 8, Code 2007, is
105 35 amended by adding the following new paragraph:

106 1 NEW PARAGRAPH. n. The use of provider guidelines in
106 2 assessing the well-being of children, which may include the
106 3 use of the bright futures for infants, children, and
106 4 adolescents program as developed by the federal maternal and
106 5 child health bureau and the American academy of pediatrics
106 6 guidelines for well-child care.

106 7 Sec. 101. IOWACARE PROVIDER NETWORK EXPANSION. The
106 8 director of human services shall aggressively pursue options
106 9 to expand the expansion population provider network for the
106 10 IowaCare program pursuant to chapter 249J. The department may
106 11 expand the expansion population provider network if sufficient
106 12 unencumbered certified local matching funds are available to
106 13 cover the state share of the costs of services provided to the
106 14 expansion population or if an alternative funding source is
106 15 identified to cover the state share.

106 16 Sec. 102. PHARMACEUTICAL INFRASTRUCTURE FOR SAFETY NET
106 17 PROVIDERS. The Iowa collaborative safety net provider network
106 18 established pursuant to section 135.153 shall develop a
106 19 pharmaceutical infrastructure for safety net providers. The
106 20 infrastructure shall include all of the following elements:

106 21 1. Identification of the most efficacious drug therapies,
106 22 a strategy to distribute pharmaceuticals to safety net

106 23 providers for provision to patients at the point of care, and
106 24 increased access to pharmaceutical manufacturer assistance
106 25 programs. Identification of drug therapies shall be made
106 26 through a community-driven effort with clinical representation
106 27 from safety net providers and pharmacists who have historical
106 28 investment and expertise in providing care to safety net
106 29 provider patients. The effort shall include creating a list
106 30 of pharmaceuticals that are affordable to safety net provider
106 31 patients, purchasing pharmaceuticals for safety net provider
106 32 patients, identifying therapies for an expanded list of
106 33 pharmaceuticals, and identifying therapies most appropriate to
106 34 provide to safety net provider patients through pharmaceutical
106 35 manufacturer assistance programs.

107 1 2. An educational effort for safety net provider patients,
107 2 medical providers, and pharmacists regarding the drug
107 3 therapies and access alternatives identified pursuant to
107 4 subsection 1.

107 5 3. Identification of a pharmacy benefits manager to
107 6 provide low-cost patient access to therapies identified in the
107 7 expanded drug lists.

107 8 4. Expanded use of collaborative practice agreements
107 9 between medical providers and pharmacists to most efficiently
107 10 utilize their expertise.

107 11 5. A medication reconciliation program to ensure that each
107 12 patient has a complete record of the patient's medication
107 13 history available.

107 14 Sec. 103. SAFETY NET PROVIDER PATIENTS == ACCESS TO
107 15 SPECIALTY CARE.

107 16 1. The Iowa collaborative safety net provider network
107 17 established in section 135.153 shall implement a specialty
107 18 care initiative in three communities in the state to determine
107 19 various methods of addressing the issue of specialty care
107 20 access in underserved areas of the state. The communities
107 21 selected shall develop collaborative partnerships between
107 22 hospitals, specialists, primary care providers, community
107 23 partners, human services providers, and others involved in
107 24 providing health care.

107 25 2. The initiative shall include an evaluation component to
107 26 determine the value of services provided and participating
107 27 communities shall participate in sharing data and findings
107 28 resulting from the initiative.

107 29 3. Based upon the results of the initiative, the network
107 30 shall build an infrastructure for improved specialty care
107 31 access throughout the state.

107 32 Sec. 104. HEALTH AND LONG-TERM-CARE WORKFORCE REVIEW AND
107 33 RECOMMENDATIONS.

107 34 1. The department of public health, in collaboration with
107 35 the department of human services, the department of
108 1 inspections and appeals, the department of workforce
108 2 development, and other state agencies involved with relevant
108 3 health care and workforce issues, shall conduct a
108 4 comprehensive review of Iowa's health and long-term care
108 5 workforce. The review shall provide for all of the following:

108 6 a. Raising of public awareness of the imminent health and
108 7 long-term-care workforce shortage, based upon the rapidly
108 8 changing demographics in the state.

