

Senate File 505 - Reprinted

SENATE FILE 505
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1288)

(As Amended and Passed by the Senate May 6, 2015)

A BILL FOR

1 An Act relating to appropriations for health and human services
2 and veterans and including other related provisions and
3 appropriations, and including effective date and retroactive
4 and other applicability date provisions.

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

1 by area agencies on aging that require compliance with both
2 state and federal laws, rules, and regulations, including but
3 not limited to all of the following:

4 (1) Requiring that expenditures are incurred only for goods
5 or services received or performed prior to the end of the
6 fiscal period designated for use of the funds.

7 (2) Prohibiting prepayment for goods or services not
8 received or performed prior to the end of the fiscal period
9 designated for use of the funds.

10 (3) Prohibiting the prepayment for goods or services
11 not defined specifically by good or service, time period, or
12 recipient.

13 (4) Prohibiting the establishment of accounts from which
14 future goods or services which are not defined specifically by
15 good or service, time period, or recipient, may be purchased.

16 b. The procedures shall provide that if any funds are
17 expended in a manner that is not in compliance with the
18 procedures and applicable federal and state laws, rules, and
19 regulations, and are subsequently subject to repayment, the
20 area agency on aging expending such funds in contravention of
21 such procedures, laws, rules and regulations, not the state,
22 shall be liable for such repayment.

23 4. Of the funds appropriated in this section, at least
24 \$250,000 shall be used to fund the unmet needs identified
25 through Iowa's aging and disability resource center network.

26 5. Of the funds appropriated in this section, at least
27 \$600,000 shall be used to fund home and community-based
28 services through the area agencies on aging that enable older
29 individuals to avoid more costly utilization of residential or
30 institutional services and remain in their own homes.

31 6. Of the funds appropriated in this section, \$850,000
32 shall be used for the purposes of chapter 231E and section
33 231.56A, of which \$325,000 shall be used for the office of
34 substitute decision maker pursuant to chapter 231E, and the
35 remainder shall be distributed equally to the area agencies on

1 aging to administer the prevention of elder abuse, neglect, and
2 exploitation program pursuant to section 231.56A, in accordance
3 with the requirements of the federal Older Americans Act of
4 1965, 42 U.S.C. §3001 et seq., as amended.

5 DIVISION II

6 OFFICE OF LONG-TERM CARE OMBUDSMAN — FY 2015-2016

7 Sec. 2. OFFICE OF LONG-TERM CARE OMBUDSMAN.

8 1. There is appropriated from the general fund of the state
9 to the office of long-term care ombudsman for the fiscal year
10 beginning July 1, 2015, and ending June 30, 2016, the following
11 amount, or so much thereof as is necessary, to be used for the
12 purposes designated:

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

16	\$ 1,506,783
17	FTEs 21.00

18 2. Of the funds appropriated in this section, \$450,000 shall
19 be used to provide additional local long-term care ombudsmen.

20 3. The office of long-term care ombudsman and the department
21 of human services shall collaborate to develop a Medicaid
22 state plan amendment to provide for the claiming of federal
23 financial participation for office of long-term care ombudsman
24 activities that are performed to assist with administration of
25 the Medicaid program. The Medicaid state plan amendment shall
26 be submitted to the centers for Medicare and Medicaid services
27 of the United States department of health and human services in
28 a timely manner to allow for such claiming of federal financial
29 participation beginning January 1, 2016.

30 DIVISION III

31 DEPARTMENT OF PUBLIC HEALTH — FY 2015-2016

32 Sec. 3. DEPARTMENT OF PUBLIC HEALTH. There is appropriated
33 from the general fund of the state to the department of public
34 health for the fiscal year beginning July 1, 2015, and ending
35 June 30, 2016, the following amounts, or so much thereof as is

1 necessary, to be used for the purposes designated:

2 1. ADDICTIVE DISORDERS

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

7	\$ 27,263,690	
8	FTEs	10.00

9 a. (1) Of the funds appropriated in this subsection,
10 \$5,248,361 shall be used for the tobacco use prevention
11 and control initiative, including efforts at the state and
12 local levels, as provided in chapter 142A. The commission
13 on tobacco use prevention and control established pursuant
14 to section 142A.3 shall advise the director of public health
15 in prioritizing funding needs and the allocation of moneys
16 appropriated for the programs and initiatives. Activities
17 of the programs and initiatives shall be in alignment with
18 the United States centers for disease control and prevention
19 best practices for comprehensive tobacco control programs that
20 include the goals of preventing youth initiation of tobacco
21 usage, reducing exposure to secondhand smoke, and promotion of
22 tobacco cessation.

23 (2) (a) Of the funds allocated in this paragraph "a",
24 \$453,067 is transferred to the alcoholic beverages division of
25 the department of commerce for enforcement of tobacco laws,
26 regulations, and ordinances and to engage in tobacco control
27 activities approved by the division of tobacco use prevention
28 and control of the department of public health as specified
29 in the memorandum of understanding entered into between the
30 divisions.

31 (b) For the fiscal year beginning July 1, 2015, and ending
32 June 30, 2016, the terms of the memorandum of understanding,
33 entered into between the division of tobacco use prevention
34 and control of the department of public health and the
35 alcoholic beverages division of the department of commerce,

1 governing compliance checks conducted to ensure licensed retail
2 tobacco outlet conformity with tobacco laws, regulations, and
3 ordinances relating to persons under eighteen years of age,
4 shall continue to restrict the number of such checks to one
5 check per retail outlet, and one additional check for any
6 retail outlet found to be in violation during the first check.

7 b. Of the funds appropriated in this subsection,
8 \$22,015,329 shall be used for problem gambling and
9 substance-related disorder prevention, treatment, and recovery
10 services, including a 24-hour helpline, public information
11 resources, professional training, and program evaluation.

12 (1) Of the funds allocated in this paragraph "b",
13 \$18,903,715 shall be used for substance-related disorder
14 prevention and treatment.

15 (a) Of the funds allocated in this subparagraph (1),
16 \$899,300 shall be used for the public purpose of a grant
17 program to provide substance-related disorder prevention
18 programming for children.

19 (i) Of the funds allocated in this subparagraph division
20 (a), \$427,539 shall be used for grant funding for organizations
21 that provide programming for children by utilizing mentors.
22 Programs approved for such grants shall be certified or must
23 be certified within six months of receiving the grant award
24 by the Iowa commission on volunteer services as utilizing the
25 standards for effective practice for mentoring programs.

26 (ii) Of the funds allocated in this subparagraph division
27 (a), \$426,839 shall be used for grant funding for organizations
28 providing programming that includes youth development and
29 leadership services. The programs shall also be recognized as
30 being programs that are scientifically based with evidence of
31 their effectiveness in reducing substance-related disorders in
32 children.

33 (iii) The department of public health shall utilize a
34 request for proposals process to implement the grant program.

35 (iv) All grant recipients shall participate in a program

1 evaluation as a requirement for receiving grant funds.

2 (v) Of the funds allocated in this subparagraph division
3 (a), up to \$44,922 may be used to administer substance-related
4 disorder prevention grants and for program evaluations.

5 (b) Of the funds allocated in this subparagraph
6 (1), \$272,603 shall be used for culturally competent
7 substance-related disorder treatment pilot projects.

8 (i) The department shall utilize the amount allocated
9 in this subparagraph division (b) for at least three pilot
10 projects to provide culturally competent substance-related
11 disorder treatment in various areas of the state. Each pilot
12 project shall target a particular ethnic minority population.
13 The populations targeted shall include but are not limited to
14 African American, Asian, and Latino.

15 (ii) The pilot project requirements shall provide for
16 documentation or other means to ensure access to the cultural
17 competence approach used by a pilot project so that such
18 approach can be replicated and improved upon in successor
19 programs.

20 (2) Of the funds allocated in this paragraph "b", up
21 to \$3,111,614 may be used for problem gambling prevention,
22 treatment, and recovery services.

23 (a) Of the funds allocated in this subparagraph (2),
24 \$2,573,762 shall be used for problem gambling prevention and
25 treatment.

26 (b) Of the funds allocated in this subparagraph (2), up to
27 \$437,852 may be used for a 24-hour helpline, public information
28 resources, professional training, and program evaluation.

29 (c) Of the funds allocated in this subparagraph (2), up
30 to \$100,000 may be used for the licensing of problem gambling
31 treatment programs.

32 (3) It is the intent of the general assembly that from the
33 moneys allocated in this paragraph "b", persons with a dual
34 diagnosis of substance-related disorder and gambling addiction
35 shall be given priority in treatment services.

1 c. Notwithstanding any provision of law to the contrary,
2 to standardize the availability, delivery, cost of delivery,
3 and accountability of problem gambling and substance-related
4 disorder treatment services statewide, the department shall
5 continue implementation of a process to create a system
6 for delivery of treatment services in accordance with the
7 requirements specified in 2008 Iowa Acts, chapter 1187, section
8 3, subsection 4. To ensure the system provides a continuum
9 of treatment services that best meets the needs of Iowans,
10 the problem gambling and substance-related disorder treatment
11 services in any area may be provided either by a single agency
12 or by separate agencies submitting a joint proposal.

13 (1) The system for delivery of substance-related disorder
14 and problem gambling treatment shall include problem gambling
15 prevention.

16 (2) The system for delivery of substance-related disorder
17 and problem gambling treatment shall include substance-related
18 disorder prevention by July 1, 2016.

19 (3) Of the funds allocated in paragraph "b", the department
20 may use up to \$100,000 for administrative costs to continue
21 developing and implementing the process in accordance with this
22 paragraph "c".

23 d. The requirement of section 123.53, subsection 5, is met
24 by the appropriations and allocations made in this division of
25 this Act for purposes of substance-related disorder treatment
26 and addictive disorders for the fiscal year beginning July 1,
27 2015.

28 e. The department of public health shall work with all
29 other departments that fund substance-related disorder
30 prevention and treatment services and all such departments
31 shall, to the extent necessary, collectively meet the state
32 maintenance of effort requirements for expenditures for
33 substance-related disorder services as required under the
34 federal substance-related disorder prevention and treatment
35 block grant.

1 2. HEALTHY CHILDREN AND FAMILIES

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

6	\$ 7,331,602
7	FTEs 13.00

8 a. Of the funds appropriated in this subsection, not more
9 than \$734,841 shall be used for the healthy opportunities for
10 parents to experience success (HOPES)-healthy families Iowa
11 (HFI) program established pursuant to section 135.106. The
12 funding shall be distributed to renew the grants that were
13 provided to the grantees that operated the program during the
14 fiscal year ending June 30, 2015.

15 b. In order to implement the legislative intent stated in
16 sections 135.106 and 256I.9, that priority for home visitation
17 program funding be given to programs using evidence-based or
18 promising models for home visitation, it is the intent of the
19 general assembly to phase in the funding priority in accordance
20 with 2012 Iowa Acts, chapter 1133, section 2, subsection 2,
21 paragraph 0b.

22 c. Of the funds appropriated in this subsection, \$4,912,887
23 shall be used to expand statewide the department's initiative
24 to provide for adequate developmental surveillance and
25 screening during a child's first five years. The funds shall
26 be used first to fully fund the current sites to ensure that
27 the sites are fully operational, with the remaining funds
28 to be used for expansion to additional sites. The full
29 implementation and expansion shall include enhancing the scope
30 of the program through collaboration with the child health
31 specialty clinics to promote healthy child development through
32 early identification and response to both biomedical and social
33 determinants of healthy development; by monitoring child
34 health metrics to inform practice, document long-term health
35 impacts and savings, and provide for continuous improvement

1 through training, education, and evaluation; and by providing
2 for practitioner consultation particularly for children with
3 behavioral conditions and needs. The department of public
4 health shall also collaborate with the Iowa Medicaid enterprise
5 and the child health specialty clinics to integrate the
6 activities of the first five initiative into the establishment
7 of patient-centered medical homes, community utilities,
8 accountable care organizations, and other integrated care
9 models developed to improve health quality and population
10 health while reducing health care costs. To the maximum extent
11 possible, funding allocated in this paragraph shall be utilized
12 as matching funds for medical assistance program reimbursement.

13 d. Of the funds appropriated in this subsection, \$74,640
14 shall be distributed to a statewide dental carrier to provide
15 funds to continue the donated dental services program patterned
16 after the projects developed by the lifeline network to provide
17 dental services to indigent individuals who are elderly or with
18 disabilities.

19 e. Of the funds appropriated in this subsection, \$111,995
20 shall be used for childhood obesity prevention.

21 f. Of the funds appropriated in this subsection, \$162,768
22 shall be used to provide audiological services and hearing
23 aids for children. The department may enter into a contract
24 to administer this paragraph.

25 g. Of the funds appropriated in this subsection, \$25,000 is
26 transferred to the university of Iowa college of dentistry for
27 provision of primary dental services to children. State funds
28 shall be matched on a dollar-for-dollar basis. The university
29 of Iowa college of dentistry shall coordinate efforts with the
30 department of public health, bureau of oral and health delivery
31 systems, to provide dental care to underserved populations
32 throughout the state.

33 h. Of the funds appropriated in this subsection, \$50,000
34 shall be used to address youth suicide prevention.

35 i. Of the funds appropriated in this subsection, \$50,000

1 shall be used to support the Iowa effort to address the survey
2 of children who experience adverse childhood experiences known
3 as ACEs.

4 3. CHRONIC CONDITIONS

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

8	\$	5,105,861
9	FTEs	5.00

10 a. Of the funds appropriated in this subsection, \$159,932
11 shall be used for grants to individual patients who have an
12 inherited metabolic disorder to assist with the costs of
13 medically necessary foods and formula.

14 b. Of the funds appropriated in this subsection, \$891,644
15 shall be used for the brain injury services program pursuant to
16 section 135.22B, including for continuation of the contracts
17 for resource facilitator services in accordance with section
18 135.22B, subsection 9, and to enhance brain injury training and
19 recruitment of service providers on a statewide basis. Of the
20 amount allocated in this paragraph, \$95,000 shall be used to
21 fund one full-time equivalent position to serve as the state
22 brain injury services program manager.

23 c. Of the funds appropriated in this subsection, \$547,982
24 shall be used as additional funding to leverage federal funding
25 through the federal Ryan White Care Act, Tit. II, AIDS drug
26 assistance program supplemental drug treatment grants.

27 d. Of the funds appropriated in this subsection, \$149,823
28 shall be used for the public purpose of continuing to contract
29 with an existing national-affiliated organization to provide
30 education, client-centered programs, and client and family
31 support for people living with epilepsy and their families.
32 The amount allocated in this paragraph in excess of \$100,000
33 shall be matched dollar-for-dollar by the organization
34 specified.

35 e. Of the funds appropriated in this subsection, \$785,114

1 shall be used for child health specialty clinics.

2 f. Of the funds appropriated in this subsection, \$400,000
3 shall be used by the regional autism assistance program
4 established pursuant to section 256.35, and administered by
5 the child health specialty clinic located at the university of
6 Iowa hospitals and clinics. The funds shall be used to enhance
7 interagency collaboration and coordination of educational,
8 medical, and other human services for persons with autism,
9 their families, and providers of services, including delivering
10 regionalized services of care coordination, family navigation,
11 and integration of services through the statewide system of
12 regional child health specialty clinics and fulfilling other
13 requirements as specified in chapter 225D. The university of
14 Iowa shall not receive funds allocated under this paragraph for
15 indirect costs associated with the regional autism assistance
16 program.

17 g. Of the funds appropriated in this subsection, \$570,993
18 shall be used for the comprehensive cancer control program to
19 reduce the burden of cancer in Iowa through prevention, early
20 detection, effective treatment, and ensuring quality of life.
21 Of the funds allocated in this paragraph "g", \$150,000 shall
22 be used to support a melanoma research symposium, a melanoma
23 biorepository and registry, basic and translational melanoma
24 research, and clinical trials.

25 h. Of the funds appropriated in this subsection, \$126,450
26 shall be used for cervical and colon cancer screening, and
27 \$300,000 shall be used to enhance the capacity of the cervical
28 cancer screening program to include provision of recommended
29 prevention and early detection measures to a broader range of
30 low-income women.

31 i. Of the funds appropriated in this subsection, \$676,864
32 shall be used for the center for congenital and inherited
33 disorders including to provide for surveillance of stillbirths
34 as defined in section 136A.2.

35 j. Of the funds appropriated in this subsection, \$129,411

1 shall be used for the prescription drug donation repository
2 program created in chapter 135M.

3 k. Of the funds appropriated in this subsection,
4 \$215,263 shall be used by the department of public health
5 for reform-related activities, including but not limited to
6 facilitation of communication to stakeholders at the state and
7 local level, administering the patient-centered health advisory
8 council pursuant to section 135.159, and involvement in health
9 care system innovation activities occurring across the state.

10 1. Of the funds appropriated in this subsection, \$25,000
11 shall be used for administration of chapter 124D, the medical
12 cannabidiol Act, or other Code provisions authorizing the
13 compassionate medical use of cannabis, if enacted by the 2015
14 regular session of the Eighty-sixth General Assembly.

15 4. COMMUNITY CAPACITY

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

19	\$	8,719,716
20	FTEs	11.00

21 a. Of the funds appropriated in this subsection, \$99,414
22 is allocated for continuation of the child vision screening
23 program implemented through the university of Iowa hospitals
24 and clinics in collaboration with early childhood Iowa areas.
25 The program shall submit a report to the individuals identified
26 in this Act for submission of reports regarding the use of
27 funds allocated under this paragraph "a". The report shall
28 include the objectives and results for the program year
29 including the target population and how the funds allocated
30 assisted the program in meeting the objectives; the number,
31 age, and location within the state of individuals served;
32 the type of services provided to the individuals served; the
33 distribution of funds based on service provided; and the
34 continuing needs of the program.

35 b. Of the funds appropriated in this subsection, \$110,656 is

1 allocated for continuation of an initiative implemented at the
2 university of Iowa and \$99,904 is allocated for continuation of
3 an initiative at the state mental health institute at Cherokee
4 to expand and improve the workforce engaged in mental health
5 treatment and services. The initiatives shall receive input
6 from the university of Iowa, the department of human services,
7 the department of public health, and the mental health and
8 disability services commission to address the focus of the
9 initiatives.

