

**House File 537 - Reprinted**

HOUSE FILE 537  
BY COMMITTEE ON HUMAN  
RESOURCES

(SUCCESSOR TO HSB 54)

(As Amended and Passed by the House March 15, 2011)

**A BILL FOR**

1 An Act relating to voluntary cessation of program operations  
2 and decertification of assisted living programs, and  
3 providing penalties.

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

1 Section 1. NEW SECTION. 231C.11A Voluntary cessation of  
2 program operations — decertification.

3 1. The department shall adopt rules regarding the voluntary  
4 cessation of program operations of an assisted living  
5 program, including decertification. The rules shall address  
6 notification of the tenants, tenant legal representatives, the  
7 department, and the tenant advocate at least ninety days prior  
8 to the anticipated date of cessation of program operations; the  
9 requirements for the safe and orderly transfer or transition of  
10 all tenants; and monitoring of the program during the process  
11 and after cessation of program operations.

12 2. Within seven days following provision of notice of  
13 cessation of program operations, the assisted living program  
14 shall hold a meeting and invite all tenants, tenant legal  
15 representatives, families of tenants, representatives of the  
16 department, and the tenant advocate to discuss the pending  
17 cessation of the program and to answer any questions. The  
18 department and the tenant advocate shall have access to attend  
19 the meeting and provide information to the tenants regarding  
20 their legal rights.

21 3. The tenant advocate shall monitor the decertification  
22 process and shall undertake any investigations necessary to  
23 ensure that the rights of tenants are protected during the  
24 process and after cessation of program operations. The tenant  
25 advocate shall assist tenants during the transition, including  
26 assisting tenants in finding necessary and appropriate service  
27 providers if the assisted living program is unable to provide  
28 such necessary and appropriate services during the transition  
29 period. The assisted living program shall cooperate with the  
30 tenant advocate by providing contact information for service  
31 providers within a thirty mile radius of the program.

32 4. Following cessation of program operations and  
33 decertification, the department shall retain authority to  
34 monitor the decertified program to ensure that the entity does  
35 not continue to act as an uncertified assisted living program

1 or other unlicensed, uncertified, or unregistered entity  
2 otherwise regulated by the state following decertification.  
3 If a decertified assisted living program continues to or  
4 subsequently acts in a manner that meets the definition of  
5 assisted living pursuant to section 231C.2, the decertified  
6 program is subject to the criminal penalties and injunctive  
7 relief provisions of section 231C.15, and any other penalties  
8 applicable by law.