108 9 b. A description of the current health and long-term-care
108 10 workforce, including documenting the shortages and challenges
108 11 that exist throughout the state and analyzing the impact of
108 12 these shortages on access to care, the quality of care
108 13 received including outcomes, and the cost of care.

108 14 c. A projection of the health and long-term-care workforce
108 15 necessary to provide comprehensive, accessible, quality, and
108 16 cost-effective care during the next twenty-five years.

108 17 d. Construction of a workforce model to provide the
108 18 necessary or desirable health and long-term-care workforce
108 19 described in paragraph "c".

108 20 2. The department of public health and other agencies
108 21 collaborating in the review shall actively elicit input from
108 22 persons involved or interested in the delivery of health and
108 23 long-term-care services, including but not limited to members
108 24 of the health and long-term-care workforce and consumers of
108 25 health and long-term care.

108 26 3. The department shall coordinate the review with other
108 27 initiatives such as PRIMECARRE and the Iowa collaborative
108 28 safety net provider network recruitment effort.

108 29 4. The department of public health shall submit the
108 30 findings and recommendations of the review for submission to
108 31 the general assembly and the governor on or before January 15,
108 32 2008. The recommendations shall include specific action steps
108 33 to assist the state in meeting the health and long-term-care

108 34 workforce shortages and challenges. The action steps shall
108 35 include but are not limited to all of the following:
109 1 a. Strategies such as enhanced pay and benefits, expanded
109 2 initial and ongoing training, flexible work scheduling,
109 3 reduced workload volume, and utilizing a team-based approach
109 4 to providing care to both recruit and retain the necessary
109 5 health and long-term-care workforce.
109 6 b. Utilization of innovative measures, including but not
109 7 limited to telemedicine and other emerging technologies, and
109 8 scope of practice changes that allow modifications in roles
109 9 and responsibilities in various health and long-term-care
109 10 settings.

109 11 Sec. 105. BEHAVIORAL HEALTH == DEVELOPING WORKFORCE
109 12 COMPETENCIES.

109 13 1. The department of public health shall work
109 14 collaboratively during the fiscal year beginning July 1, 2007,
109 15 with the departments of corrections, education, elder affairs,
109 16 and human services, and other state agencies, to enhance the
109 17 workforce competencies of professional and direct care staff
109 18 who provide behavioral health services, including but not
109 19 limited to all of the following:

- 109 20 a. Treatment of persons with co-occurring mental health
109 21 and substance use disorders.
109 22 b. Treatment of children with mental health or substance
109 23 use disorders.
109 24 c. Treatment of persons with serious mental illness.
109 25 d. Treatment of veterans of United States or Iowa military
109 26 service with mental health or substance use disorders.
109 27 e. Treatment of older adults with mental health or
109 28 substance use disorders.

109 29 2. The department's collaborative effort shall utilize the
109 30 findings of the substance abuse and mental health services
109 31 administration of the United States department of health and
109 32 human services and materials developed by the Annapolis
109 33 coalition on the behavioral health workforce in planning and
109 34 implementing efforts to enhance the competency-based training
109 35 of the state's behavioral health workforce.

110 1 Sec. 106. CONTINGENT EFFECTIVE DATE. The provision in
110 2 this division of this Act amending section 249J.8 shall not
110 3 take effect unless the department of human services receives
110 4 approval of a medical assistance waiver amendment to change
110 5 the premium requirements from the centers for Medicare and
110 6 Medicaid services of the United States department of health
110 7 and human services.

110 8 DIVISION IX
110 9 CHILD WELFARE SERVICES

110 10 Sec. 107. Section 232.52, subsection 6, unnumbered
110 11 paragraph 1, Code 2007, is amended to read as follows:
110 12 When the court orders the transfer of legal custody of a
110 13 child pursuant to subsection 2, paragraph "d", "e", or "f",
110 14 the order shall state that reasonable efforts as defined in
110 15 section 232.57 have been made. If deemed appropriate by the
110 16 court, the order may include a determination that continuation
110 17 of the child in the child's home is contrary to the child's
110 18 welfare. The inclusion of such a determination shall not
110 19 under any circumstances be deemed a prerequisite for entering
110 20 an order pursuant to this section. However, the inclusion of
110 21 such a determination, supported by the record, may be used to
110 22 assist the department in obtaining federal funding for the
110 23 child's placement. If such a determination is included in the
110 24 order, unless the court makes a determination that further
110 25 reasonable efforts are not required, reasonable efforts shall
110 26 be made to prevent permanent removal of a child from the
110 27 child's home and to encourage reunification of the child with
110 28 the child's parents and family. The reasonable efforts may
110 29 include but are not limited to early intervention and
110 30 follow-up programs implemented pursuant to section 232.191.