10 c. Of the funds appropriated in this subsection, \$1,164,628
11 shall be used for essential public health services that promote
12 healthy aging throughout one's lifespan, contracted through a
13 formula for local boards of health, to enhance health promotion
14 and disease prevention services.

15 d. Of the funds appropriated in this section, \$99,286 shall
16 be deposited in the governmental public health system fund
17 created in section 135A.8 to be used for the purposes of the
18 fund.

19 e. Of the funds appropriated in this subsection, \$105,448
20 shall be used to continue to address the shortage of mental
21 health professionals in the state.

22 f. Of the funds appropriated in this subsection,
23 \$50,000 shall be used for a grant to a statewide association
24 of psychologists that is affiliated with the American
25 psychological association to be used for continuation of a
26 program to rotate intern psychologists in placements in urban
27 and rural mental health professional shortage areas, as defined
28 in section 135.180.

29 g. (1) Of the funds appropriated in this subsection,
30 \$2,882,969 shall be allocated as a grant to the Iowa primary
31 care association to be used pursuant to section 135.153 for
32 the statewide coordination of the Iowa collaborative safety
33 net provider network. Coordination of the network shall
34 focus on increasing access by underserved populations to
35 health care services, increasing integration of the health

1 system and collaboration across the continuum of care with
2 a focus on safety net services, and enhancing the Iowa
3 collaborative safety net provider network's communication and
4 education efforts. The amount allocated as a grant under this
5 subparagraph (1) shall be used as follows to support the Iowa
6 collaborative safety net provider network goals of increased
7 access, health system integration, and engagement:

8 (a) For distribution to safety net partners in the state
9 that work to increase access of the underserved population to
10 health services:

11 \$ 1,025,485

12 (i) Of the amount allocated in this subparagraph division
13 (a), not less than \$413,415 shall be distributed to the
14 Iowa prescription drug corporation for continuation of the
15 pharmaceutical infrastructure for safety net providers as
16 described in 2007 Iowa Acts, chapter 218, section 108.

17 (ii) Of the amount allocated in this subparagraph division
18 (a), not less than \$348,322 shall be distributed to free
19 clinics and free clinics of Iowa for necessary infrastructure,
20 statewide coordination, provider recruitment, service delivery,
21 and provision of assistance to patients in securing a medical
22 home inclusive of oral health care.

23 (iii) Of the amount allocated in this subparagraph division
24 (a), not less than \$50,000 shall be distributed to the Iowa
25 coalition against sexual assault to continue a training
26 program for sexual assault response team (SART) members,
27 including representatives of law enforcement, victim advocates,
28 prosecutors, and certified medical personnel.

29 (iv) Of the amount allocated in this subparagraph division
30 (a), not less than \$213,748 shall be distributed to the Polk
31 county medical society for continuation of the safety net
32 provider patient access to a specialty health care initiative
33 as described in 2007 Iowa Acts, chapter 218, section 109.

34 (b) For distribution to safety net partners in the
35 state that work to increase health system integration, care

1 coordination, and collaboration across the continuum of care
2 with a focus on safety net services. Such efforts shall
3 include but not be limited to community care coordination team
4 development and integration of medical and behavioral health
5 services. Efforts shall also include working, in conjunction
6 with the department of human services and the department
7 of public health, to support Medicaid managed care efforts
8 inclusive of the state innovation model through the continued
9 development and implementation of community care coordination
10 teams. Implementation of the community care coordination
11 teams shall be accomplished through a statewide regionally
12 based network that provides an integrated approach to health
13 care delivery through care coordination that supports primary
14 care providers and links patients with community resources
15 necessary to empower patients in addressing biomedical and
16 social determinants of health to improve health outcomes:

17 \$ 1,672,199

18 (c) For distribution to safety net partners in the state
19 that work to serve as a resource for credible, accurate
20 information on health care-related needs and services
21 for vulnerable populations in the state including the
22 Iowa association of rural health clinics for necessary
23 infrastructure and service delivery transformation and the Iowa
24 primary care association to support partner engagement, program
25 management, and statewide coordination of the network:

26 \$ 185,285

27 (2) The amount allocated under this paragraph "g" shall
28 not be reduced for administrative or other costs prior to
29 distribution. The Iowa collaborative safety net provider
30 network may continue to distribute funds allocated pursuant to
31 this paragraph "g" through existing contracts or renewal of
32 existing contracts.

33 (3) For each goal of the Iowa collaborative safety net
34 provider network, the Iowa primary care association shall
35 submit a progress report to the individuals designated in this

1 Act for submission of reports by December 15, 2015, including
2 progress in developing and implementing the network, how the
3 funds were distributed and used in developing and implementing
4 the network, and the remaining needs identified to fully
5 develop and implement the network.

6 h. Of the funds appropriated in this subsection, \$213,400
7 shall be used for continuation of the work of the direct care
8 worker advisory council established pursuant to 2008 Iowa Acts,
9 chapter 1188, section 69, in implementing the recommendations
10 in the final report submitted by the advisory council to the
11 governor and the general assembly in March 2012, including
12 by continuing to develop, promote, and make available on a
13 statewide basis the prepare-to-care core curriculum and its
14 associated modules and specialties through various formats
15 including online access, community colleges, and other venues;
16 exploring new and maintaining existing specialties including
17 but not limited to oral health and dementia care; supporting
18 instructor training; and assessing and making recommendations
19 concerning the Iowa care book and information technology
20 systems and infrastructure uses and needs.

21 i. (1) Of the funds appropriated in this subsection,
22 \$216,375 shall be used for allocation to an independent
23 statewide direct care worker organization under continuation
24 of the contract in effect during the fiscal year ending June
25 30, 2015.

26 (2) Of the funds appropriated in this subsection,
27 \$105,000 shall be used to provide scholarships or other
28 forms of subsidization for direct care worker educational
29 conferences, training, or outreach activities, and for the
30 mouth-care-matters oral health care project.

31 j. Of the funds appropriated in this subsection, the
32 department may use up to \$58,175 for up to one full-time
33 equivalent position to administer the volunteer health care
34 provider program pursuant to section 135.24.

35 k. Of the funds appropriated in this subsection, \$100,000

1 shall be used for a matching dental education loan repayment
2 program to be allocated to a dental nonprofit health service
3 corporation to continue to develop the criteria and implement
4 the loan repayment program.

5 1. Of the funds appropriated in this subsection, \$105,823 is
6 transferred to the college student aid commission for deposit
7 in the rural Iowa primary care trust fund created in section
8 261.113 to be used for the purposes of the fund.

9 m. Of the funds appropriated in this subsection, \$250,000
10 shall be used for the purposes of the Iowa donor registry as
11 specified in section 142C.18.

12 n. Of the funds appropriated in this subsection, \$100,000
13 shall be used for continuation of a grant to a nationally
14 affiliated volunteer eye organization that has an established
15 program for children and adults and that is solely dedicated to
16 preserving sight and preventing blindness through education,
17 nationally certified vision screening and training, and
18 community and patient service programs. The organization
19 shall submit a report to the individuals identified in this
20 Act for submission of reports regarding the use of funds
21 allocated under this paragraph "n". The report shall include
22 the objectives and results for the program year including
23 the target population and how the funds allocated assisted
24 the program in meeting the objectives; the number, age, and
25 location within the state of individuals served; the type of
26 services provided to the individuals served; the distribution
27 of funds based on services provided; and the continuing needs
28 of the program.

29 o. Of the funds appropriated in this subsection, \$25,000
30 shall be used for the continuation of a wellness council under
31 the direction of the director of public health to increase
32 support for wellness activities in the state.

33 p. Of the funds appropriated in this subsection, \$2,000,000
34 shall be deposited in the medical residency training account
35 created in section 135.175, subsection 5, paragraph "a", and

1 is appropriated from the account to the department of public
2 health to be used for the purposes of the medical residency
3 training state matching grants program as specified in section
4 135.176. However, notwithstanding any provision to the
5 contrary in section 135.176, priority in the awarding of grants
6 shall be given to sponsors that propose preference in the use
7 of the grant funds for psychiatric residency positions and
8 family practice residency positions.

9 5. HEALTHY AGING

10 To provide public health services that reduce risks and
11 invest in promoting and protecting good health over the
12 course of a lifetime with a priority given to older Iowans and
13 vulnerable populations:

14 \$ 7,297,142

15 6. INFECTIOUS DISEASES

16 For reducing the incidence and prevalence of communicable
17 diseases, and for not more than the following full-time
18 equivalent positions:

19 \$ 1,335,155

20 FTEs 4.00

21 7. PUBLIC PROTECTION

22 For protecting the health and safety of the public through
23 establishing standards and enforcing regulations, and for not
24 more than the following full-time equivalent positions:

25 \$ 4,339,191

26 FTEs 135.50

27 a. Of the funds appropriated in this subsection, not more
28 than \$454,700 shall be credited to the emergency medical
29 services fund created in section 135.25. Moneys in the
30 emergency medical services fund are appropriated to the
31 department to be used for the purposes of the fund.

32 b. Of the funds appropriated in this subsection, \$203,032
33 shall be used for sexual violence prevention programming
34 through a statewide organization representing programs
35 serving victims of sexual violence through the department's

1 sexual violence prevention program. The amount allocated
2 in this paragraph "b" shall not be used to supplant funding
3 administered for other sexual violence prevention or victims
4 assistance programs.

5 c. Of the funds appropriated in this subsection, \$598,751
6 shall be used for the state poison control center. Pursuant
7 to the directive under 2014 Iowa Acts, chapter 1140, section
8 102, the federal matching funds available to the state poison
9 control center from the department of human services under the
10 federal Children's Health Insurance Program Reauthorization Act
11 allotment shall be subject to the federal administrative cap
12 rule of 10 percent applicable to funding provided under Tit.
13 XXI of the federal Social Security Act and included within the
14 department's calculations of the cap.

15 d. Of the funds appropriated in this subsection, \$537,750
16 shall be used for childhood lead poisoning provisions.

17 8. RESOURCE MANAGEMENT

18 For establishing and sustaining the overall ability of the
19 department to deliver services to the public, and for not more
20 than the following full-time equivalent positions:

21	\$	855,072
22	FTEs	4.00

23 The university of Iowa hospitals and clinics under the
24 control of the state board of regents shall not receive
25 indirect costs from the funds appropriated in this section.
26 The university of Iowa hospitals and clinics billings to the
27 department shall be on at least a quarterly basis.

28 DIVISION IV

29 DEPARTMENT OF VETERANS AFFAIRS — FY 2015-2016

30 Sec. 4. DEPARTMENT OF VETERANS AFFAIRS. There is
31 appropriated from the general fund of the state to the
32 department of veterans affairs for the fiscal year beginning
33 July 1, 2015, and ending June 30, 2016, the following amounts,
34 or so much thereof as is necessary, to be used for the purposes
35 designated:

1 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

2 For salaries, support, maintenance, and miscellaneous
3 purposes, and for not more than the following full-time
4 equivalent positions:

5 \$ 1,200,546
6 FTEs 15.00

7 2. IOWA VETERANS HOME

8 For salaries, support, maintenance, and miscellaneous
9 purposes:

10 \$ 7,594,996

11 a. The Iowa veterans home billings involving the department
12 of human services shall be submitted to the department on at
13 least a monthly basis.

14 b. If there is a change in the employer of employees
15 providing services at the Iowa veterans home under a collective
16 bargaining agreement, such employees and the agreement shall
17 be continued by the successor employer as though there had not
18 been a change in employer.

19 c. Within available resources and in conformance with
20 associated state and federal program eligibility requirements,
21 the Iowa veterans home may implement measures to provide
22 financial assistance to or on behalf of veterans or their
23 spouses who are participating in the community reentry program.

24 d. The Iowa veterans home expenditure report shall be
25 submitted monthly to the legislative services agency.

26 3. HOME OWNERSHIP ASSISTANCE PROGRAM

27 For transfer to the Iowa finance authority for the
28 continuation of the home ownership assistance program for
29 persons who are or were eligible members of the armed forces of
30 the United States, pursuant to section 16.54:

31 \$ 2,500,000

32 Sec. 5. LIMITATION OF COUNTY COMMISSIONS OF VETERAN AFFAIRS
33 FUND STANDING APPROPRIATIONS. Notwithstanding the standing
34 appropriation in section 35A.16 for the fiscal year beginning
35 July 1, 2015, and ending June 30, 2016, the amount appropriated

1 from the general fund of the state pursuant to that section
2 for the following designated purposes shall not exceed the
3 following amount:

4 For the county commissions of veteran affairs fund under
5 section 35A.16:

6 \$ 990,000

7 DIVISION V

8 DEPARTMENT OF HUMAN SERVICES — FY 2015-2016

9 Sec. 6. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK

10 GRANT. There is appropriated from the fund created in section
11 8.41 to the department of human services for the fiscal year
12 beginning July 1, 2015, and ending June 30, 2016, from moneys
13 received under the federal temporary assistance for needy
14 families (TANF) block grant pursuant to the federal Personal
15 Responsibility and Work Opportunity Reconciliation Act of 1996,
16 Pub. L. No. 104-193, and successor legislation, the following
17 amounts, or so much thereof as is necessary, to be used for the
18 purposes designated:

19 1. To be credited to the family investment program account
20 and used for assistance under the family investment program
21 under chapter 239B:

22 \$ 5,136,995

23 2. To be credited to the family investment program account
24 and used for the job opportunities and basic skills (JOBS)
25 program and implementing family investment agreements in
26 accordance with chapter 239B:

27 \$ 10,138,178

28 3. To be used for the family development and
29 self-sufficiency grant program in accordance with section
30 216A.107:

31 \$ 2,898,980

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

1 the succeeding fiscal year. However, unless such moneys are
2 encumbered or obligated on or before September 30, 2016, the
3 moneys shall revert.

4 4. For field operations:

5 \$ 31,296,232

6 5. For general administration:

7 \$ 3,744,000

8 6. For state child care assistance:

9 \$ 35,047,110

10 a. Of the funds appropriated in this subsection,
11 \$26,328,097 is transferred to the child care and development
12 block grant appropriation made by the Eighty-sixth General
13 Assembly, 2015 Session, for the federal fiscal year beginning
14 October 1, 2015, and ending September 30, 2016. Of this
15 amount, \$200,000 shall be used for provision of educational
16 opportunities to registered child care home providers in order
17 to improve services and programs offered by this category
18 of providers and to increase the number of providers. The
19 department may contract with institutions of higher education
20 or child care resource and referral centers to provide
21 the educational opportunities. Allowable administrative
22 costs under the contracts shall not exceed 5 percent. The
23 application for a grant shall not exceed two pages in length.

24 b. Any funds appropriated in this subsection remaining
25 unallocated shall be used for state child care assistance
26 payments for families who are employed including but not
27 limited to individuals enrolled in the family investment
28 program.

29 7. For distribution to counties and regions through the
30 property tax relief fund for mental health and disability
31 services as provided in an appropriation made for this purpose:

32 \$ 4,894,052

33 8. For child and family services:

34 \$ 32,084,430

35 9. For child abuse prevention grants:

1 \$ 125,000

2 10. For pregnancy prevention grants on the condition that
3 family planning services are funded:

4 \$ 1,930,067

5 Pregnancy prevention grants shall be awarded to programs
6 in existence on or before July 1, 2015, if the programs have
7 demonstrated positive outcomes. Grants shall be awarded to
8 pregnancy prevention programs which are developed after July
9 1, 2015, if the programs are based on existing models that
10 have demonstrated positive outcomes. Grants shall comply with
11 the requirements provided in 1997 Iowa Acts, chapter 208,
12 section 14, subsections 1 and 2, including the requirement that
13 grant programs must emphasize sexual abstinence. Priority in
14 the awarding of grants shall be given to programs that serve
15 areas of the state which demonstrate the highest percentage of
16 unplanned pregnancies of females of childbearing age within the
17 geographic area to be served by the grant.

18 11. For technology needs and other resources necessary
19 to meet federal welfare reform reporting, tracking, and case
20 management requirements:

21 \$ 1,037,186

22 12. For the family investment program share of the costs to
23 continue to develop and maintain a new, integrated eligibility
24 determination system:

25 \$ 6,654,880

26 13. a. Notwithstanding any provision to the contrary,
27 including but not limited to requirements in section 8.41 or
28 provisions in 2014 or 2015 Iowa Acts regarding the receipt and
29 appropriation of federal block grants, federal funds from the
30 temporary assistance for needy families block grant received by
31 the state and not otherwise appropriated in this section and
32 remaining available for the fiscal year beginning July 1, 2015,
33 are appropriated to the department of human services to the
34 extent as may be necessary to be used in the following priority
35 order: the family investment program, for state child care

1 assistance program payments for families who are employed, and
2 for the family investment program share of costs to develop and
3 maintain a new, integrated eligibility determination system.
4 The federal funds appropriated in this paragraph "a" shall be
5 expended only after all other funds appropriated in subsection
6 1 for the assistance under the family investment program,
7 in subsection 6 for child care assistance, or in subsection
8 12 for the family investment program share of the costs to
9 continue to develop and maintain a new, integrated eligibility
10 determination system, as applicable, have been expended. For
11 the purposes of this subsection, the funds appropriated in
12 subsection 6, paragraph "a", for transfer to the child care
13 and development block grant appropriation are considered fully
14 expended when the full amount has been transferred.

15 b. The department shall, on a quarterly basis, advise the
16 legislative services agency and department of management of
17 the amount of funds appropriated in this subsection that was
18 expended in the prior quarter.

19 14. Of the amounts appropriated in this section,
20 \$12,962,008 for the fiscal year beginning July 1, 2015, is
21 transferred to the appropriation of the federal social services
22 block grant made to the department of human services for that
23 fiscal year.

24 15. For continuation of the program providing categorical
25 eligibility for the food assistance program as specified for
26 the program in the section of this division of this 2015 Act
27 relating to the family investment program account:

28 \$ 25,000

29 16. The department may transfer funds allocated in this
30 section to the appropriations made in this division of this Act
31 for the same fiscal year for general administration and field
32 operations for resources necessary to implement and operate the
33 services referred to in this section and those funded in the
34 appropriation made in this division of this Act for the same
35 fiscal year for the family investment program from the general

1 fund of the state.