110 31 Sec. 108. Section 232.102, subsection 5, paragraph b, Code
110 32 2007, is amended to read as follows:

- 110 33 b. In order to transfer custody of the child under this
110 34 subsection, the court must make a determination that
110 35 continuation of the child in the child's home would be
111 1 contrary to the welfare of the child, and shall identify the
111 2 reasonable efforts that have been made. The court's
111 3 determination regarding continuation of the child in the
111 4 child's home, and regarding reasonable efforts, including
111 5 those made to prevent removal and those made to finalize any
111 6 permanency plan in effect, as well as any determination by the
111 7 court that reasonable efforts are not required, must be made
111 8 on a case-by-case basis. The grounds for each determination
111 9 must be explicitly documented and stated in the court order.

111 10 However, preserving the safety of the child is the paramount
111 11 consideration. If imminent danger to the child's life or
111 12 health exists at the time of the court's consideration, the
111 13 determinations otherwise required under this paragraph shall
111 14 not be a prerequisite for an order for removal of the child.
111 15 If the court transfers custody of the child, unless the court
111 16 waives the requirement for making reasonable efforts or
111 17 otherwise makes a determination that reasonable efforts are
111 18 not required, reasonable efforts shall be made to make it
111 19 possible for the child to safely return to the family's home.

111 20 Sec. 109. Section 232.143, subsection 1, Code 2007, is
111 21 amended to read as follows:

111 22 1. a. A statewide expenditure target for children in
111 23 group foster care placements in a fiscal year, which
111 24 placements are a charge upon or are paid for by the state,
111 25 shall be established annually in an appropriation bill by the
111 26 general assembly. Representatives of the department and
111 27 juvenile court services shall jointly develop a formula for
111 28 allocating a portion of the statewide expenditure target
111 29 established by the general assembly to each of the
111 30 department's service areas. The formula shall be based upon
111 31 the service area's proportion of the state population of
111 32 children and of the statewide usage of group foster care in
111 33 the previous five completed fiscal years and upon other
111 34 indicators of need. The expenditure amount determined in
111 35 accordance with the formula shall be the group foster care
112 1 budget target for that service area.

112 2 b. A service area may exceed the service area's budget
112 3 target for group foster care by not more than five percent in
112 4 a fiscal year, provided the overall funding allocated by the
112 5 department for all child welfare services in the service area
112 6 is not exceeded.

112 7 c. If all of the following circumstances are applicable, a
112 8 service area may temporarily exceed the service area's budget
112 9 target as necessary for placement of a child in group foster
112 10 care:

112 11 (1) The child is thirteen years of age or younger.

112 12 (2) The court has entered a dispositional order for
112 13 placement of the child in group foster care.

112 14 (3) The child is placed in a juvenile detention facility
112 15 awaiting placement in group foster care.

112 16 d. If a child is placed pursuant to paragraph "c", causing
112 17 a service area to temporarily exceed the service area's budget
112 18 target, the department and juvenile court services shall
112 19 examine the cases of the children placed in group foster care
112 20 and counted in the service area's budget target at the time of
112 21 the placement pursuant to paragraph "c". If the examination
112 22 indicates it may be appropriate to terminate the placement for
112 23 any of the cases, the department and juvenile court services
112 24 shall initiate action to set a dispositional review hearing
112 25 under this chapter for such cases. In such a dispositional
112 26 review hearing, the court shall determine whether needed
112 27 aftercare services are available following termination of the
112 28 placement and whether termination of the placement is in the
112 29 best interests of the child and the community.

112 30 Sec. 110. NEW SECTION. 234.3 CHILD WELFARE ADVISORY
112 31 COMMITTEE.

112 32 1. A child welfare advisory committee is established to
112 33 advise the administrator and the department of human services
112 34 on programmatic and budgetary matters related to the provision
112 35 or purchase of child welfare services. The committee shall
113 1 meet at least quarterly, or upon the call of the chairperson,
113 2 to review departmental budgets, policies, and programs, and
113 3 proposed budgets, policies, and programs, and to make
113 4 recommendations and suggestions to make the state child
113 5 welfare budget, programs, and policies more effective in
113 6 serving families and children.

113 7 2. The advisory committee shall consist of fifteen voting
113 8 members, appointed by the governor and confirmed by the
113 9 senate. The membership shall include representatives of child
113 10 welfare service providers, juvenile court services, the Iowa
113 11 foster and adoptive parent association, the child advocacy
113 12 board, the coalition for family and children's services in
113 13 Iowa, children's advocates, service consumers, and others who
113 14 have training or knowledge related to child welfare services.
113 15 The terms of voting members shall be for three-year staggered
113 16 terms, beginning and ending as provided in section 69.19. A
113 17 member shall continue to serve until a successor is appointed
113 18 and a vacancy shall be filled for the remainder of the
113 19 unexpired term. In addition, four members shall be
113 20 legislators, all serving as ex officio, nonvoting members,

113 21 with one each appointed by the speaker of the house of
113 22 representatives, the minority leader of the house of
113 23 representatives, the majority leader of the senate, and the
113 24 minority leader of the senate. The director of human services
113 25 and the administrator, or their designees, shall also be ex
113 26 officio nonvoting members, and shall serve as resource persons
113 27 to the committee.

113 28 3. A chairperson, vice chairperson, and other officers
113 29 deemed necessary by the committee shall be appointed by the
113 30 membership of the committee. Committee staffing shall be
113 31 designated by the administrator.

113 32 Sec. 111. GROUP FOSTER CARE WAITING LIST. On or before
113 33 December 15, 2007, the department of human services shall
113 34 report to the general assembly providing detailed information
113 35 concerning the children who were on a waiting list for group
114 1 foster care services during the period covered by the report.
114 2 The information shall include but is not limited to the number
114 3 and status of children who were on a waiting list, the length
114 4 of time the children spent on a waiting list, alternative
114 5 placements while the children were on a waiting list, age and
114 6 gender of the children, distribution of responsibility between
114 7 the department and juvenile court services, and the projected
114 8 funding, services, and programs required to appropriately
114 9 address the needs of the children on a waiting list or to
114 10 otherwise eliminate the need for a waiting list.

114 11 DIVISION X

114 12 FINANCIAL RESPONSIBILITY FOR 114 13 CERTAIN MEDICAID SERVICES

114 14 Sec. 112. Section 225C.6, subsection 1, paragraph e, Code
114 15 2007, is amended to read as follows:

114 16 e. Unless another governmental body sets standards for a
114 17 service available to persons with disabilities, adopt state
114 18 standards for that service. The commission shall provide that
114 19 a service provider's compliance with standards for a service
114 20 set by a nationally recognized body shall be deemed to be in
114 21 compliance with the state standards adopted by the commission
114 22 for that service. The commission shall adopt state standards
114 23 for those residential and community-based providers of
114 24 services to persons with mental illness or developmental
114 25 disabilities that are not otherwise subject to licensure by
114 26 the department of human services or department of inspections
114 27 and appeals, including but not limited to remedial services
114 28 payable under the ~~adult rehabilitation option of the medical~~
114 29 ~~assistance program and other services payable from funds~~
114 30 ~~credited to a county mental health, mental retardation, and~~
114 31 ~~developmental disabilities services fund created in section~~
114 32 ~~331.424A. In addition, the commission shall review the~~
114 33 ~~licensing standards used by the department of human services~~
114 34 ~~or department of inspections and appeals for those facilities~~
114 35 ~~providing services to persons with mental illness or~~
115 1 ~~developmental disabilities.~~

115 2 Sec. 113. Section 249A.26, subsection 4, Code 2007, is
115 3 amended to read as follows:

115 4 4. The county of legal settlement shall pay for one
115 5 hundred percent of the nonfederal share of the cost of
115 6 services provided to adult persons with chronic mental illness
115 7 ~~implemented under the adult rehabilitation option of the state~~
115 8 ~~medical assistance plan who qualify for habilitation services~~
115 9 ~~in accordance with the rules adopted for the services.~~ The
115 10 state shall pay for one hundred percent of the nonfederal
115 11 share of the cost of such services provided to such persons
115 12 who have no legal settlement or the legal settlement is
115 13 unknown so that the persons are deemed to be state cases.