2 Sec. 7. FAMILY INVESTMENT PROGRAM ACCOUNT.

3 1. Moneys credited to the family investment program (FIP)
4 account for the fiscal year beginning July 1, 2015, and
5 ending June 30, 2016, shall be used to provide assistance in
6 accordance with chapter 239B.

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

10 3. The department may transfer funds allocated in
11 subsection 4 to the appropriations made in this division of
12 this Act for the same fiscal year for general administration
13 and field operations for resources necessary to implement and
14 operate the family investment program services referred to in
15 this section and those funded in the appropriation made in this
16 division of this Act for the same fiscal year for the family
17 investment program from the general fund of the state.

18 4. Moneys appropriated in this division of this Act and
19 credited to the FIP account for the fiscal year beginning July
20 1, 2015, and ending June 30, 2016, are allocated as follows:

21 a. To be retained by the department of human services to
22 be used for coordinating with the department of human rights
23 to more effectively serve participants in FIP and other shared
24 clients and to meet federal reporting requirements under the
25 federal temporary assistance for needy families block grant:
26 \$ 20,000

27 b. To the department of human rights for staffing,
28 administration, and implementation of the family development
29 and self-sufficiency grant program in accordance with section
30 216A.107:
31 \$ 6,392,834

32 (1) Of the funds allocated for the family development
33 and self-sufficiency grant program in this paragraph "b",
34 not more than 5 percent of the funds shall be used for the
35 administration of the grant program.

1 (2) The department of human rights may continue to implement
2 the family development and self-sufficiency grant program
3 statewide during fiscal year 2015-2016.

4 (3) The department of human rights may engage in activities
5 to strengthen and improve family outcomes measures and
6 data collection systems under the family development and
7 self-sufficiency grant program.

8 c. For the diversion subaccount of the FIP account:
9 \$ 815,000

10 A portion of the moneys allocated for the subaccount may
11 be used for field operations, salaries, data management
12 system development, and implementation costs and support
13 deemed necessary by the director of human services in order
14 to administer the FIP diversion program. To the extent
15 moneys allocated in this paragraph "c" are not deemed by the
16 department to be necessary to support diversion activities,
17 such moneys may be used for other efforts intended to increase
18 engagement by family investment program participants in work,
19 education, or training activities.

20 d. For the food assistance employment and training program:
21 \$ 66,588

22 (1) The department shall apply the federal supplemental
23 nutrition assistance program (SNAP) employment and training
24 state plan in order to maximize to the fullest extent permitted
25 by federal law the use of the 50 percent federal reimbursement
26 provisions for the claiming of allowable federal reimbursement
27 funds from the United States department of agriculture
28 pursuant to the federal SNAP employment and training program
29 for providing education, employment, and training services
30 for eligible food assistance program participants, including
31 but not limited to related dependent care and transportation
32 expenses.

33 (2) The department shall continue the categorical federal
34 food assistance program eligibility at 160 percent of the
35 federal poverty level and continue to eliminate the asset test

1 from eligibility requirements, consistent with federal food
2 assistance program requirements. The department shall include
3 as many food assistance households as is allowed by federal
4 law. The eligibility provisions shall conform to all federal
5 requirements including requirements addressing individuals who
6 are incarcerated or otherwise ineligible.

7 e. For the JOBS program:

8 \$ 17,540,398

9 5. Of the child support collections assigned under FIP,
10 an amount equal to the federal share of support collections
11 shall be credited to the child support recovery appropriation
12 made in this division of this Act. Of the remainder of the
13 assigned child support collections received by the child
14 support recovery unit, a portion shall be credited to the FIP
15 account, a portion may be used to increase recoveries, and a
16 portion may be used to sustain cash flow in the child support
17 payments account. If as a consequence of the appropriations
18 and allocations made in this section the resulting amounts
19 are insufficient to sustain cash assistance payments and meet
20 federal maintenance of effort requirements, the department
21 shall seek supplemental funding. If child support collections
22 assigned under FIP are greater than estimated or are otherwise
23 determined not to be required for maintenance of effort, the
24 state share of either amount may be transferred to or retained
25 in the child support payments account.

26 6. The department may adopt emergency rules for the family
27 investment, JOBS, food assistance, and medical assistance
28 programs if necessary to comply with federal requirements.

29 Sec. 8. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
30 is appropriated from the general fund of the state to the
31 department of human services for the fiscal year beginning July
32 1, 2015, and ending June 30, 2016, the following amount, or
33 so much thereof as is necessary, to be used for the purpose
34 designated:

35 To be credited to the family investment program (FIP)

1 account and used for family investment program assistance under
2 chapter 239B:

3 \$ 49,093,875

4 1. Of the funds appropriated in this section, \$7,402,220 is
5 allocated for the JOBS program.

6 2. Of the funds appropriated in this section, \$3,513,854 is
7 allocated for the family development and self-sufficiency grant
8 program.

9 3. Notwithstanding section 8.39, for the fiscal year
10 beginning July 1, 2015, if necessary to meet federal
11 maintenance of effort requirements or to transfer federal
12 temporary assistance for needy families block grant funding
13 to be used for purposes of the federal social services block
14 grant or to meet cash flow needs resulting from delays in
15 receiving federal funding or to implement, in accordance with
16 this division of this Act, activities currently funded with
17 juvenile court services, county, or community moneys and state
18 moneys used in combination with such moneys, the department
19 of human services may transfer funds within or between any
20 of the appropriations made in this division of this Act and
21 appropriations in law for the federal social services block
22 grant to the department for the following purposes, provided
23 that the combined amount of state and federal temporary
24 assistance for needy families block grant funding for each
25 appropriation remains the same before and after the transfer:

- 26 a. For the family investment program.
- 27 b. For child care assistance.
- 28 c. For child and family services.
- 29 d. For field operations.
- 30 e. For general administration.
- 31 f. For distribution to counties or regions through the
32 property tax relief fund for mental health and disability
33 services as provided in an appropriation for this purpose.

34 This subsection shall not be construed to prohibit the use
35 of existing state transfer authority for other purposes. The

1 department shall report any transfers made pursuant to this
2 subsection to the legislative services agency.

3 4. Of the funds appropriated in this section, \$195,678 shall
4 be used for continuation of a grant to an Iowa-based nonprofit
5 organization with a history of providing tax preparation
6 assistance to low-income Iowans in order to expand the usage of
7 the earned income tax credit. The purpose of the grant is to
8 supply this assistance to underserved areas of the state.

9 5. Of the funds appropriated in this section, \$80,000 shall
10 be used for the continuation of an unfunded pilot project, as
11 defined in 441 IAC 100.1, relating to parental obligations,
12 in which the child support recovery unit participates, to
13 support the efforts of a nonprofit organization committed to
14 strengthening the community through youth development, healthy
15 living, and social responsibility headquartered in a county
16 with a population over 350,000. The funds allocated in this
17 subsection shall be used by the recipient organization to
18 develop a larger community effort, through public and private
19 partnerships, to support a broad-based multi-county fatherhood
20 initiative that promotes payment of child support obligations,
21 improved family relationships, and full-time employment.

22 6. Of the funds appropriated in this section, \$200,000 shall
23 be used as a grant to a nonprofit organization organized under
24 section 501(c)(4) of the Internal Revenue Code to implement a
25 youth development strategy through after-school programming
26 that promotes academic success, healthy lifestyles, good
27 character, and citizenship. The organization shall meet all of
28 the following criteria:

29 a. Operate statewide and provide services through more than
30 one location.

31 b. Provide the after-school programming for students ages
32 five through eighteen years of age who are members of families
33 eligible for the federal temporary assistance for needy
34 families program.

35 c. Provide evidence, based on measurable outcomes, that the

1 after-school programming provided results in increased student
2 achievement.

3 7. The department may transfer funds appropriated in this
4 section to the appropriations made in this division of this Act
5 for general administration and field operations as necessary
6 to administer this section and the overall family investment
7 program.

8 Sec. 9. CHILD SUPPORT RECOVERY. There is appropriated
9 from the general fund of the state to the department of human
10 services for the fiscal year beginning July 1, 2015, and ending
11 June 30, 2016, the following amount, or so much thereof as is
12 necessary, to be used for the purposes designated:

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

16	\$ 14,663,373
17	FTEs 464.00

18 1. The department shall expend up to \$24,329, including
19 federal financial participation, for the fiscal year beginning
20 July 1, 2015, for a child support public awareness campaign.
21 The department and the office of the attorney general shall
22 cooperate in continuation of the campaign. The public
23 awareness campaign shall emphasize, through a variety of
24 media activities, the importance of maximum involvement of
25 both parents in the lives of their children as well as the
26 importance of payment of child support obligations.

27 2. Federal access and visitation grant moneys shall be
28 issued directly to private not-for-profit agencies that provide
29 services designed to increase compliance with the child access
30 provisions of court orders, including but not limited to
31 neutral visitation sites and mediation services.

32 3. The appropriation made to the department for child
33 support recovery may be used throughout the fiscal year in the
34 manner necessary for purposes of cash flow management, and for
35 cash flow management purposes the department may temporarily

1 draw more than the amount appropriated, provided the amount
2 appropriated is not exceeded at the close of the fiscal year.

3 4. With the exception of the funding amount specified, the
4 requirements established under 2001 Iowa Acts, chapter 191,
5 section 3, subsection 5, paragraph "c", subparagraph (3), shall
6 be applicable to parental obligation pilot projects for the
7 fiscal year beginning July 1, 2015, and ending June 30, 2016.
8 Notwithstanding 441 IAC 100.8, providing for termination of
9 rules relating to the pilot projects, the rules shall remain
10 in effect until June 30, 2016.

11 Sec. 10. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE —
12 FY 2015-2016. Any funds remaining in the health care trust
13 fund created in section 453A.35A for the fiscal year beginning
14 July 1, 2015, and ending June 30, 2016, are appropriated to
15 the department of human services to supplement the medical
16 assistance program appropriations made in this division of this
17 Act, for medical assistance reimbursement and associated costs,
18 including program administration and costs associated with
19 program implementation.

20 Sec. 11. MEDICAID FRAUD FUND — MEDICAL ASSISTANCE — FY
21 2015-2016. Any funds remaining in the Medicaid fraud fund
22 created in section 249A.50 for the fiscal year beginning
23 July 1, 2015, and ending June 30, 2016, are appropriated to
24 the department of human services to supplement the medical
25 assistance appropriations made in this division of this Act,
26 for medical assistance reimbursement and associated costs,
27 including program administration and costs associated with
28 program implementation.

29 Sec. 12. MEDICAL ASSISTANCE.

30 1. There is appropriated from the general fund of the
31 state to the department of human services for the fiscal year
32 beginning July 1, 2015, and ending June 30, 2016, the following
33 amount, or so much thereof as is necessary, to be used for the
34 purpose designated:

35 For medical assistance program reimbursement and associated

1 costs as specifically provided in the reimbursement
2 methodologies in effect on June 30, 2015, except as otherwise
3 expressly authorized by law, including reimbursement for
4 abortion services which shall be available under the medical
5 assistance program only for those abortions which are medically
6 necessary:

7 \$ 1,346,353,640

8 2. Medically necessary abortions are those performed under
9 any of the following conditions:

10 a. The attending physician certifies that continuing the
11 pregnancy would endanger the life of the pregnant woman.

12 b. The attending physician certifies that the fetus is
13 physically deformed, mentally deficient, or afflicted with a
14 congenital illness.

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

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

23 e. Any spontaneous abortion, commonly known as a
24 miscarriage, if not all of the products of conception are
25 expelled.

26 3. a. Iowans support reducing the number of abortions
27 performed in our state. For an abortion covered under the
28 program, except in the case of a medical emergency, as defined
29 in section 135L.1, for any woman, the physician shall certify
30 both of the following:

31 (1) That the woman has been given the opportunity to view an
32 ultrasound image of the fetus as part of the standard of care
33 before an abortion is performed.

34 (2) That the woman has been provided information regarding
35 the options relative to a pregnancy, including continuing the

1 pregnancy to term and retaining parental rights following the
2 child's birth, continuing the pregnancy to term and placing the
3 child for adoption, and terminating the pregnancy.

4 b. The provisions of this section relating to abortions
5 shall also apply to the Iowa health and wellness plan created
6 pursuant to chapter 249N.

7 4. The department shall utilize not more than \$60,000 of
8 the funds appropriated in this section to continue the AIDS/HIV
9 health insurance premium payment program as established in 1992
10 Iowa Acts, Second Extraordinary Session, chapter 1001, section
11 409, subsection 6. Of the funds allocated in this subsection,
12 not more than \$5,000 may be expended for administrative
13 purposes.

14 5. Of the funds appropriated in this Act to the department
15 of public health for addictive disorders, \$950,000 for
16 the fiscal year beginning July 1, 2015, is transferred
17 to the department of human services for an integrated
18 substance-related disorder managed care system. The department
19 shall not assume management of the substance-related disorder
20 system in place of the managed care contractor unless such
21 a change in approach is specifically authorized in law.
22 The departments of human services and public health shall
23 work together to maintain the level of mental health and
24 substance-related disorder treatment services provided by the
25 managed care contractor through the Iowa plan for behavioral
26 health. Each department shall take the steps necessary to
27 continue the federal waivers as necessary to maintain the level
28 of services.

29 6. a. The department shall aggressively pursue options for
30 providing medical assistance or other assistance to individuals
31 with special needs who become ineligible to continue receiving
32 services under the early and periodic screening, diagnostic,
33 and treatment program under the medical assistance program
34 due to becoming 21 years of age who have been approved for
35 additional assistance through the department's exception to

1 policy provisions, but who have health care needs in excess
2 of the funding available through the exception to policy
3 provisions.

4 b. Of the funds appropriated in this section, \$100,000
5 shall be used for participation in one or more pilot projects
6 operated by a private provider to allow the individual or
7 individuals to receive service in the community in accordance
8 with principles established in *Olmstead v. L.C.*, 527 U.S. 581
9 (1999), for the purpose of providing medical assistance or
10 other assistance to individuals with special needs who become
11 ineligible to continue receiving services under the early and
12 periodic screening, diagnostic, and treatment program under
13 the medical assistance program due to becoming 21 years of
14 age who have been approved for additional assistance through
15 the department's exception to policy provisions, but who have
16 health care needs in excess of the funding available through
17 the exception to the policy provisions.

18 7. Of the funds appropriated in this section, up to
19 \$3,050,082 may be transferred to the field operations or
20 general administration appropriations in this division of this
21 Act for operational costs associated with Part D of the federal
22 Medicare Prescription Drug Improvement and Modernization Act
23 of 2003, Pub. L. No. 108-173.

24 8. Of the funds appropriated in this section, up to \$442,100
25 may be transferred to the appropriation in this division
26 of this Act for medical contracts to be used for clinical
27 assessment services and prior authorization of services.

28 9. A portion of the funds appropriated in this section
29 may be transferred to the appropriations in this division of
30 this Act for general administration, medical contracts, the
31 children's health insurance program, or field operations to be
32 used for the state match cost to comply with the payment error
33 rate measurement (PERM) program for both the medical assistance
34 and children's health insurance programs as developed by the
35 centers for Medicare and Medicaid services of the United States

1 department of health and human services to comply with the
2 federal Improper Payments Information Act of 2002, Pub. L. No.
3 107-300.

4 10. The department shall continue to implement the
5 recommendations of the assuring better child health and
6 development initiative II (ABCDII) clinical panel to the
7 Iowa early and periodic screening, diagnostic, and treatment
8 services healthy mental development collaborative board
9 regarding changes to billing procedures, codes, and eligible
10 service providers.

11 11. Of the funds appropriated in this section, a sufficient
12 amount is allocated to supplement the incomes of residents of
13 nursing facilities, intermediate care facilities for persons
14 with mental illness, and intermediate care facilities for
15 persons with an intellectual disability, with incomes of less
16 than \$50 in the amount necessary for the residents to receive a
17 personal needs allowance of \$50 per month pursuant to section
18 249A.30A.

19 12. Of the funds appropriated in this section, the following
20 amounts are transferred to the appropriations made in this
21 division of this Act for the state mental health institutes:

- 22 a. Cherokee mental health institute..... \$ 9,098,425
- 23 b. Clarinda mental health institute..... \$ 1,977,305
- 24 c. Independence mental health institute..... \$ 9,045,894

25 13. a. Of the funds appropriated in this section,
26 \$8,596,650 is allocated for the state match for a
27 disproportionate share hospital payment of \$19,133,430 to
28 hospitals that meet both of the conditions specified in
29 subparagraphs (1) and (2). In addition, the hospitals that
30 meet the conditions specified shall either certify public
31 expenditures or transfer to the medical assistance program
32 an amount equal to provide the nonfederal share for a
33 disproportionate share hospital payment of \$7,500,000. The
34 hospitals that meet the conditions specified shall receive and
35 retain 100 percent of the total disproportionate share hospital

1 payment of \$26,633,430.

2 (1) The hospital qualifies for disproportionate share and
3 graduate medical education payments.

4 (2) The hospital is an Iowa state-owned hospital with more
5 than 500 beds and eight or more distinct residency specialty
6 or subspecialty programs recognized by the American college of
7 graduate medical education.

8 b. Distribution of the disproportionate share payments
9 shall be made on a monthly basis. The total amount of
10 disproportionate share payments including graduate medical
11 education, enhanced disproportionate share, and Iowa
12 state-owned teaching hospital payments shall not exceed the
13 amount of the state's allotment under Pub. L. No. 102-234.
14 In addition, the total amount of all disproportionate
15 share payments shall not exceed the hospital-specific
16 disproportionate share limits under Pub. L. No. 103-66.

17 c. The university of Iowa hospitals and clinics shall either
18 certify public expenditures or transfer to the appropriations
19 made in this division of this Act for medical assistance an
20 amount equal to provide the nonfederal share for increased
21 medical assistance payments for inpatient and outpatient
22 hospital services of \$9,900,000. The university of Iowa
23 hospitals and clinics shall receive and retain 100 percent of
24 the total increase in medical assistance payments.