115 14 Sec. 114. Section 249A.31, Code 2007, is amended to read
115 15 as follows:

115 16 249A.31 COST=BASED REIMBURSEMENT == MENTAL HEALTH AND
115 17 ~~DEVELOPMENTAL DISABILITIES PROVIDERS.~~

115 18 ~~All of the following shall receive cost-based reimbursement~~
115 19 ~~for one hundred percent of the reasonable costs for the~~
115 20 ~~provision of services to recipients of medical assistance:~~

115 21 ~~1. Providers of individual case management services for~~
115 22 ~~persons with mental retardation, a developmental disability,~~
115 23 ~~or chronic mental illness shall receive cost-based~~
115 24 ~~reimbursement for one hundred percent of the reasonable costs~~
115 25 ~~for the provision of the services in accordance with standards~~
115 26 ~~adopted by the mental health, mental retardation,~~
115 27 ~~developmental disabilities, and brain injury commission~~
115 28 ~~pursuant to section 225C.6.~~

115 29 ~~2. Providers of services to persons with chronic mental~~
115 30 ~~illness implemented under the adult rehabilitation option of~~
115 31 ~~the state medical assistance plan.~~

115 32 Sec. 115. Section 331.440A, subsection 7, paragraph b,
115 33 subparagraph (1), Code 2007, is amended to read as follows:
115 34 (1) The oversight committee may make a determination that
115 35 implementation by the department of human services of a new
116 1 significant funding provision such as ~~the rehabilitation~~
116 2 ~~option for persons with chronic mental illness remedial~~
116 3 services or a waiver under the medical assistance program, or
116 4 another good cause reason, justifies delay of the
116 5 implementation of the pilot project phases as provided in
116 6 subsection 6. If such a determination is made, the department
116 7 of human services and pilot project counties shall delay
116 8 implementation of the pilot project phases until a date
116 9 identified by the oversight committee.

116 10 Sec. 116. Section 249A.26A, Code 2007, is repealed.

116 11 Sec. 117. IMPLEMENTATION OF DIVISION. Section 25B.2,
116 12 subsection 3, shall not apply to this division of this Act.

116 13 DIVISION XI
116 14 FAMILY OPPORTUNITY ACT

116 15 Sec. 118. Section 249A.3, subsection 1, Code 2007, is
116 16 amended by adding the following new paragraph:
116 17 NEW PARAGRAPH. u. As allowed under the federal Deficit
116 18 Reduction Act of 2005, Pub. L. No. 109=171, section 6062, is
116 19 an individual who is less than nineteen years of age who meets
116 20 the federal supplemental security income program rules for
116 21 disability but whose income or resources exceed such program
116 22 rules, who is a member of a family whose income is at or below
116 23 three hundred percent of the most recently revised official
116 24 poverty guidelines published by the United States department
116 25 of health and human services for the family, and whose parent
116 26 complies with the requirements relating to family coverage
116 27 offered by the parent's employer. Such assistance shall be
116 28 provided on a phased-in basis, based upon the age of the
116 29 individual.

116 30 Sec. 119. DEVELOPMENT AND SUPPORT OF FAMILY=TO=FAMILY
116 31 HEALTH INFORMATION CENTER.

116 32 1. As provided under the federal Deficit Reduction Act of
116 33 2005, Pub. L. No. 109=171, section 6064, the department of
116 34 public health shall aggressively pursue the establishment of a
116 35 family-to-family health information center in Iowa. The
117 1 center shall provide for all of the following:

117 2 a. Assistance to families of children with disabilities or
117 3 special health care needs to make informed choices about
117 4 health care in order to promote good treatment decisions,
117 5 cost-effectiveness, and improved health outcomes for such
117 6 children.

117 7 b. Information regarding health care needs of and
117 8 resources available for such children.

117 9 c. Identification of successful health delivery models for
117 10 such children.

117 11 d. Development, with representatives of health care
117 12 providers, managed care organizations, health care purchasers,
117 13 and appropriate state agencies, of a model for collaboration
117 14 between families of such children and health professionals.

117 15 e. Training and guidance regarding caring for such
117 16 children.

117 17 f. Conducting of outreach activities to the families of
117 18 such children, health professionals, schools, and other
117 19 appropriate entities and individuals.

117 20 2. The center shall be staffed by families of children
117 21 with disabilities or special health care needs who have
117 22 expertise in federal and state public and private health care
117 23 systems and by health professionals.

117 24 Sec. 120. FUNDING. The department of human services shall
117 25 transfer funding from the appropriations made in this Act for
117 26 the state children's health insurance program to other
117 27 appropriate appropriations made in this Act, including
117 28 appropriations made to the department of public health, as
117 29 necessary to implement this division of this Act.

117 30 DIVISION XII
117 31 COMMISSION ON AFFORDABLE HEALTH CARE

117 32 Sec. 121. LEGISLATIVE COMMISSION ON AFFORDABLE HEALTH CARE
117 33 PLANS FOR SMALL BUSINESSES AND FAMILIES.

117 34 1. A legislative commission on affordable health care
117 35 plans for small businesses and families is created for the
118 1 2007 legislative interim. The legislative services agency
118 2 shall provide staffing assistance to the commission.

118 3 a. The commission shall include 10 members of the general
118 4 assembly, three appointed by the majority leader of the
118 5 senate, two appointed by the minority leader of the senate,
118 6 three appointed by the speaker of the house of
118 7 representatives, and two appointed by the minority leader of

118 8 the house of representatives.
118 9 b. The commission shall include members of the public
118 10 appointed by the legislative council from designees of the
118 11 following:
118 12 (1) Two members who are small business owners, one
118 13 designated by the Iowa association of business and industry,
118 14 and one designated by the national federation of independent
118 15 business.
118 16 (2) One hospital administrator designated by the Iowa
118 17 hospital association.
118 18 (3) Two health care providers, one a physician designated
118 19 by the Iowa medical society, and one a nurse designated by the
118 20 Iowa nurses association.
118 21 (4) One individual insurance agent designated by the
118 22 independent insurance agents of Iowa.
118 23 (5) One representative of an insurance carrier designated
118 24 by the federation of Iowa insurers.
118 25 (6) One individual health insurance agent designated by
118 26 the Iowa association of health underwriters.
118 27 c. The commission shall include five consumers appointed
118 28 by the governor.
118 29 d. The commission shall include the following members, or
118 30 their designees, as ex officio members:
118 31 (1) The commissioner of insurance.
118 32 (2) The director of human services.
118 33 (3) The director of public health.
118 34 e. At least one of the members appointed or designated
118 35 pursuant to paragraph "a", "b", or "c" shall be a member of a
119 1 racial minority group.
119 2 2. The chairpersons of the commission shall be those
119 3 members of the general assembly so appointed by the majority
119 4 leader of the senate and the speaker of the house of
119 5 representatives. Legislative members of the commission are
119 6 eligible for per diem and reimbursement of actual expenses as
119 7 provided in section 2.10. Consumers appointed to the
119 8 commission by the governor pursuant to subsection 1, paragraph
119 9 "c", are entitled to receive a per diem as specified in
119 10 section 7E.6 for each day spent in performance of duties as
119 11 members, and shall be reimbursed for all actual and necessary
119 12 expenses incurred in the performance of duties as members of
119 13 the commission.
119 14 3. The commission shall review, analyze, and make
119 15 recommendations on issues relating to the affordability of
119 16 health care for Iowans including but not limited to:
119 17 a. The benefits and costs of requiring all residents of
119 18 Iowa to have health insurance coverage, including but not
119 19 limited to individual mandates and proposals from other
119 20 states.
119 21 b. The benefits and costs of providing health insurance
119 22 coverage to all children in the state, with a particular
119 23 emphasis on children's health issues.
119 24 c. Uninsured and underinsured Iowans with a special focus
119 25 on determining the characteristics of the uninsured and
119 26 underinsured populations, why such persons are uninsured or
119 27 underinsured, and the most effective and efficient means to
119 28 provide insurance coverage to such persons, including through
119 29 government programs.
119 30 d. Major factors and trends that are likely to impact the
119 31 cost of premiums and affordability of health care during the
119 32 next ten years, including but not limited to effects of
119 33 mandates, levels of coverage, costs and pricing of treatments,
119 34 cost-sharing and cost-cutting measures, cost-shifting
119 35 measures, collaborative opportunities, subsidies, reinsurance
120 1 plans, risk pooling, and wellness and disease prevention
120 2 initiatives.
120 3 4. The commission shall utilize the expertise of the
120 4 health care data research advisory council in carrying out the
120 5 commission's duties.
120 6 5. The commission may hold public hearings to allow
120 7 persons and organizations to be heard and to gather
120 8 information.
120 9 6. The commission may request from any state agency or
120 10 official information and assistance as needed to perform the
120 11 review and analysis required in subsection 3. A state agency
120 12 or official shall furnish the information or assistance
120 13 requested within the authority and resources of the state
120 14 agency or official. This subsection does not allow the
120 15 examination or copying of any public record required by law to
120 16 be kept confidential.
120 17 7. The commission may employ staff and consultants as
120 18 necessary to assist the commission in carrying out its duties