25 d. Program payments for disproportionate share hospitals
26 and graduate medical education, and the upper payment limits
27 applicable to these programs shall be held harmless from the
28 impacts of Medicaid managed care and the governor's Medicaid
29 modernization initiative. Payment methodologies utilized
30 for these programs may be adjusted or converted to other
31 methodologies or payment types in order to comply with this
32 hold harmless requirement.

33 14. One hundred percent of the nonfederal share of payments
34 to area education agencies that are medical assistance
35 providers for medical assistance-covered services provided to

1 medical assistance-covered children, shall be made from the
2 appropriation made in this section.

3 15. Any new or renewed contract entered into by the
4 department with a third party to administer behavioral health
5 services under the medical assistance program shall provide
6 that any interest earned on payments from the state during
7 the state fiscal year shall be remitted to the department
8 and treated as recoveries to offset the costs of the medical
9 assistance program.

10 16. A portion of the funds appropriated in this section
11 may be transferred to the appropriation in this division of
12 this Act for medical contracts to be used for administrative
13 activities associated with the money follows the person
14 demonstration project.

15 17. Of the funds appropriated in this section, \$349,011
16 shall be used for the administration of the health insurance
17 premium payment program, including salaries, support,
18 maintenance, and miscellaneous purposes.

19 18. a. The department may increase the amounts allocated
20 for salaries, support, maintenance, and miscellaneous purposes
21 associated with the medical assistance program, as necessary,
22 to implement cost containment strategies. The department shall
23 report any such increase to the legislative services agency and
24 the department of management.

25 b. If the savings to the medical assistance program from
26 cost containment efforts exceed the cost for the fiscal
27 year beginning July 1, 2015, the department may transfer any
28 savings generated for the fiscal year due to medical assistance
29 program cost containment efforts to the appropriation
30 made in this division of this Act for medical contracts or
31 general administration to defray the increased contract costs
32 associated with implementing such efforts.

33 c. The department of human services shall not implement
34 the following cost containment measures as recommended by the
35 governor for the fiscal year beginning July 1, 2015:

1 (1) A measure to provide uniform rates of \$.575 per mile
2 based on the 2015 Internal Revenue Service mileage rate and
3 of \$9.29, the current statewide average, per one-way trip for
4 Medicaid program home and community-based services waivers.

5 (2) A measure to cap the total costs of all services
6 received by a recipient of the home and community-based
7 services waiver for individuals with an intellectual disability
8 at the daily intermediate care facility for persons with an
9 intellectual disability (ICF/ID) per diem rate of \$346.39 per
10 day based on the 80th percentile of all ICF/ID rates.

11 (3) A measure to align individual requests for exceptions to
12 policy with the capped total cost of services for a recipient
13 of the home and community-based services waiver for individuals
14 with an intellectual disability as computed under subparagraph
15 (2).

16 (4) A measure to utilize the supports intensity scale
17 to determine payment amounts and a tiered payment system
18 for the services provided to adults served under the home
19 and community-based services waiver for individuals with an
20 intellectual disability.

21 (5) A measure to accelerate implementation of the provision
22 that beginning July 1, 2015, rather than July 1, 2016, the
23 department of human services requires services through the
24 consumer-directed attendant care option to be provided through
25 an agency or consumer choices option.

26 (6) A measure to reallocate funding for community-based
27 systems of care to instead support integrated health homes.

28 (7) A measure to increase the university of Iowa hospitals
29 and clinics state share responsibility for the supplemental
30 disproportionate share hospital payment to the university of
31 Iowa hospitals and clinics for the fiscal year beginning July
32 1, 2015.

33 d. The department shall report the implementation of
34 any cost containment strategies under this subsection to
35 the individuals specified in this division of this Act for

1 submission of reports on a quarterly basis.

2 19. For the fiscal year beginning July 1, 2015, and ending
3 June 30, 2016, the replacement generation tax revenues required
4 to be deposited in the property tax relief fund pursuant to
5 section 437A.8, subsection 4, paragraph "d", and section
6 437A.15, subsection 3, paragraph "f", shall instead be credited
7 to and supplement the appropriation made in this section and
8 used for the allocations made in this section.

9 20. The department shall continue to administer the state
10 balancing incentive payments program as specified in 2012 Iowa
11 Acts, chapter 1133, section 14.

12 21. a. Of the funds appropriated in this section, \$900,000
13 shall be used for continued implementation of the children's
14 mental health home project proposed by the department of human
15 services and reported to the general assembly's mental health
16 and disability services study committee in December 2011. Of
17 this amount, up to \$50,000 may be transferred by the department
18 to the appropriation made in this division of this Act to the
19 department for the same fiscal year for general administration
20 to be used for associated administrative expenses and for not
21 more than one full-time equivalent position, in addition to
22 those authorized for the same fiscal year, to be assigned to
23 implementing the project.

24 b. Of the funds appropriated in this section, up to \$400,000
25 may be transferred by the department to the appropriation made
26 to the department in this division of this Act for the same
27 fiscal year for Medicaid program-related general administration
28 planning and implementation activities. The funds may be used
29 for contracts or for personnel in addition to the amounts
30 appropriated for and the positions authorized for general
31 administration for the fiscal year.

32 c. Of the funds appropriated in this section, up to
33 \$3,000,000 may be transferred by the department to the
34 appropriations made in this division of this Act for the same
35 fiscal year for general administration or medical contracts

1 to be used to support the development and implementation of
2 standardized assessment tools for persons with mental illness,
3 an intellectual disability, a developmental disability, or a
4 brain injury.

5 22. Of the funds appropriated in this section, \$250,000
6 shall be used for lodging expenses associated with care
7 provided at the university of Iowa hospitals and clinics for
8 patients with cancer whose travel distance is 30 miles or more
9 and whose income is at or below 200 percent of the federal
10 poverty level as defined by the most recently revised poverty
11 income guidelines published by the United States department of
12 health and human services. The department of human services
13 shall establish the maximum number of overnight stays and the
14 maximum rate reimbursed for overnight lodging, which may be
15 based on the state employee rate established by the department
16 of administrative services. The funds allocated in this
17 subsection shall not be used as nonfederal share matching
18 funds.

19 23. The department of human services shall adopt rules to
20 provide for coverage of telehealth under the Medicaid program.
21 The rules shall provide that in-person contact between a
22 health care professional and a patient is not required as a
23 prerequisite for payment for services appropriately provided
24 through telehealth in accordance with generally accepted health
25 care practices and standards prevailing in the applicable
26 professional community at the time the services are provided.
27 Health care services provided through in-person consultations
28 or through telehealth shall be treated as equivalent services
29 for the purposes of reimbursement.

30 24. a. For inpatient and outpatient services provided
31 by hospitals on or after July 1, 2015, the department of
32 human services shall recalculate and prospectively apply an
33 updated cost-to-charge ratio upon the request of a hospital to
34 implement price or charge reductions, if all of the following
35 criteria are met:

1 (1) The recalculation of an updated cost-to-charge ratio is
2 budget neutral to the state funding amount appropriated for the
3 respective fiscal year and maintains budget neutral payments or
4 revenue to all hospitals.

5 (2) The hospital requesting the price or charge reduction
6 submits a proforma cost report and charge master that reflects
7 the anticipated cost-to-charge reduction.

8 b. Based upon the proforma cost report submitted by the
9 requesting hospital, the department of human services shall
10 prospectively apply the recalculated cost-to-charge ratio as
11 appropriate to submitted claims for health care services.

12 25. The department of human services shall not adopt
13 emergency rules to implement Medicaid managed care or the
14 governor's Medicaid modernization initiative.

15 26. The number of home and community-based services waiver
16 slots available during the fiscal year beginning July 1, 2015,
17 shall not be reduced below the number of such slots available
18 on January 1, 2015.

19 Sec. 13. MEDICAL CONTRACTS. There is appropriated from the
20 general fund of the state to the department of human services
21 for the fiscal year beginning July 1, 2015, and ending June 30,
22 2016, the following amount, or so much thereof as is necessary,
23 to be used for the purpose designated:

24 For medical contracts:

25 \$ 22,153,584

26 1. The department of inspections and appeals shall
27 provide all state matching funds for survey and certification
28 activities performed by the department of inspections
29 and appeals. The department of human services is solely
30 responsible for distributing the federal matching funds for
31 such activities.

32 2. Of the funds appropriated in this section, \$50,000 shall
33 be used for continuation of home and community-based services
34 waiver quality assurance programs, including the review and
35 streamlining of processes and policies related to oversight and

1 quality management to meet state and federal requirements.

2 3. Of the amount appropriated in this section, up to
3 \$200,000 may be transferred to the appropriation for general
4 administration in this division of this Act to be used for
5 additional full-time equivalent positions in the development of
6 key health initiatives such as cost containment, development
7 and oversight of managed care programs, and development of
8 health strategies targeted toward improved quality and reduced
9 costs in the Medicaid program.

10 4. Of the funds appropriated in this section, \$1,000,000
11 shall be used for planning and development, in cooperation with
12 the department of public health, of a phased-in program to
13 provide a dental home for children.

14 5. Of the funds appropriated in this section, \$2,000,000
15 shall be used for the autism support program created in chapter
16 225D.

17 Sec. 14. STATE SUPPLEMENTARY ASSISTANCE.

18 1. There is appropriated from the general fund of the
19 state to the department of human services for the fiscal year
20 beginning July 1, 2015, and ending June 30, 2016, the following
21 amount, or so much thereof as is necessary, to be used for the
22 purpose designated:

23 For the state supplementary assistance program:
24 \$12,997,187

25 2. The department shall increase the personal needs
26 allowance for residents of residential care facilities by the
27 same percentage and at the same time as federal supplemental
28 security income and federal social security benefits are
29 increased due to a recognized increase in the cost of living.
30 The department may adopt emergency rules to implement this
31 subsection.

32 3. If during the fiscal year beginning July 1, 2015,
33 the department projects that state supplementary assistance
34 expenditures for a calendar year will not meet the federal
35 pass-through requirement specified in Tit. XVI of the federal

1 Social Security Act, section 1618, as codified in 42 U.S.C.
2 §1382g, the department may take actions including but not
3 limited to increasing the personal needs allowance for
4 residential care facility residents and making programmatic
5 adjustments or upward adjustments of the residential care
6 facility or in-home health-related care reimbursement rates
7 prescribed in this division of this Act to ensure that federal
8 requirements are met. In addition, the department may make
9 other programmatic and rate adjustments necessary to remain
10 within the amount appropriated in this section while ensuring
11 compliance with federal requirements. The department may adopt
12 emergency rules to implement the provisions of this subsection.

13 Sec. 15. CHILDREN'S HEALTH INSURANCE PROGRAM.

14 1. There is appropriated from the general fund of the
15 state to the department of human services for the fiscal year
16 beginning July 1, 2015, and ending June 30, 2016, the following
17 amount, or so much thereof as is necessary, to be used for the
18 purpose designated:

19 For maintenance of the healthy and well kids in Iowa (hawk-i)
20 program pursuant to chapter 514I, including supplemental dental
21 services, for receipt of federal financial participation under
22 Tit. XXI of the federal Social Security Act, which creates the
23 children's health insurance program:

24 \$ 21,163,844

25 2. Of the funds appropriated in this section, \$42,800 is
26 allocated for continuation of the contract for outreach with
27 the department of public health.

28 Sec. 16. CHILD CARE ASSISTANCE. There is appropriated
29 from the general fund of the state to the department of human
30 services for the fiscal year beginning July 1, 2015, and ending
31 June 30, 2016, the following amount, or so much thereof as is
32 necessary, to be used for the purpose designated:

33 For child care programs:

34 \$ 56,638,030

35 1. Of the funds appropriated in this section, \$48,818,603

1 shall be used for state child care assistance in accordance
2 with section 237A.13.

3 2. Nothing in this section shall be construed or is
4 intended as or shall imply a grant of entitlement for services
5 to persons who are eligible for assistance due to an income
6 level consistent with the waiting list requirements of section
7 237A.13. Any state obligation to provide services pursuant to
8 this section is limited to the extent of the funds appropriated
9 in this section.

10 3. Of the funds appropriated in this section, \$432,453
11 is allocated for the statewide grant program for child care
12 resource and referral services under section 237A.26. A list
13 of the registered and licensed child care facilities operating
14 in the area served by a child care resource and referral
15 service shall be made available to the families receiving state
16 child care assistance in that area.

17 4. Of the funds appropriated in this section, \$936,974
18 is allocated for child care quality improvement initiatives
19 including but not limited to the voluntary quality rating
20 system in accordance with section 237A.30.

21 5. Of the funds appropriated in this section, \$6,350,000
22 shall be credited to the early childhood programs grants
23 account in the early childhood Iowa fund created in section
24 256I.11. The moneys shall be distributed for funding of
25 community-based early childhood programs targeted to children
26 from birth through five years of age developed by early
27 childhood Iowa areas in accordance with approved community
28 plans as provided in section 256I.8.

29 6. The department may use any of the funds appropriated
30 in this section as a match to obtain federal funds for use in
31 expanding child care assistance and related programs. For
32 the purpose of expenditures of state and federal child care
33 funding, funds shall be considered obligated at the time
34 expenditures are projected or are allocated to the department's
35 service areas. Projections shall be based on current and

1 projected caseload growth, current and projected provider
2 rates, staffing requirements for eligibility determination
3 and management of program requirements including data systems
4 management, staffing requirements for administration of the
5 program, contractual and grant obligations and any transfers
6 to other state agencies, and obligations for decategorization
7 or innovation projects.

8 7. A portion of the state match for the federal child care
9 and development block grant shall be provided as necessary to
10 meet federal matching funds requirements through the state
11 general fund appropriation made for child development grants
12 and other programs for at-risk children in section 279.51.

13 8. If a uniform reduction ordered by the governor under
14 section 8.31 or other operation of law, transfer, or federal
15 funding reduction reduces the appropriation made in this
16 section for the fiscal year, the percentage reduction in the
17 amount paid out to or on behalf of the families participating
18 in the state child care assistance program shall be equal to or
19 less than the percentage reduction made for any other purpose
20 payable from the appropriation made in this section and the
21 federal funding relating to it. The percentage reduction to
22 the other allocations made in this section shall be the same as
23 the uniform reduction ordered by the governor or the percentage
24 change of the federal funding reduction, as applicable.

25 If there is an unanticipated increase in federal funding
26 provided for state child care assistance, the entire amount
27 of the increase shall be used for state child care assistance
28 payments. If the appropriations made for purposes of the
29 state child care assistance program for the fiscal year are
30 determined to be insufficient, it is the intent of the general
31 assembly to appropriate sufficient funding for the fiscal year
32 in order to avoid establishment of waiting list requirements.

33 9. Notwithstanding section 8.33, moneys advanced for
34 purposes of the programs developed by early childhood Iowa
35 areas, advanced for purposes of wraparound child care, or

1 received from the federal appropriations made for the purposes
2 of this section that remain unencumbered or unobligated at the
3 close of the fiscal year shall not revert to any fund but shall
4 remain available for expenditure for the purposes designated
5 until the close of the succeeding fiscal year.

6 10. Of the funds appropriated in this section, \$100,000
7 is transferred to the department of public health to be used
8 to continue a program to assist parents in this state with
9 costs resulting from the death of a child in accordance with
10 this subsection. If it is less costly than administering the
11 program directly, the department shall issue a request for
12 proposals and issue a grant to an appropriate organization to
13 administer the program.

14 a. The program funding shall be used to assist parents who
15 reside in this state with costs incurred for a funeral, burial
16 or cremation, cemetery costs, or grave marker costs associated
17 with the unintended death of a child of the parent or a child
18 under the care of a guardian or custodian. The department
19 shall consider the following eligibility factors in developing
20 program requirements:

21 (1) The child was a stillborn infant or was less than age
22 eighteen at the time of death.

23 (2) The request for assistance was approved by the local
24 board or department of health or the county general assistance
25 director and may have been referred by a local funeral home.

26 (3) To be eligible, the parent, guardian, or custodian must
27 have an annual household income that is less than 145 percent
28 of the federal poverty level based on the number of people
29 in the applicant's household as defined by the most recently
30 revised poverty income guidelines published by the United
31 States department of health and human services.

32 (4) The maximum amount of grant assistance provided to a
33 parent, guardian, or custodian associated with the death of
34 a child is \$2,000. If the death is a multiple death and the
35 infants or children are being cremated, or buried together, the

1 same limitation applies.

2 (5) To the extent the overall amount of assistance received
3 by a recipient for the costs addressed under this subsection
4 does not exceed the overall total of the costs, the recipient
5 may receive other public or private assistance in addition to
6 grant assistance under this section.

7 b. Notwithstanding section 8.33, moneys transferred by this
8 subsection that remain unencumbered or unobligated at the close
9 of the fiscal year shall not revert but shall remain available
10 for expenditure for the purposes designated until expended.

11 Sec. 17. JUVENILE INSTITUTIONS. There is appropriated
12 from the general fund of the state to the department of human
13 services for the fiscal year beginning July 1, 2015, and ending
14 June 30, 2016, the following amounts, or so much thereof as is
15 necessary, to be used for the purposes designated:

16 1. For the costs of security, building and grounds
17 maintenance, utilities, salary, and support for the facilities
18 located at the Iowa juvenile home at Toledo and for salaries,
19 support, maintenance, and miscellaneous purposes, and for not
20 more than the following full-time equivalent positions:

21	\$	372,766
22	FTEs	2.00

23 2. For operation of the state training school at Eldora and
24 for salaries, support, maintenance, and miscellaneous purposes,
25 and for not more than the following full-time equivalent
26 positions:

27	\$	12,445,552
28	FTEs	169.30

29 Of the funds appropriated in this subsection, \$91,150 shall
30 be used for distribution to licensed classroom teachers at this
31 and other institutions under the control of the department of
32 human services based upon the average student yearly enrollment
33 at each institution as determined by the department.