120 19 as set forth in this section.
120 20 8. The commission shall complete its deliberations in
120 21 December 2007 and submit a final report to the general
120 22 assembly for consideration during the 2008 Legislative
120 23 Session, summarizing the commission's activities, analyzing
120 24 issues studied, making recommendations for legislative reforms
120 25 that will make health insurance coverage more affordable for
120 26 small businesses and families in this state, and including any
120 27 other information that the commission deems relevant and
120 28 necessary.

120 29 Sec. 122. HEALTH CARE DATA RESEARCH ADVISORY COUNCIL.

120 30 1. A health care data research advisory council is created
120 31 for the purpose of assisting the legislative commission on
120 32 affordable health care plans for small businesses and families
120 33 in carrying out the commission's duties by conducting
120 34 research, providing research data and analysis, and performing
120 35 other functions within the expertise of the members of the
121 1 council at the direction of the commission.

121 2 2. The council membership shall be appointed by the
121 3 legislative council and shall include but is not limited to
121 4 the following:

121 5 a. A representative of the university of Iowa college of
121 6 medicine.

121 7 b. A representative of the university of Iowa college of
121 8 dentistry.

121 9 c. A representative of the university of Iowa college of
121 10 pharmacy.

121 11 d. A representative of the university of Iowa college of
121 12 nursing.

121 13 e. A representative of the university of Iowa college of
121 14 public health.

121 15 f. A representative of Des Moines university ==
121 16 osteopathic medical center.

121 17 g. A representative of the Drake university college of
121 18 pharmacy.

121 19 h. A representative of an Iowa college of health sciences.

121 20 i. A representative of the Iowa public health association.

121 21 Sec. 123. EFFECTIVE DATE. This division of this Act,
121 22 being deemed of immediate importance, takes effect upon
121 23 enactment.

121 24 DIVISION XIII

121 25 HOME AND COMMUNITY=BASED SERVICES WAIVER

121 26 RECIPIENT RESIDENCE == ZONING

121 27 Sec. 124. NEW SECTION. 335.34 HOME AND COMMUNITY=BASED
121 28 SERVICES WAIVER RECIPIENT RESIDENCE.

121 29 1. A county, county board of supervisors, or county zoning
121 30 commission shall consider the residence of the recipient of
121 31 services under a home and community=based services waiver as a
121 32 residential use of property for the purposes of zoning and
121 33 shall treat the use of the residence as a permitted use in all
121 34 residential zones or districts, including all single=family
121 35 residential zones or districts, of the county.

122 1 2. A county, county board of supervisors, or a county
122 2 zoning commission shall not require that the recipient, or the
122 3 owner of such a residence if other than the recipient, obtain
122 4 a conditional use permit, special use permit, special
122 5 exception, or variance. A county, county board of
122 6 supervisors, or county zoning commission shall not establish
122 7 limitations regarding the proximity of one such residence to
122 8 another.

122 9 3. This section applies to the residence of a recipient of
122 10 services under a home and community=based services waiver if
122 11 the residence meets any of the following conditions:

122 12 a. The residence is a single=family dwelling owned or
122 13 rented by the recipient.

122 14 b. The residence is a multifamily dwelling which does not
122 15 hold itself out to the public as a community=based residential
122 16 provider otherwise regulated by law including but not limited
122 17 to a residential care facility, and which provides dwelling
122 18 units to no more than four recipients of services under a home
122 19 and community=based services waiver at any one time.

122 20 4. For the purposes of this section, "home and
122 21 community=based services waiver" means "waiver" as defined in
122 22 section 249A.29.

122 23 Sec. 125. NEW SECTION. 414.32 HOME AND COMMUNITY=BASED
122 24 SERVICES WAIVER RECIPIENT RESIDENCE.

122 25 1. A city, city council, or city zoning commission shall
122 26 consider the residence of the recipient of services under a
122 27 home and community=based services waiver as a residential use
122 28 of property for the purposes of zoning and shall treat the use
122 29 of the residence as a permitted use in all residential zones

122 30 or districts, including all single-family residential zones or
122 31 districts, of the city.

122 32 2. A city, city council, or city zoning commission shall
122 33 not require that the recipient, or owner of such residence if
122 34 other than the recipient, obtain a conditional use permit,
122 35 special use permit, special exception, or variance. A city,
123 1 city council, or city zoning commission shall not establish
123 2 limitations regarding the proximity of one such residence to
123 3 another.

123 4 3. This section applies to the residence of a recipient of
123 5 services under a home and community-based services waiver if
123 6 the residence meets any of the following conditions:

123 7 a. The residence is a single-family dwelling owned or
123 8 rented by the recipient.

123 9 b. The residence is a multifamily dwelling which does not
123 10 hold itself out to the public as a community-based residential
123 11 provider otherwise regulated by law including but not limited
123 12 to a residential care facility, and which provides dwelling
123 13 units to no more than four recipients of services under a home
123 14 and community-based services waiver at any one time.

123 15 4. For the purposes of this section, "home and
123 16 community-based services waiver" means "waiver" as defined in
123 17 section 249A.29.

123 18 Sec. 126. EFFECTIVE DATE. This division of this Act,
123 19 being deemed of immediate importance, takes effect upon
123 20 enactment.

123 21 DIVISION XIV
123 22 NATIONAL DISASTER MEDICAL SYSTEM == EMPLOYMENT
123 23 PROTECTION

123 24 Sec. 127. Section 29A.28, subsection 1, Code 2007, is
123 25 amended to read as follows:

123 26 1. All officers and employees of the state, or a
123 27 subdivision thereof, or a municipality other than employees
123 28 employed temporarily for six months or less, who are members
123 29 of the national guard, organized reserves or any component
123 30 part of the military, naval, or air forces or nurse corps of
123 31 this state or nation, or who are or may be otherwise inducted
123 32 into the military service of this state or of the United
123 33 States, or who are members of the civil air patrol, shall,
123 34 when ordered by proper authority to state active duty, state
123 35 military service, or federal service, or when performing a
124 1 civil air patrol mission pursuant to section 29A.3A, be
124 2 entitled to a leave of absence from such civil employment for
124 3 the period of state active duty, state military service,
124 4 federal service, or civil air patrol duty without loss of
124 5 status or efficiency rating, and without loss of pay during
124 6 the first thirty days of such leave of absence. Where state
124 7 active duty, state military service, federal service, or civil
124 8 air patrol duty is for a period of less than thirty days, a
124 9 leave of absence under this section shall only be required for
124 10 those days that the civil employee would normally perform
124 11 services for the state, subdivision of the state, or a
124 12 municipality. The provisions of this section shall also apply
124 13 to a leave of absence by a member of the national disaster
124 14 medical system of the United States when activated for federal
124 15 service with the system.

124 16 Sec. 128. EFFECTIVE DATE. This division of this Act,
124 17 being deemed of immediate importance, takes effect upon
124 18 enactment and is applicable on and after that date.

124 19 Sec. 129. IMPLEMENTATION OF ACT. Section 25B.2,
124 20 subsection 3, Code 2007, shall not apply to this division of
124 21 this Act.

124 22 HF 909
124 23 pf/jg/25