34 Sec. 18. CHILD AND FAMILY SERVICES.

35 1. There is appropriated from the general fund of the

1 state to the department of human services for the fiscal year
2 beginning July 1, 2015, and ending June 30, 2016, the following
3 amount, or so much thereof as is necessary, to be used for the
4 purpose designated:

5 For child and family services:

6 \$ 98,182,179

7 2. Up to \$5,200,000 of the amount of federal temporary
8 assistance for needy families block grant funding appropriated
9 in this division of this Act for child and family services
10 shall be made available for purposes of juvenile delinquent
11 graduated sanction services.

12 3. The department may transfer funds appropriated in this
13 section as necessary to pay the nonfederal costs of services
14 reimbursed under the medical assistance program, state child
15 care assistance program, or the family investment program which
16 are provided to children who would otherwise receive services
17 paid under the appropriation in this section. The department
18 may transfer funds appropriated in this section to the
19 appropriations made in this division of this Act for general
20 administration and for field operations for resources necessary
21 to implement and operate the services funded in this section.

22 4. a. Of the funds appropriated in this section, up to
23 \$35,821,786 is allocated as the statewide expenditure target
24 under section 232.143 for group foster care maintenance and
25 services. If the department projects that such expenditures
26 for the fiscal year will be less than the target amount
27 allocated in this paragraph "a", the department may reallocate
28 the excess to provide additional funding for shelter care
29 or the child welfare emergency services addressed with the
30 allocation for shelter care.

31 b. If at any time after September 30, 2015, annualization
32 of a service area's current expenditures indicates a service
33 area is at risk of exceeding its group foster care expenditure
34 target under section 232.143 by more than 5 percent, the
35 department and juvenile court services shall examine all

1 group foster care placements in that service area in order to
2 identify those which might be appropriate for termination.
3 In addition, any aftercare services believed to be needed
4 for the children whose placements may be terminated shall be
5 identified. The department and juvenile court services shall
6 initiate action to set dispositional review hearings for the
7 placements identified. In such a dispositional review hearing,
8 the juvenile court shall determine whether needed aftercare
9 services are available and whether termination of the placement
10 is in the best interest of the child and the community.

11 5. In accordance with the provisions of section 232.188,
12 the department shall continue the child welfare and juvenile
13 justice funding initiative during fiscal year 2015-2016. Of
14 the funds appropriated in this section, \$1,717,753 is allocated
15 specifically for expenditure for fiscal year 2015-2016 through
16 the decategorization services funding pools and governance
17 boards established pursuant to section 232.188.

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

23 7. Notwithstanding section 234.35 or any other provision
24 of law to the contrary, state funding for shelter care and
25 the child welfare emergency services contracting implemented
26 to provide for or prevent the need for shelter care shall be
27 limited to \$8,068,474.

28 8. Federal funds received by the state during the fiscal
29 year beginning July 1, 2015, as the result of the expenditure
30 of state funds appropriated during a previous state fiscal
31 year for a service or activity funded under this section are
32 appropriated to the department to be used as additional funding
33 for services and purposes provided for under this section.
34 Notwithstanding section 8.33, moneys received in accordance
35 with this subsection that remain unencumbered or unobligated at

1 the close of the fiscal year shall not revert to any fund but
2 shall remain available for the purposes designated until the
3 close of the succeeding fiscal year.

4 9. a. Of the funds appropriated in this section, up to
5 \$3,290,000 is allocated for the payment of the expenses of
6 court-ordered services provided to juveniles who are under the
7 supervision of juvenile court services, which expenses are a
8 charge upon the state pursuant to section 232.141, subsection
9 4. Of the amount allocated in this paragraph "a", up to
10 \$1,556,287 shall be made available to provide school-based
11 supervision of children adjudicated under chapter 232, of which
12 not more than \$15,000 may be used for the purpose of training.
13 A portion of the cost of each school-based liaison officer
14 shall be paid by the school district or other funding source as
15 approved by the chief juvenile court officer.

16 b. Of the funds appropriated in this section, up to \$748,985
17 is allocated for the payment of the expenses of court-ordered
18 services provided to children who are under the supervision
19 of the department, which expenses are a charge upon the state
20 pursuant to section 232.141, subsection 4.

21 c. Notwithstanding section 232.141 or any other provision
22 of law to the contrary, the amounts allocated in this
23 subsection shall be distributed to the judicial districts
24 as determined by the state court administrator and to the
25 department's service areas as determined by the administrator
26 of the department of human services' division of child and
27 family services. The state court administrator and the
28 division administrator shall make the determination of the
29 distribution amounts on or before June 15, 2015.

30 d. Notwithstanding chapter 232 or any other provision of
31 law to the contrary, a district or juvenile court shall not
32 order any service which is a charge upon the state pursuant
33 to section 232.141 if there are insufficient court-ordered
34 services funds available in the district court or departmental
35 service area distribution amounts to pay for the service. The

1 chief juvenile court officer and the departmental service area
2 manager shall encourage use of the funds allocated in this
3 subsection such that there are sufficient funds to pay for
4 all court-related services during the entire year. The chief
5 juvenile court officers and departmental service area managers
6 shall attempt to anticipate potential surpluses and shortfalls
7 in the distribution amounts and shall cooperatively request the
8 state court administrator or division administrator to transfer
9 funds between the judicial districts' or departmental service
10 areas' distribution amounts as prudent.

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

16 f. Of the funds allocated in this subsection, not more than
17 \$83,000 may be used by the judicial branch for administration
18 of the requirements under this subsection.

19 g. Of the funds allocated in this subsection, \$17,000
20 shall be used by the department of human services to support
21 the interstate commission for juveniles in accordance with
22 the interstate compact for juveniles as provided in section
23 232.173.

24 10. Of the funds appropriated in this section, \$8,053,227 is
25 allocated for juvenile delinquent graduated sanctions services.
26 Any state funds saved as a result of efforts by juvenile court
27 services to earn a federal Tit. IV-E match for juvenile court
28 services administration may be used for the juvenile delinquent
29 graduated sanctions services.

30 11. Of the funds appropriated in this section, \$1,608,285 is
31 transferred to the department of public health to be used for
32 the child protection center grant program for child protection
33 centers located in Iowa in accordance with section 135.118.
34 The grant amounts under the program shall be equalized so that
35 each center receives a uniform base amount of \$245,000, and

1 the remaining funds shall be awarded through a funding formula
2 based upon the volume of children served.

3 12. If the department receives federal approval to
4 implement a waiver under Tit. IV-E of the federal Social
5 Security Act to enable providers to serve children who remain
6 in the children's families and communities, for purposes of
7 eligibility under the medical assistance program through 25
8 years of age, children who participate in the waiver shall be
9 considered to be placed in foster care.

10 13. Of the funds appropriated in this section, \$4,025,167 is
11 allocated for the preparation for adult living program pursuant
12 to section 234.46.

13 14. Of the funds appropriated in this section, \$520,150
14 shall be used for juvenile drug courts. The amount allocated
15 in this subsection shall be distributed as follows:

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

- 19 a. Marshall county:
- 20 \$ 62,708
- 21 b. Woodbury county:
- 22 \$ 125,682
- 23 c. Polk county:
- 24 \$ 195,892
- 25 d. The third judicial district:
- 26 \$ 67,934
- 27 e. The eighth judicial district:
- 28 \$ 67,934

29 15. Of the funds appropriated in this section, \$227,337
30 shall be used for the public purpose of continuing a grant to
31 a nonprofit human services organization providing services to
32 individuals and families in multiple locations in southwest
33 Iowa and Nebraska for support of a project providing immediate,
34 sensitive support and forensic interviews, medical exams, needs
35 assessments, and referrals for victims of child abuse and their

1 nonoffending family members.

2 16. Of the funds appropriated in this section, \$300,620
3 is allocated for the foster care youth council approach of
4 providing a support network to children placed in foster care.

5 17. Of the funds appropriated in this section, \$202,000 is
6 allocated for use pursuant to section 235A.1 for continuation
7 of the initiative to address child sexual abuse implemented
8 pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection
9 21.

10 18. Of the funds appropriated in this section, \$630,240 is
11 allocated for the community partnership for child protection
12 sites.

13 19. Of the funds appropriated in this section, \$371,250
14 is allocated for the department's minority youth and family
15 projects under the redesign of the child welfare system.

16 20. Of the funds appropriated in this section, \$1,186,595
17 is allocated for funding of the community circle of care
18 collaboration for children and youth in northeast Iowa.

19 21. Of the funds appropriated in this section, at least
20 \$147,158 shall be used for the continuation of the child
21 welfare provider training academy, a collaboration between the
22 coalition for family and children's services in Iowa and the
23 department.

24 22. Of the funds appropriated in this section, \$25,000
25 shall be used for the public purpose of continuation of a
26 grant to a child welfare services provider headquartered in a
27 county with a population between 205,000 and 215,000 in the
28 latest certified federal census that provides multiple services
29 including but not limited to a psychiatric medical institution
30 for children, shelter, residential treatment, after school
31 programs, school-based programming, and an Asperger's syndrome
32 program, to be used for support services for children with
33 autism spectrum disorder and their families.

34 23. Of the funds appropriated in this section, \$25,000
35 shall be used for the public purpose of continuing a grant to

1 a hospital-based provider headquartered in a county with a
2 population between 90,000 and 95,000 in the latest certified
3 federal census that provides multiple services including
4 but not limited to diagnostic, therapeutic, and behavioral
5 services to individuals with autism spectrum disorder across
6 one's lifespan. The grant recipient shall utilize the funds
7 to continue the pilot project to determine the necessary
8 support services for children with autism spectrum disorder and
9 their families to be included in the children's disabilities
10 services system. The grant recipient shall submit findings and
11 recommendations based upon the results of the pilot project
12 to the individuals specified in this division of this Act for
13 submission of reports by December 31, 2015.

14 24. Of the funds appropriated in this section, \$211,872
15 shall be used for continuation of the central Iowa system of
16 care program grant through June 30, 2016.

17 25. Of the funds appropriated in this section, \$250,000
18 shall be used for the public purpose of the continuation
19 and expansion of a system of care program grant implemented
20 in Cerro Gordo and Linn counties to utilize a comprehensive
21 and long-term approach for helping children and families by
22 addressing the key areas in a child's life of childhood basic
23 needs, education and work, family, and community.

24 26. Of the funds appropriated in this section, at least
25 \$25,000 shall be used to continue and to expand the foster
26 care respite pilot program in which postsecondary students in
27 social work and other human services-related programs receive
28 experience by assisting family foster care providers with
29 respite and other support.

30 27. Of the funds appropriated in this section, \$110,000
31 shall be used for the public purpose of funding community-based
32 services and other supports with a system of care approach
33 for children with a serious emotional disturbance and their
34 families through a nonprofit provider of child welfare services
35 that has been in existence for more than 115 years, is located

1 in a county with a population of more than 200,000 but less
2 than 220,000 according to the latest census information
3 issued by the United States census bureau, is licensed as a
4 psychiatric medical institution for children, and was a system
5 of care grantee prior to July 1, 2015.

6 Sec. 19. ADOPTION SUBSIDY.

7 1. There is appropriated from the general fund of the
8 state to the department of human services for the fiscal year
9 beginning July 1, 2015, and ending June 30, 2016, the following
10 amount, or so much thereof as is necessary, to be used for the
11 purpose designated:

12 For adoption subsidy payments and services:
13 \$ 42,998,286

14 2. The department may transfer funds appropriated in
15 this section to the appropriation made in this division of
16 this Act for general administration for costs paid from the
17 appropriation relating to adoption subsidy.

18 3. Federal funds received by the state during the
19 fiscal year beginning July 1, 2015, as the result of the
20 expenditure of state funds during a previous state fiscal
21 year for a service or activity funded under this section are
22 appropriated to the department to be used as additional funding
23 for the services and activities funded under this section.
24 Notwithstanding section 8.33, moneys received in accordance
25 with this subsection that remain unencumbered or unobligated
26 at the close of the fiscal year shall not revert to any fund
27 but shall remain available for expenditure for the purposes
28 designated until the close of the succeeding fiscal year.

29 Sec. 20. JUVENILE DETENTION HOME FUND. Moneys deposited
30 in the juvenile detention home fund created in section 232.142
31 during the fiscal year beginning July 1, 2015, and ending June
32 30, 2016, are appropriated to the department of human services
33 for the fiscal year beginning July 1, 2015, and ending June 30,
34 2016, for distribution of an amount equal to a percentage of
35 the costs of the establishment, improvement, operation, and

1 maintenance of county or multicounty juvenile detention homes
2 in the fiscal year beginning July 1, 2014. Moneys appropriated
3 for distribution in accordance with this section shall be
4 allocated among eligible detention homes, prorated on the basis
5 of an eligible detention home's proportion of the costs of all
6 eligible detention homes in the fiscal year beginning July
7 1, 2014. The percentage figure shall be determined by the
8 department based on the amount available for distribution for
9 the fund. Notwithstanding section 232.142, subsection 3, the
10 financial aid payable by the state under that provision for the
11 fiscal year beginning July 1, 2015, shall be limited to the
12 amount appropriated for the purposes of this section.

13 Sec. 21. FAMILY SUPPORT SUBSIDY PROGRAM.

14 1. There is appropriated from the general fund of the
15 state to the department of human services for the fiscal year
16 beginning July 1, 2015, and ending June 30, 2016, the following
17 amount, or so much thereof as is necessary, to be used for the
18 purpose designated:

19 For the family support subsidy program subject to the
20 enrollment restrictions in section 225C.37, subsection 3:
21 \$ 1,073,932

22 2. The department shall use at least \$641,500 of the moneys
23 appropriated in this section for the family support center
24 component of the comprehensive family support program under
25 section 225C.47. Not more than \$25,000 of the amount allocated
26 in this subsection shall be used for administrative costs.

27 3. If at any time during the fiscal year, the amount of
28 funding available for the family support subsidy program
29 is reduced from the amount initially used to establish the
30 figure for the number of family members for whom a subsidy
31 is to be provided at any one time during the fiscal year,
32 notwithstanding section 225C.38, subsection 2, the department
33 shall revise the figure as necessary to conform to the amount
34 of funding available.

35 Sec. 22. CONNER DECREE. There is appropriated from the

1 general fund of the state to the department of human services
2 for the fiscal year beginning July 1, 2015, and ending June 30,
3 2016, the following amount, or so much thereof as is necessary,
4 to be used for the purpose designated:

5 For building community capacity through the coordination
6 and provision of training opportunities in accordance with the
7 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
8 Iowa, July 14, 1994):

9 \$ 33,632

10 Sec. 23. MENTAL HEALTH INSTITUTES. There is appropriated
11 from the general fund of the state to the department of human
12 services for the fiscal year beginning July 1, 2015, and ending
13 June 30, 2016, the following amounts, or so much thereof as is
14 necessary, to be used for the purposes designated:

15 1. For the state mental health institute at Cherokee for
16 salaries, support, maintenance, and miscellaneous purposes, and
17 for not more than the following full-time equivalent positions:
18 \$ 5,545,616
19 FTEs 169.20

20 2. For the state mental health institute at Clarinda for
21 salaries, support, maintenance, and miscellaneous purposes, and
22 for not more than the following full-time equivalent positions:
23 \$ 1,812,899
24 FTEs 86.10

25 3. For the state mental health institute at Independence for
26 salaries, support, maintenance, and miscellaneous purposes, and
27 for not more than the following full-time equivalent positions:
28 \$ 10,390,773
29 FTEs 233.00

30 Sec. 24. STATE RESOURCE CENTERS.

31 1. There is appropriated from the general fund of the
32 state to the department of human services for the fiscal year
33 beginning July 1, 2015, and ending June 30, 2016, the following
34 amounts, or so much thereof as is necessary, to be used for the
35 purposes designated:

1 a. For the state resource center at Glenwood for salaries,
2 support, maintenance, and miscellaneous purposes:
3 \$ 22,024,482

4 b. For the state resource center at Woodward for salaries,
5 support, maintenance, and miscellaneous purposes:
6 \$ 14,933,806

7 2. The department may continue to bill for state resource
8 center services utilizing a scope of services approach used for
9 private providers of intermediate care facilities for persons
10 with an intellectual disability services, in a manner which
11 does not shift costs between the medical assistance program,
12 counties, or other sources of funding for the state resource
13 centers.

14 3. The state resource centers may expand the time-limited
15 assessment and respite services during the fiscal year.

16 4. If the department's administration and the department
17 of management concur with a finding by a state resource
18 center's superintendent that projected revenues can reasonably
19 be expected to pay the salary and support costs for a new
20 employee position, or that such costs for adding a particular
21 number of new positions for the fiscal year would be less
22 than the overtime costs if new positions would not be added,
23 the superintendent may add the new position or positions. If
24 the vacant positions available to a resource center do not
25 include the position classification desired to be filled, the
26 state resource center's superintendent may reclassify any
27 vacant position as necessary to fill the desired position. The
28 superintendents of the state resource centers may, by mutual
29 agreement, pool vacant positions and position classifications
30 during the course of the fiscal year in order to assist one
31 another in filling necessary positions.

32 5. If existing capacity limitations are reached in
33 operating units, a waiting list is in effect for a service or
34 a special need for which a payment source or other funding
35 is available for the service or to address the special need,

1 and facilities for the service or to address the special need
2 can be provided within the available payment source or other
3 funding, the superintendent of a state resource center may
4 authorize opening not more than two units or other facilities
5 and begin implementing the service or addressing the special
6 need during fiscal year 2015-2016.

7 Sec. 25. SEXUALLY VIOLENT PREDATORS.

8 1. There is appropriated from the general fund of the
9 state to the department of human services for the fiscal year
10 beginning July 1, 2015, and ending June 30, 2016, the following
11 amount, or so much thereof as is necessary, to be used for the
12 purpose designated:

13 For costs associated with the commitment and treatment of
14 sexually violent predators in the unit located at the state
15 mental health institute at Cherokee, including costs of legal
16 services and other associated costs, including salaries,
17 support, maintenance, and miscellaneous purposes, and for not
18 more than the following full-time equivalent positions:

19	\$	9,893,079
20	FTEs	132.50

21 2. Unless specifically prohibited by law, if the amount
22 charged provides for recoupment of at least the entire amount
23 of direct and indirect costs, the department of human services
24 may contract with other states to provide care and treatment
25 of persons placed by the other states at the unit for sexually
26 violent predators at Cherokee. The moneys received under
27 such a contract shall be considered to be repayment receipts
28 and used for the purposes of the appropriation made in this
29 section.

30 Sec. 26. FIELD OPERATIONS. There is appropriated from the
31 general fund of the state to the department of human services
32 for the fiscal year beginning July 1, 2015, and ending June 30,
33 2016, the following amount, or so much thereof as is necessary,
34 to be used for the purposes designated:

35 For field operations, including salaries, support,

1 maintenance, and miscellaneous purposes, and for not more than
2 the following full-time equivalent positions:

3 \$ 58,920,976
4 FTEs 1,837.00

5 1. As a condition of this appropriation, the department
6 shall make every possible effort to fill the entire number of
7 positions authorized by this section and, unless specifically
8 provided otherwise by an applicable collective bargaining
9 agreement, the department is not subject to any approval
10 requirement external to the department to fill a field
11 operations vacancy within the number of full-time equivalent
12 positions authorized by this section. The department shall
13 report on the first of each month to the chairpersons and
14 ranking members of the appropriations committees of the senate
15 and house of representatives, and the persons designated by
16 this Act for submission of reports concerning the status of
17 filling the positions.

18 2. Priority in filling full-time equivalent positions
19 shall be given to those positions related to child protection
20 services and eligibility determination for low-income families.

21 Sec. 27. GENERAL ADMINISTRATION. There is appropriated
22 from the general fund of the state to the department of human
23 services for the fiscal year beginning July 1, 2015, and ending
24 June 30, 2016, the following amount, or so much thereof as is
25 necessary, to be used for the purpose designated:

26 For general administration, including salaries, support,
27 maintenance, and miscellaneous purposes, and for not more than
28 the following full-time equivalent positions:

29 \$ 15,161,741
30 FTEs 309.00

31 1. Of the funds appropriated in this section, \$38,543 is
32 allocated for the prevention of disabilities policy council
33 created in section 225B.103, if enacted in this Act.

34 2. The department shall report at least monthly to the
35 legislative services agency concerning the department's

1 operational and program expenditures.

2 3. Of the funds appropriated in this section, \$150,000 shall
3 be used to continue the contract for the provision of a program
4 to provide technical assistance, support, and consultation to
5 providers of habilitation services and home and community-based
6 services waiver services for adults with disabilities under the
7 medical assistance program.

8 4. Of the funds appropriated in this section, \$50,000
9 is transferred to the Iowa finance authority to be used
10 for administrative support of the council on homelessness
11 established in section 16.2D and for the council to fulfill its
12 duties in addressing and reducing homelessness in the state.

13 5. Of the funds appropriated in this section, \$250,000
14 is allocated to an Iowa food bank association selected by
15 the department for the purchase of food on behalf of an Iowa
16 emergency feeding organization or for the distribution of
17 moneys to the Iowa emergency feeding organization for the
18 purchase of food. The moneys allocated in this subsection
19 shall be allocated only to the extent that the allocated moneys
20 are matched on a dollar-for-dollar basis. Notwithstanding
21 section 8.33, moneys allocated in this subsection that remain
22 unencumbered or unobligated at the close of the fiscal year
23 shall not revert but shall remain available for expenditure for
24 the purposes designated until the close of the following fiscal
25 year.

26 6. Of the funds appropriated in this section, \$250,000
27 shall be transferred to and deposited in the administrative
28 fund of the Iowa ABLE savings plan trust created in section
29 12I.4, if enacted in this Act, to be used for implementation
30 and administration activities of the Iowa ABLE savings plan
31 trust. Such activities may include the funding of a program
32 manager position, the issuance of a request for proposals,
33 and creation of an informational internet site, but shall not
34 include funding for marketing. The appropriation made in this
35 section is deemed to meet the requirement in the section of

1 the division of this Act, if enacted, relating to contingent
2 implementation of chapter 12I.

3 Sec. 28. VOLUNTEERS. There is appropriated from the general
4 fund of the state to the department of human services for the
5 fiscal year beginning July 1, 2015, and ending June 30, 2016,
6 the following amount, or so much thereof as is necessary, to be
7 used for the purpose designated:

8 For development and coordination of volunteer services:
9 \$ 84,686

10 Sec. 29. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
11 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
12 DEPARTMENT OF HUMAN SERVICES.

13 1. a. (1) For the fiscal year beginning July 1, 2015,
14 the total state funding amount for the nursing facility budget
15 shall not exceed \$321,900,006.

16 (2) For the fiscal year beginning July 1, 2015, the
17 department shall rebase case-mix nursing facility rates
18 effective July 1, 2015. However, total nursing facility budget
19 expenditures, including both case-mix and noncase-mix, shall
20 not exceed the amount specified in subparagraph (1). When
21 calculating case-mix per diem cost and the patient-day-weighted
22 medians used in rate-setting for nursing facilities effective
23 July 1, 2015, the inflation factor applied from the midpoint
24 of the cost report period to the first day of the state fiscal
25 year rate period shall be adjusted to maintain state funding
26 within the amount specified in subparagraph (1).

27 (3) The department, in cooperation with nursing facility
28 representatives, shall review projections for state funding
29 expenditures for reimbursement of nursing facilities on a
30 quarterly basis and the department shall determine if an
31 adjustment to the medical assistance reimbursement rate is
32 necessary in order to provide reimbursement within the state
33 funding amount for the fiscal year. Notwithstanding 2001
34 Iowa Acts, chapter 192, section 4, subsection 2, paragraph
35 "c", and subsection 3, paragraph "a", subparagraph (2),

1 if the state funding expenditures for the nursing facility
2 budget for the fiscal year are projected to exceed the amount
3 specified in subparagraph (1), the department shall adjust
4 the reimbursement for nursing facilities reimbursed under the
5 case-mix reimbursement system to maintain expenditures of the
6 nursing facility budget within the specified amount for the
7 fiscal year.

8 (4) For the fiscal year beginning July 1, 2015, special
9 population nursing facilities shall be reimbursed in accordance
10 with the methodology in effect on June 30, 2015.

11 (5) For any open or unsettled nursing facility cost report
12 for a fiscal year prior to and including the fiscal year
13 beginning July 1, 2014, including any cost report remanded on
14 judicial review for inclusion of prescription drug, laboratory,
15 or x-ray costs, the department shall offset all reported
16 prescription drug, laboratory, and x-ray costs with any revenue
17 received from Medicare or other revenue source for any purpose.
18 For purposes of this subparagraph, a nursing facility cost
19 report is not considered open or unsettled if the facility did
20 not initiate an administrative appeal under chapter 17A or if
21 any appeal rights initiated have been exhausted.

22 b. (1) For the fiscal year beginning July 1, 2015,
23 the department shall establish the pharmacy dispensing fee
24 reimbursement at \$11.73 per prescription as determined by the
25 June 2014 cost of dispensing fee survey.

26 (2) The department shall utilize an average acquisition
27 cost reimbursement methodology for all drugs covered under the
28 medical assistance program in accordance with 2012 Iowa Acts,
29 chapter 1133, section 33.

30 (3) Notwithstanding subparagraph (2), if the centers for
31 Medicare and Medicaid services of the United States department
32 of health and human services (CMS) requires, as a condition
33 of federal Medicaid funding, that the department implement an
34 aggregate federal upper limit (FUL) for drug reimbursement
35 based on the average manufacturer's price (AMP), the department

1 may utilize a reimbursement methodology for all drugs covered
2 under the Medicaid program based on the national average drug
3 acquisition cost (NADAC) methodology published by CMS, in order
4 to assure compliance with the aggregate FUL, minimize outcomes
5 of drug reimbursements below pharmacy acquisition costs, limit
6 administrative costs, and minimize any change in the aggregate
7 reimbursement for drugs. The department may adopt emergency
8 rules to implement this subparagraph.

9 c. (1) For the fiscal year beginning July 1, 2015,
10 reimbursement rates for outpatient hospital services shall
11 remain at the rates in effect on June 30, 2015, subject
12 to Medicaid program upper payment limit rules and adjusted
13 as necessary to maintain expenditures within the amount
14 appropriated to the department for this purpose for the fiscal
15 year.

16 (2) For the fiscal year beginning July 1, 2015,
17 reimbursement rates for inpatient hospital services shall be
18 rebased effective October 1, 2015, subject to Medicaid program
19 upper payment limit rules and adjusted as necessary to maintain
20 expenditures within the amount appropriated to the department
21 for this purpose for the fiscal year.

22 (3) For the fiscal year beginning July 1, 2015, the graduate
23 medical education and disproportionate share hospital fund
24 shall remain at the amount in effect on June 30, 2015, except
25 that the portion of the fund attributable to graduate medical
26 education shall be reduced in an amount that reflects the
27 elimination of graduate medical education payments made to
28 out-of-state hospitals.

29 (4) In order to ensure the efficient use of limited state
30 funds in procuring health care services for low-income Iowans,
31 funds appropriated in this Act for hospital services shall
32 not be used for activities which would be excluded from a
33 determination of reasonable costs under the federal Medicare
34 program pursuant to 42 U.S.C. §1395x(v)(1)(N).

35 d. For the fiscal year beginning July 1, 2015, reimbursement

1 rates for rural health clinics, hospices, and acute mental
2 hospitals shall be increased in accordance with increases under
3 the federal Medicare program or as supported by their Medicare
4 audited costs.

5 e. For the fiscal year beginning July 1, 2015, independent
6 laboratories and rehabilitation agencies shall be reimbursed
7 using the same methodology in effect on June 30, 2015.

8 f. (1) For the fiscal year beginning July 1, 2015,
9 reimbursement rates for home health agencies shall continue to
10 be based on the Medicare low utilization payment adjustment
11 (LUPA) methodology with state geographic wage adjustments, and
12 updated to reflect the most recent Medicare LUPA rates.

13 (2) For the fiscal year beginning July 1, 2015, rates for
14 private duty nursing and personal care services under the early
15 and periodic screening, diagnostic, and treatment program
16 benefit shall be calculated based on the methodology in effect
17 on June 30, 2015.

18 g. For the fiscal year beginning July 1, 2015, federally
19 qualified health centers shall receive cost-based reimbursement
20 for 100 percent of the reasonable costs for the provision of
21 services to recipients of medical assistance.

22 h. For the fiscal year beginning July 1, 2015, the
23 reimbursement rates for dental services shall remain at the
24 rates in effect on June 30, 2015.

25 i. (1) For the fiscal year beginning July 1, 2015,
26 state-owned psychiatric medical institutions for children shall
27 receive cost-based reimbursement for 100 percent of the actual
28 and allowable costs for the provision of services to recipients
29 of medical assistance.

30 (2) For the nonstate-owned psychiatric medical institutions
31 for children, reimbursement rates shall be based on the
32 reimbursement methodology developed by the department as
33 required for federal compliance.

34 (3) As a condition of participation in the medical
35 assistance program, enrolled providers shall accept the medical

1 assistance reimbursement rate for any covered goods or services
2 provided to recipients of medical assistance who are children
3 under the custody of a psychiatric medical institution for
4 children.

5 j. For the fiscal year beginning July 1, 2015, unless
6 otherwise specified in this Act, all noninstitutional medical
7 assistance provider reimbursement rates shall remain at the
8 rates in effect on June 30, 2015, except for area education
9 agencies, local education agencies, infant and toddler
10 services providers, home and community-based services providers
11 including consumer-directed attendant care providers under a
12 section 1915(c) or 1915(i) waiver, targeted case management
13 providers, and those providers whose rates are required to be
14 determined pursuant to section 249A.20.

15 k. Notwithstanding any provision to the contrary, for the
16 fiscal year beginning July 1, 2015, the reimbursement rate for
17 anesthesiologists shall remain at the rate in effect on June
18 30, 2015.

19 l. Notwithstanding section 249A.20, for the fiscal year
20 beginning July 1, 2015, the average reimbursement rate for
21 health care providers eligible for use of the federal Medicare
22 resource-based relative value scale reimbursement methodology
23 under section 249A.20 shall remain at the rate in effect on
24 June 30, 2015; however, this rate shall not exceed the maximum
25 level authorized by the federal government.

26 m. For the fiscal year beginning July 1, 2015, the
27 reimbursement rate for residential care facilities shall not
28 be less than the minimum payment level as established by the
29 federal government to meet the federally mandated maintenance
30 of effort requirement. The flat reimbursement rate for
31 facilities electing not to file annual cost reports shall not
32 be less than the minimum payment level as established by the
33 federal government to meet the federally mandated maintenance
34 of effort requirement.

35 n. For the fiscal year beginning July 1, 2015, the

1 reimbursement rates for inpatient mental health services
2 provided at hospitals shall be rebased effective October 1,
3 2015, subject to Medicaid program upper payment limit rules;
4 and psychiatrists shall be reimbursed at the medical assistance
5 program fee-for-service rate in effect on June 30, 2015.

6 o. For the fiscal year beginning July 1, 2015, community
7 mental health centers may choose to be reimbursed for the
8 services provided to recipients of medical assistance through
9 either of the following options:

10 (1) For 100 percent of the reasonable costs of the services.

11 (2) In accordance with the alternative reimbursement rate
12 methodology established by the medical assistance program's
13 managed care contractor for mental health services and approved
14 by the department of human services.

15 p. For the fiscal year beginning July 1, 2015, the
16 reimbursement rate for providers of family planning services
17 that are eligible to receive a 90 percent federal match shall
18 remain at the rates in effect on June 30, 2015.

19 q. For the fiscal year beginning July 1, 2015, the upper
20 limits on reimbursement rates for providers of home and
21 community-based services waiver services shall be increased by
22 1.5 percent over the limits in effect on June 30, 2015.

23 r. For the fiscal year beginning July 1, 2015, the
24 reimbursement rates for emergency medical service providers
25 shall remain at the rates in effect on June 30, 2015.

26 s. For the fiscal year beginning July 1, 2015, reimbursement
27 rates for substance-related disorder treatment programs
28 licensed under section 125.13 shall be increased by 3 percent
29 over the rates in effect on June 30, 2015.

30 2. For the fiscal year beginning July 1, 2015, the
31 reimbursement rate for providers reimbursed under the
32 in-home-related care program shall not be less than the minimum
33 payment level as established by the federal government to meet
34 the federally mandated maintenance of effort requirement.

35 3. Unless otherwise directed in this section, when the

1 department's reimbursement methodology for any provider
2 reimbursed in accordance with this section includes an
3 inflation factor, this factor shall not exceed the amount
4 by which the consumer price index for all urban consumers
5 increased during the calendar year ending December 31, 2002.

6 4. For the fiscal year beginning July 1, 2015, the foster
7 family basic daily maintenance rate and the maximum adoption
8 subsidy rate for children ages 0 through 5 years shall be
9 \$16.78, the rate for children ages 6 through 11 years shall be
10 \$17.45, the rate for children ages 12 through 15 years shall
11 be \$19.10, and the rate for children and young adults ages 16
12 and older shall be \$19.35. For youth ages 18 to 21 who have
13 exited foster care, the preparation for adult living program
14 maintenance rate shall be \$602.70 per month. The maximum
15 payment for adoption subsidy nonrecurring expenses shall be
16 limited to \$500 and the disallowance of additional amounts
17 for court costs and other related legal expenses implemented
18 pursuant to 2010 Iowa Acts, chapter 1031, section 408, shall
19 be continued.

20 5. For the fiscal year beginning July 1, 2015, the maximum
21 reimbursement rates for social services providers under
22 contract shall remain at the rates in effect on June 30, 2015,
23 or the provider's actual and allowable cost plus inflation for
24 each service, whichever is less. However, if a new service
25 or service provider is added after June 30, 2015, the initial
26 reimbursement rate for the service or provider shall be based
27 upon a weighted average of provider rates for similar services.

28 6. For the fiscal year beginning July 1, 2015, the
29 reimbursement rates for resource family recruitment and
30 retention contractors, child welfare emergency services
31 contractors, and supervised apartment living foster care
32 providers shall be increased by 5 percent over the rates in
33 effect on June 30, 2015.

34 7. For the fiscal year beginning July 1, 2015, the
35 reimbursement rate for safety plan services and family safety,

1 risk, and permanency services (family-centered) shall be
2 increased as follows:

3 a. The statewide base monthly payment amount for all
4 family safety, risk, and permanency services (family-centered)
5 contractors shall be increased by \$25.22 per month over the
6 rate in effect on June 30, 2015.

7 (1) Family safety, risk, and permanency services
8 Performance Measure 1 payments shall be increased by \$5.25 per
9 case over the rate in effect on June 30, 2015.

10 (2) Family safety, risk, and permanency services
11 Performance Measure 2 payments shall be increased by \$13.15 per
12 case over the rate in effect on June 30, 2015.

13 (3) Family safety, risk, and permanency services
14 Performance Measure 3 payments shall be increased by \$26.25 per
15 case over the rate in effect on June 30, 2015.

16 (4) Family safety, risk, and permanency services
17 Performance Measure 4 payments shall be increased by \$26.25 per
18 case over the rate in effect on June 30, 2015.

19 b. The maximum reimbursement unit rate for safety plan
20 services shall be increased by \$27.61 over the rate in effect
21 on June 30, 2015.

22 (1) Safety plan services Performance Measure 1 payments
23 shall be increased by \$5.25 per case over the rate in effect on
24 June 30, 2015.

25 (2) Safety plan services Performance Measure 2 payments
26 shall be increased by \$5.25 per case over the rate in effect on
27 June 30, 2015.

28 8. a. For the purposes of this subsection, "combined
29 reimbursement rate" means the combined service and maintenance
30 reimbursement rate for a service level under the department's
31 reimbursement methodology. Effective July 1, 2015, the
32 combined reimbursement rate for a group foster care service
33 level shall be the amount designated in this subsection.
34 However, if a group foster care provider's reimbursement rate
35 for a service level as of June 30, 2015, is more than the rate

1 designated in this subsection, the provider's reimbursement
2 shall remain at the higher rate.

3 b. Unless a group foster care provider is subject to the
4 exception provided in paragraph "a", effective July 1, 2015,
5 the combined reimbursement rates for the service levels under
6 the department's reimbursement methodology shall be as follows:

7 (1) For service level, community - D1, the daily rate shall
8 be at least \$84.17.

9 (2) For service level, comprehensive - D2, the daily rate
10 shall be at least \$119.09.

11 (3) For service level, enhanced - D3, the daily rate shall
12 be at least \$131.09.

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

21 10. a. For the fiscal year beginning July 1, 2015, the
22 reimbursement rate paid for shelter care and the child welfare
23 emergency services implemented to provide or prevent the need
24 for shelter care shall be established by contract.

25 b. For the fiscal year beginning July 1, 2015, the combined
26 service and maintenance components of the reimbursement rate
27 paid for shelter care services shall be based on the financial
28 and statistical report submitted to the department. The
29 maximum reimbursement rate shall be \$101.83 per day. The
30 department shall reimburse a shelter care provider at the
31 provider's actual and allowable unit cost, plus inflation, not
32 to exceed the maximum reimbursement rate.

33 c. Notwithstanding section 232.141, subsection 8, for the
34 fiscal year beginning July 1, 2015, the amount of the statewide
35 average of the actual and allowable rates for reimbursement of

1 juvenile shelter care homes that is utilized for the limitation
2 on recovery of unpaid costs shall remain at the amount in
3 effect for this purpose in the fiscal year beginning July 1,
4 2014.

5 11. For the fiscal year beginning July 1, 2015, the
6 department shall calculate reimbursement rates for intermediate
7 care facilities for persons with an intellectual disability
8 at the 80th percentile. Beginning July 1, 2015, the rate
9 calculation methodology shall utilize the consumer price index
10 inflation factor applicable to the fiscal year beginning July
11 1, 2015.

12 12. For the fiscal year beginning July 1, 2015, for child
13 care providers reimbursed under the state child care assistance
14 program, the department shall set provider reimbursement
15 rates based on the rate reimbursement survey completed in
16 December 2004. Effective July 1, 2015, the child care provider
17 reimbursement rates shall remain at the rates in effect on June
18 30, 2015. The department shall set rates in a manner so as
19 to provide incentives for a nonregistered provider to become
20 registered by applying the increase only to registered and
21 licensed providers.

22 13. For the fiscal year beginning July 1, 2015, if the
23 centers for Medicare and Medicaid services of the United
24 States department of health and human services approves the
25 waivers necessary to implement medical assistance program
26 managed care applicable to any providers or services subject to
27 reimbursement under this section, notwithstanding any provision
28 to the contrary under this section, affected providers or
29 services shall instead be reimbursed as follows:

30 a. For fee-for-service claims, reimbursement rates shall
31 be calculated based on the methodology otherwise specified in
32 this section for the fiscal year beginning July 1, 2015, for
33 the respective provider or service.

34 b. For claims subject to a managed care contract,
35 reimbursement shall be based on the actuarially sound

1 capitation rates established under the contract. However,
2 any reimbursement established under such contract shall not
3 be lower than the reimbursement otherwise specified in this
4 section for the fiscal year beginning July 1, 2015, for the
5 respective provider or service.

6 14. The department may adopt emergency rules to implement
7 this section.

8 Sec. 30. EMERGENCY RULES.

9 1. If specifically authorized by a provision of this
10 division of this Act, the department of human services or
11 the mental health and disability services commission may
12 adopt administrative rules under section 17A.4, subsection
13 3, and section 17A.5, subsection 2, paragraph "b", to
14 implement the provisions of this division of this Act and
15 the rules shall become effective immediately upon filing or
16 on a later effective date specified in the rules, unless the
17 effective date of the rules is delayed or the applicability
18 of the rules is suspended by the administrative rules review
19 committee. Any rules adopted in accordance with this section
20 shall not take effect before the rules are reviewed by the
21 administrative rules review committee. The delay authority
22 provided to the administrative rules review committee under
23 section 17A.4, subsection 7, and section 17A.8, subsection 9,
24 shall be applicable to a delay imposed under this section,
25 notwithstanding a provision in those sections making them
26 inapplicable to section 17A.5, subsection 2, paragraph "b".
27 Any rules adopted in accordance with the provisions of this
28 section shall also be published as a notice of intended action
29 as provided in section 17A.4.

30 2. If during a fiscal year, the department of human
31 services is adopting rules in accordance with this section
32 or as otherwise directed or authorized by state law, and the
33 rules will result in an expenditure increase beyond the amount
34 anticipated in the budget process or if the expenditure was
35 not addressed in the budget process for the fiscal year, the

1 department shall notify the persons designated by this division
2 of this Act for submission of reports, the chairpersons and
3 ranking members of the committees on appropriations, and
4 the department of management concerning the rules and the
5 expenditure increase. The notification shall be provided at
6 least 30 calendar days prior to the date notice of the rules
7 is submitted to the administrative rules coordinator and the
8 administrative code editor.

9 Sec. 31. REPORTS. Any reports or other information
10 required to be compiled and submitted under this Act during the
11 fiscal year beginning July 1, 2015, shall be submitted to the
12 chairpersons and ranking members of the joint appropriations
13 subcommittee on health and human services, the legislative
14 services agency, and the legislative caucus staffs on or
15 before the dates specified for submission of the reports or
16 information.

17 Sec. 32. EFFECTIVE UPON ENACTMENT. The following
18 provisions of this division of this Act, being deemed of
19 immediate importance, take effect upon enactment:

20 1. The provision relating to section 232.141 and directing
21 the state court administrator and the division administrator of
22 the department of human services division of child and family
23 services to make the determination, by June 15, 2015, of the
24 distribution of funds allocated for the payment of the expenses
25 of court-ordered services provided to juveniles which are a
26 charge upon the state.

27 2. The provision prohibiting the department of human
28 services from adopting emergency rules to implement Medicaid
29 managed care or the governor's Medicaid modernization
30 initiative.

31 DIVISION VI

32 HEALTH CARE ACCOUNTS AND FUNDS — FY 2015-2016

33 Sec. 33. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
34 appropriated from the pharmaceutical settlement account created
35 in section 249A.33 to the department of human services for the

1 fiscal year beginning July 1, 2015, and ending June 30, 2016,
2 the following amount, or so much thereof as is necessary, to be
3 used for the purpose designated:

4 Notwithstanding any provision of law to the contrary, to
5 supplement the appropriations made in this Act for medical
6 contracts under the medical assistance program for the fiscal
7 year beginning July 1, 2015, and ending June 30, 2016:

8 \$ 500,000

9 Sec. 34. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN
10 SERVICES. Notwithstanding any provision to the contrary and
11 subject to the availability of funds, there is appropriated
12 from the quality assurance trust fund created in section
13 249L.4 to the department of human services for the fiscal year
14 beginning July 1, 2015, and ending June 30, 2016, the following
15 amounts, or so much thereof as is necessary, for the purposes
16 designated:

17 To supplement the appropriation made in this Act from the
18 general fund of the state to the department of human services
19 for medical assistance for the same fiscal year:

20 \$ 36,705,208

21 Sec. 35. HOSPITAL HEALTH CARE ACCESS TRUST FUND —
22 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to
23 the contrary and subject to the availability of funds, there is
24 appropriated from the hospital health care access trust fund
25 created in section 249M.4 to the department of human services
26 for the fiscal year beginning July 1, 2015, and ending June
27 30, 2016, the following amounts, or so much thereof as is
28 necessary, for the purposes designated:

29 To supplement the appropriation made in this Act from the
30 general fund of the state to the department of human services
31 for medical assistance for the same fiscal year:

32 \$ 34,700,000

33 Sec. 36. MEDICAL ASSISTANCE PROGRAM — NONREVERSION
34 FOR FY 2015-2016. Notwithstanding section 8.33, if moneys
35 appropriated for purposes of the medical assistance program for

1 the fiscal year beginning July 1, 2015, and ending June 30,
2 2016, from the general fund of the state, the quality assurance
3 trust fund and the hospital health care access trust fund, are
4 in excess of actual expenditures for the medical assistance
5 program and remain unencumbered or unobligated at the close
6 of the fiscal year, the excess moneys shall not revert but
7 shall remain available for expenditure for the purposes of the
8 medical assistance program until the close of the succeeding
9 fiscal year.

10 DIVISION VII

11 PATIENT-CENTERED HEALTH ADVISORY COUNCIL

12 Sec. 37. Section 135.159, subsection 2, paragraph a,
13 unnumbered paragraph 1, Code 2015, is amended to read as
14 follows:

15 The department shall establish ~~an~~ a patient-centered health
16 advisory council which shall include but is not limited to
17 all of the following members, selected by their respective
18 organizations, and any other members the department determines
19 necessary to assist in the department's duties at various
20 stages of development of the medical home system:

21 Sec. 38. Section 135.159, subsection 2, paragraph b, Code
22 2015, is amended to read as follows:

23 *b.* Public members of the patient-centered health advisory
24 council shall receive reimbursement for actual expenses
25 incurred while serving in their official capacity only if they
26 are not eligible for reimbursement by the organization that
27 they represent.

28 Sec. 39. Section 135.159, subsection 10, Code 2015, is
29 amended to read as follows:

30 10. The department shall integrate the recommendations and
31 policies developed pursuant to section 135.161, Code 2011, into
32 the medical home system and shall incorporate the development
33 and implementation of the state initiative for prevention
34 and chronic care management as developed pursuant to section
35 135.161, Code 2011, into the duties of the ~~medical home system~~

1 patient-centered health advisory council beginning January 1,
2 2012.

3 Sec. 40. CODE EDITOR DIRECTIVE. The Code editor shall amend
4 the headnote of section 135.159, Code 2015, to read **Medical home**
5 **system — patient-centered health advisory council — development**
6 **and implementation.**

7 DIVISION VIII

8 PRIOR YEAR APPROPRIATIONS AND OTHER PRIOR PROVISIONS

9 DECATEGORYIZATION

10 Sec. 41. DECATEGORYIZATION CARRYOVER FUNDING — TRANSFER TO
11 MEDICAID PROGRAM. Notwithstanding section 232.188, subsection
12 5, paragraph "b", any state appropriated moneys in the funding
13 pool that remained unencumbered or unobligated at the close
14 of the fiscal year beginning July 1, 2012, and were deemed
15 carryover funding to remain available for the two succeeding
16 fiscal years that still remain unencumbered or unobligated at
17 the close of the fiscal year beginning July 1, 2014, shall
18 not revert but shall be transferred to the medical assistance
19 program for the fiscal year beginning July 1, 2014.

20 COMMUNITY MENTAL HEALTH SERVICES APPROPRIATION

21 Sec. 42. 2013 Iowa Acts, chapter 136, section 2, subsection
22 1, paragraph c, is amended to read as follows:

23 c. The department shall allocate not less than 95 percent
24 of the amount of the block grant each federal fiscal year
25 to eligible community mental health services providers for
26 carrying out the plan submitted to and approved by the federal
27 substance abuse and mental health services administration
28 for the fiscal year involved, except that for federal fiscal
29 year 2014-2015, \$1,643,467 of such federal block grant funds
30 shall be used for child and family services pursuant to 2013
31 Iowa Acts, chapter 138, section 148, as amended by 2014 Iowa
32 Acts, chapter 1140, section 25, for the purposes of 2014 Iowa
33 Acts, chapter 1140, section 25, subsection 20, relating to
34 the community circle of care collaboration for children and
35 youth in northeast Iowa, subsection 24 relating to the central

1 contract with institutions of higher education or child care
2 resource and referral centers to provide the educational
3 opportunities. Allowable administrative costs under the
4 contracts shall not exceed 5 percent. The application for a
5 grant shall not exceed two pages in length.

6 b. Any funds appropriated in this subsection remaining
7 unallocated shall be used for state child care assistance
8 payments for families who are employed, including but not
9 limited to individuals enrolled in the family investment
10 program ~~who are employed~~.

11 13. a. Notwithstanding any provision to the contrary,
12 including but not limited to requirements in section 8.41 or
13 provisions in 2013 or 2014 Iowa Acts regarding the receipt and
14 appropriation of federal block grants, federal funds from the
15 temporary assistance for needy families block grant received
16 by the state not otherwise appropriated in this section and
17 remaining available for the fiscal year beginning July 1, 2014,
18 are appropriated to the department of human services to the
19 extent as may be necessary to be used in the following priority
20 order: the family investment program, for state child care
21 assistance program payments for ~~individuals enrolled in the~~
22 ~~family investment program~~ families who are employed, and for
23 the family investment program share of costs to develop and
24 maintain a new, integrated eligibility determination system.
25 The federal funds appropriated in this paragraph "a" shall be
26 expended only after all other funds appropriated in subsection
27 1 for the assistance under the family investment program,
28 in subsection 6 for child care assistance, or in subsection
29 12 for the family investment program share of the costs to
30 continue to develop and maintain a new, integrated eligibility
31 determination system, as applicable, have been expended. For
32 the purposes of this subsection, the funds appropriated in
33 subsection 6, paragraph "a", for transfer to the child care and
34 development block grant are considered fully expended when the
35 full amount has been transferred.

1 b. The department shall, on a quarterly basis, advise the
2 legislative services agency and department of management of
3 the amount of funds appropriated in this subsection that was
4 expended in the prior quarter.

5 CHILD SUPPORT RECOVERY UNIT

6 Sec. 44. 2013 Iowa Acts, chapter 138, section 139,
7 unnumbered paragraph 2, as amended by 2014 Iowa Acts, chapter
8 1140, section 12, is amended to read as follows:

9 For child support recovery, including salaries, support,
10 maintenance, and miscellaneous purposes, and for not more than
11 the following full-time equivalent positions:

12	\$ 14,911,230
13	<u>14,771,230</u>
14	FTEs 464.00

15 MEDICAL ASSISTANCE

16 Sec. 45. 2013 Iowa Acts, chapter 139, section 142,
17 unnumbered paragraph 2, as amended by 2014 Iowa Acts, chapter
18 1140, section 14, is amended to read as follows:

19 For medical assistance program reimbursement and associated
20 costs as specifically provided in the reimbursement
21 methodologies in effect on June 30, 2014, except as otherwise
22 expressly authorized by law, consistent with options under
23 federal law and regulations, and contingent upon receipt of
24 approval from the office of the governor of reimbursement for
25 each abortion performed under the program:

26	\$ 1,250,658,393
27	<u>1,310,299,250</u>

28 MEDICAL CONTRACTS

29 Sec. 46. 2013 Iowa Acts, chapter 138, section 143,
30 unnumbered paragraphs 1 and 2, as amended by 2014 Iowa Acts,
31 chapter 1140, section 19, are amended to read as follows:

32 There is appropriated from the general fund of the state to
33 the department of human services for the fiscal year beginning
34 July 1, 2014, and ending June 30, 2015, the following amount,
35 or so much thereof as is necessary, to be used for the purpose

1 designated:

2 For medical contracts:

3	\$ 17,148,576
4	<u>12,896,400</u>

5 STATE SUPPLEMENTARY ASSISTANCE

6 Sec. 47. 2013 Iowa Acts, chapter 138, section 144,
7 subsection 1, as amended by 2014 Iowa Acts, chapter 1140,
8 section 20, is amended to read as follows:

9 1. There is appropriated from the general fund of the
10 state to the department of human services for the fiscal year
11 beginning July 1, 2014, and ending June 30, 2015, the following
12 amount, or so much thereof as is necessary, to be used for the
13 purpose designated:

14 For the state supplementary assistance program:

15	\$ 14,121,154
16	<u>12,965,318</u>

17 CHILDREN'S HEALTH INSURANCE PROGRAM/
18 HEALTHY AND WELL KIDS IN IOWA PROGRAM

19 Sec. 48. 2013 Iowa Acts, chapter 138, section 145,
20 subsection 1, as amended by 2014 Iowa Acts, chapter 1140,
21 section 21, is amended to read as follows:

22 1. There is appropriated from the general fund of the
23 state to the department of human services for the fiscal year
24 beginning July 1, 2014, and ending June 30, 2015, the following
25 amount, or so much thereof as is necessary, to be used for the
26 purpose designated:

27 For maintenance of the healthy and well kids in Iowa (hawk-i)
28 program pursuant to chapter 514I, including supplemental dental
29 services, for receipt of federal financial participation under
30 Tit. XXI of the federal Social Security Act, which creates the
31 children's health insurance program:

32	\$ 45,877,998
33	<u>45,097,085</u>

34 CHILD CARE ASSISTANCE

35 Sec. 49. 2013 Iowa Acts, chapter 138, section 146,

1 unnumbered paragraphs 1 and 2, as amended by 2014 Iowa Acts,
2 chapter 1140, section 22, are amended to read as follows:

3 There is appropriated from the general fund of the state to
4 the department of human services for the fiscal year beginning
5 July 1, 2014, and ending June 30, 2015, the following amount,
6 or so much thereof as is necessary, to be used for the purpose
7 designated:

8 For child care programs:

9 \$ ~~47,132,080~~
10 36,303,944

11 CHILDREN ADJUDICATED AS DELINQUENT AND CHILD IN NEED OF
12 ASSISTANCE PLACEMENTS

13 Sec. 50. 2013 Iowa Acts, chapter 138, unnumbered paragraphs
14 1 and 2, as amended by 2014 Iowa Acts, chapter 1140, section
15 24, are amended to read as follows:

16 There is appropriated from the general fund of the state to
17 the department of human services for the fiscal year beginning
18 July 1, 2014, and ending June 30, 2015, the following amount,
19 or so much thereof as is necessary, to be used for the purposes
20 designated:

21 For the placement costs of female children adjudicated as
22 delinquent and male and female children adjudicated as a child
23 in need of assistance:

24 \$ ~~2,000,000~~
25 1,400,000

26 CHILD AND FAMILY SERVICES

27 Sec. 51. 2013 Iowa Acts, chapter 138, section 148,
28 subsection 1, as amended by 2014 Iowa Acts, chapter 1140,
29 section 25, is amended to read as follows:

30 1. There is appropriated from the general fund of the
31 state to the department of human services for the fiscal year
32 beginning July 1, 2014, and ending June 30, 2015, the following
33 amount, or so much thereof as is necessary, to be used for the
34 purpose designated:

35 For child and family services:

1 \$ ~~94,857,554~~
2 91,364,087

3 ADOPTION SUBSIDY

4 Sec. 52. 2013 Iowa Acts, chapter 138, section 149,
5 subsection 1, as amended by 2014 Iowa Acts, chapter 1140,
6 section 26, is amended to read as follows:

7 1. There is appropriated from the general fund of the
8 state to the department of human services for the fiscal year
9 beginning July 1, 2014, and ending June 30, 2015, the following
10 amount, or so much thereof as is necessary, to be used for the
11 purpose designated:

12 For adoption subsidy payments and services:
13 \$ ~~42,580,749~~
14 41,744,149

15 FAMILY SUPPORT SUBSIDY

16 Sec. 53. 2013 Iowa Acts, chapter 138, section 151,
17 subsection 1, as amended by 2014 Iowa Acts, chapter 1140,
18 section 27, is amended to read as follows:

19 1. There is appropriated from the general fund of the
20 state to the department of human services for the fiscal year
21 beginning July 1, 2014, and ending June 30, 2015, the following
22 amount, or so much thereof as is necessary, to be used for the
23 purpose designated:

24 For the family support subsidy program subject to the
25 enrollment restrictions in section 225C.37, subsection 3:
26 \$ ~~1,079,739~~
27 579,739

28 FIELD OPERATIONS

29 Sec. 54. 2013 Iowa Acts, chapter 138, section 156,
30 unnumbered paragraphs 1 and 2, as amended by 2014 Iowa Acts,
31 chapter 1140, section 32, are amended to read as follows:

32 There is appropriated from the general fund of the state to
33 the department of human services for the fiscal year beginning
34 July 1, 2014, and ending June 30, 2015, the following amount,
35 or so much thereof as is necessary, to be used for the purposes

1 designated:

2 For field operations, including salaries, support,
3 maintenance, and miscellaneous purposes, and for not more than
4 the following full-time equivalent positions:

5	\$ 65,170,976
6	<u>61,170,976</u>
7	FTEs 1,837.00

8 GENERAL ADMINISTRATION

9 Sec. 55. 2013 Iowa Acts, chapter 138, section 157,
10 unnumbered paragraphs 1 and 2, as amended by 2014 Iowa Acts,
11 chapter 1140, section 33, are amended to read as follows:

12 There is appropriated from the general fund of the state to
13 the department of human services for the fiscal year beginning
14 July 1, 2014, and ending June 30, 2015, the following amount,
15 or so much thereof as is necessary, to be used for the purpose
16 designated:

17 For general administration, including salaries, support,
18 maintenance, and miscellaneous purposes, and for not more than
19 the following full-time equivalent positions:

20	\$ 16,072,302
21	<u>15,072,302</u>
22	FTEs 309.00

23 PHARMACEUTICAL SETTLEMENT ACCOUNT

24 Sec. 56. 2013 Iowa Acts, chapter 138, section 162, as
25 amended by 2014 Iowa Acts, chapter 1140, section 47, is amended
26 to read as follows:

27 SEC. 162. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
28 appropriated from the pharmaceutical settlement account created
29 in section 249A.33 to the department of human services for the
30 fiscal year beginning July 1, 2014, and ending June 30, 2015,
31 the following amount, or so much thereof as is necessary, to be
32 used for the purpose designated:

33 Notwithstanding any provision of law to the contrary, to
34 supplement the appropriations made in this Act for medical
35 contracts under the medical assistance program for the fiscal

1 year beginning July 1, 2014, and ending June 30, 2015:

2	\$	5,467,564
3		<u>6,969,740</u>

4 QUALITY ASSURANCE TRUST FUND

5 Sec. 57. 2013 Iowa Acts, chapter 138, section 163, as
6 amended by 2014 Iowa Acts, chapter 1140, section 48, is amended
7 to read as follows:

8 SEC. 163. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF
9 HUMAN SERVICES. Notwithstanding any provision to the contrary
10 and subject to the availability of funds, there is appropriated
11 from the quality assurance trust fund created in section
12 249L.4 to the department of human services for the fiscal year
13 beginning July 1, 2014, and ending June 30, 2015, the following
14 amounts, or so much thereof as is necessary, for the purposes
15 designated:

16 To supplement the appropriation made in this Act from the
17 general fund of the state to the department of human services
18 for medical assistance for the same fiscal year:

19	\$	29,195,653
20		<u>29,695,653</u>

21 Sec. 58. EFFECTIVE UPON ENACTMENT. This division of this
22 Act, being deemed of immediate importance, takes effect upon
23 enactment.

24 Sec. 59. RETROACTIVE APPLICABILITY. This division of this
25 Act is retroactively applicable to July 1, 2014.

26 DIVISION IX

27 QUALITY ASSURANCE ASSESSMENT

28 Sec. 60. Section 249L.3, subsection 1, paragraph d, Code
29 2015, is amended to read as follows:

30 *d.* The aggregate quality assurance assessments imposed
31 under this chapter shall ~~not exceed the lower of~~ be established
32 at three percent of the aggregate non-Medicare revenues of a
33 nursing facility ~~or the maximum amount that may be assessed~~
34 pursuant to the indirect guarantee threshold as established
35 pursuant to 42 C.F.R. §433.68(f)(3)(i), and shall be stated on

1 a per-patient-day basis.

2 DIVISION X

3 HEALTH POLICY — OVERSIGHT

4 Sec. 61. NEW SECTION. 2.70 Legislative health policy
5 oversight committee.

6 1. A legislative health policy oversight committee
7 is created to provide a formal venue for oversight of
8 and stakeholder engagement in, the design, development,
9 implementation, administration, and funding associated
10 with general state health care policy, with a particular
11 focus on the Medicaid program. The overall purpose of the
12 committee is to ensure that health care policy in this state
13 is consumer-focused and provides for accessible, accountable,
14 efficient, cost-effective, and quality health care. The goal
15 of the committee is to continue to further health policy that
16 improves health care, improves population health, reduces
17 health care costs, and integrates medical and social services
18 and supports into a holistic health system.

19 2. a. The committee shall include all of the following
20 members:

21 (1) The co-chairpersons and ranking members of the
22 legislative joint appropriations subcommittee on health
23 and human services, or members of the joint appropriations
24 subcommittee designated by the respective co-chairpersons or
25 ranking members.

26 (2) The chairpersons and ranking members of the
27 human resources committees of the senate and house of
28 representatives, or members of the respective committees
29 designated by the respective chairpersons or ranking members.

30 (3) The chairpersons and ranking members of the
31 appropriations committees of the senate and house of
32 representatives, or members of the respective committees
33 designated by the respective chairpersons or ranking members.

34 b. The members of the committee shall receive a per diem as
35 provided in section 2.10.

1 *c.* The committee shall meet at least quarterly, but may meet
2 as often as necessary. The committee may request information
3 from sources as deemed appropriate, and the department of human
4 services and other agencies of state government shall provide
5 information to the committee as requested. The legislative
6 services agency shall provide staff support to the committee.

7 *d.* The committee shall select co-chairpersons, one
8 representing the senate and one representing the house of
9 representatives, annually, from its membership. A majority of
10 the members of the committee shall constitute a quorum.

11 *e.* The committee may contract for the services of persons
12 who are qualified by education, expertise, or experience to
13 advise, consult with, or otherwise assist the committee in the
14 performance of its duties.

15 3. The committee shall submit a report to the governor and
16 the general assembly by December 15, annually.

17 Sec. 62. NEW SECTION. **231.44 Utilization of resources**
18 **— assistance and advocacy related to long-term services and**
19 **supports under the Medicaid program.**

20 1. The office of long-term care ombudsman may utilize its
21 available resources to provide assistance and advocacy services
22 to potential or actual recipients, or the families or legal
23 representatives of such potential or actual recipients, of
24 long-term services and supports provided through the Medicaid
25 program. Such assistance and advocacy shall include but is not
26 limited to all of the following:

27 *a.* Providing information, education, consultation, and
28 assistance regarding eligibility for, enrollment in, and the
29 obtaining of long-term services and supports through the
30 Medicaid program.

31 *b.* Identifying and referring individuals who may be eligible
32 for and in need of long-term services and supports to the
33 Medicaid program.

34 *c.* Developing procedures for tracking and reporting
35 individual requests for assistance with the obtaining of

1 necessary services and supports.

2 *d.* Providing consultation for individuals transitioning into
3 or out of an institutional setting or across levels of care.

4 *e.* Identifying gaps in or duplication of services provided
5 to older individuals and persons with disabilities and
6 developing strategies to improve the delivery and coordination
7 of these services for these individuals.

8 *f.* Providing advice, assistance, and negotiation relating
9 to the preparation and filing of complaints, grievances, and
10 appeals of complaints or grievances relating to long-term
11 services and supports under the Medicaid program.

12 *g.* Providing individual case advocacy services in
13 administrative hearings and legal representation for judicial
14 proceedings related to long-term services and supports under
15 the Medicaid program.

16 2. A representative of the office of long-term care
17 ombudsman providing assistance and advocacy services authorized
18 under this section for an individual, shall be provided
19 access to the individual, and shall be provided access to
20 the individual's medical and social records as authorized by
21 the individual or the individual's legal representative, as
22 necessary to carry out the duties specified in this section.

23 3. A representative of the office of long-term care
24 ombudsman providing assistance and advocacy services authorized
25 under this section for an individual, shall be provided access
26 to administrative records related to the provision of the
27 long-term services and supports to the individual, as necessary
28 to carry out the duties specified in this section.

29 4. For the purposes of this section:

30 *a.* "*Institutional setting*" includes a long-term care
31 facility, an elder group home, or an assisted living program.

32 *b.* "*Long-term services and supports*" means the broad range of
33 health, health-related, and personal care assistance services
34 and supports, provided in both institutional settings and home
35 and community-based settings, necessary for older individuals

1 and persons with disabilities who experience limitations in
2 their capacity for self-care due to a physical, cognitive, or
3 mental disability or condition.

4 Sec. 63. MEDICAID MANAGED CARE ORGANIZATIONS — UTILIZATION
5 OF CAPITATED PAYMENTS.

6 1. All of the following shall apply to Medicaid managed care
7 contracts entered into on or after July 1, 2015:

8 a. Two percent of the Medicaid capitation payment amount
9 specified under the contract shall be withheld by the state to
10 be used to provide for Medicaid program oversight, including
11 for a health consumer ombudsman function, and for quality
12 improvement.

13 b. The minimum medical loss ratio applicable to Medicaid
14 managed care shall be established at no less than 85
15 percent. The portion of the Medicaid capitation payment paid
16 to a Medicaid managed care contractor that is required to be
17 dedicated to meeting the minimum medical loss ratio shall be
18 allocated to a Medicaid claims fund. Expenditures of moneys
19 in the Medicaid claims fund shall comply with all of the
20 following:

21 (1) Only expenditures for medical claims shall be
22 considered in computing the minimum medical loss ratio
23 as specified in the contract. For the purposes of the
24 computation, "medical claims" means only the costs of claims
25 for direct delivery of covered benefits incurred during the
26 applicable minimum medical loss ratio reporting period, not
27 otherwise defined or designated as administrative costs,
28 population health benefits or quality improvement, or profit in
29 this section.

30 (2) If a Medicaid managed care contractor does not meet
31 the minimum medical loss ratio established under the contract
32 for the reporting period specified, the Medicaid managed
33 care contractor shall remit the excess amount, multiplied
34 by the total contract revenue, to the state for community
35 reinvestment, oversight, and quality improvement.

1 c. The portion of the Medicaid capitation payment that is
2 not required to be dedicated to meeting the minimum medical
3 loss ratio, shall be allocated to an administrative fund.
4 Expenditure or use of moneys in the administrative fund shall
5 comply with all of the following:

6 (1) Funds in the administrative fund may be used for
7 population health and quality improvement activities
8 including conflict or reinvestment free case management, care
9 coordination, community benefit expenditures, nontraditional
10 consumer-centered services that address social determinants
11 of health, health information technology, data collection and
12 analysis, and other population health and quality improvement
13 activities as specified by rule of the department of human
14 services.

15 (2) Administrative costs shall not exceed the percentage
16 applicable to the Medicaid program for administrative costs for
17 FY 2015 of a maximum of 4 percent calculated as a percentage of
18 the Medicaid capitation payment during the applicable minimum
19 medical loss ratio reporting period. Administrative functions
20 and costs shall not be shifted to providers or other entities
21 as a means of administrative cost avoidance.

22 (3) Profit, including reserves and earnings on reserves
23 such as investment income and earned interest, as a percentage
24 of the Medicaid capitated payment, shall be limited to a
25 maximum of 3 percent during the applicable minimum medical loss
26 ratio reporting period.

27 (4) Any funds remaining in the administrative fund
28 following allowable expenditures or uses specified in
29 subparagraphs (1), (2), and (3) shall be remitted to the state
30 for community reinvestment, oversight, and quality improvement.

31 2. The department of human services shall specify by rule
32 reporting requirements for Medicaid managed care contractors
33 under this section.

34 Sec. 64. PROPOSAL FOR A HEALTH CONSUMER OMBUDSMAN
35 ALLIANCE. The office of long-term care ombudsman shall

1 collaborate with the department on aging, the office of
2 substitute decision maker, the department of veterans affairs,
3 the department of human services, the department of public
4 health, the department of inspections and appeals, the
5 designated protection and advocacy agency as provided in
6 section 135C.2, subsection 4, the civil rights commission, the
7 senior health insurance information program, the Iowa insurance
8 consumer advocate, Iowa legal aid, and other consumer advocates
9 and consumer assistance programs, to develop a proposal for the
10 establishment of a health consumer ombudsman alliance. The
11 purpose of the alliance is to provide a permanent coordinated
12 system of independent consumer supports to ensure that
13 consumers, including consumers covered under Medicaid managed
14 care, obtain and maintain essential health care, are provided
15 unbiased information in understanding coverage models, and are
16 assisted in resolving problems regarding health care services,
17 coverage, access, and rights. The proposal developed shall
18 include annual budget projections and shall be submitted to the
19 governor and the general assembly no later than December 15,
20 2015.

21 Sec. 65. FUNCTIONAL, LEVEL OF CARE, AND NEEDS-BASED
22 ASSESSMENTS — CASE MANAGEMENT.

23 1. The department of human services shall contract
24 with a conflict free third party to conduct initial and
25 subsequent functional, level of care, and needs assessments and
26 reassessments of consumers who may be eligible for long-term
27 services and supports and are subject to a Medicaid managed
28 care contract. Such assessments and reassessments shall not
29 be completed by a Medicaid managed care organization under
30 contract with the state or by any entity that is not deemed
31 conflict free. If a managed care contractor becomes aware that
32 an applicant may require long-term services and supports or
33 that an enrolled consumer's functional level of care, support
34 needs, or medical status has changed, the Medicaid managed care
35 contractor shall notify the department and the conflict free

1 third party shall administer any assessment or reassessment
2 in response to the notification. A case manager or Medicaid
3 managed care contractor shall not alter a consumer's service
4 plan independent of the prior administration of an assessment
5 or reassessment conducted by the conflict free third party.
6 The department of human services shall retain authority to
7 determine or redetermine a consumer's categorical, financial,
8 level of care or needs-based eligibility based on the conflict
9 free third party assessment or reassessment.

10 2. The department of human services shall provide for
11 administration of non-biased, community-based, in-person
12 options counseling by a conflict free third party for
13 applicants for a Medicaid managed care plan.

14 3. Case management under a Medicaid managed care contract
15 shall be administered in a conflict free manner.

16 4. For the purposes of this section, "conflict free" means
17 conflict free pursuant to specifications of the balancing
18 incentive program requirements.

19 DIVISION XI

20 AUTISM

21 Sec. 66. Section 225D.1, subsections 3 and 8, Code 2015, are
22 amended to read as follows:

23 3. "*Autism service provider*" means a person providing
24 applied behavioral analysis, who meets all of the following
25 criteria:

26 a. Is any of the following:

27 (1) Is certified as a behavior analyst by the behavior
28 analyst certification board ~~or is a health professional~~
29 ~~licensed under chapter 147.~~

30 (2) Is a board-certified assistant behavior analyst who
31 performs duties, identified by and based on the standards of
32 the behavior analyst certification board, under the supervision
33 of a board-certified behavior analyst.

34 b. Is approved as a member of the provider network by the
35 department.

1 8. "*Eligible individual*" means a child less than ~~nine~~
2 fifteen years of age who has been diagnosed with autism based
3 on a diagnostic assessment of autism, is not otherwise eligible
4 for coverage for applied behavioral analysis treatment under
5 the medical assistance program, section 514C.28, or private
6 insurance coverage, and whose household income does not exceed
7 four hundred percent of the federal poverty level.

8 Sec. 67. Section 225D.2, subsection 2, paragraph c, Code
9 2015, is amended to read as follows:

10 c. Notwithstanding the age limitation for an eligible
11 individual, a provision that if an eligible individual reaches
12 ~~nine~~ fifteen years of age prior to completion of the maximum
13 applied behavioral analysis treatment period specified in
14 paragraph "b", the individual may complete such treatment in
15 accordance with the individual's treatment plan, not to exceed
16 the maximum treatment period.

17 Sec. 68. Section 225D.2, subsection 2, Code 2015, is amended
18 by adding the following new paragraph:

19 NEW PARAGRAPH. 1. Proof of eligibility for the autism
20 support program that includes a written denial for coverage or
21 a benefits summary indicating that applied behavioral analysis
22 treatment is not a covered benefit for which the applicant
23 is eligible, under the Medicaid program, section 514C.28, or
24 private insurance coverage.

25 DIVISION XII

26 OFFICE OF SUBSTITUTE DECISION MAKER

27 Sec. 69. Section 231E.4, subsection 3, paragraph a, Code
28 2015, is amended to read as follows:

29 a. Select persons through a request for proposals process to
30 establish local offices of substitute decision maker in each
31 of the planning and service areas. Local offices shall be
32 established statewide on or before July 1, ~~2015~~ 2017.

33 DIVISION XIII

34 DEMENTIA WORKFORCE

35 Sec. 70. INTERAGENCY DEMENTIA PROFICIENT WORKFORCE TASK

1 FORCE. The department on aging shall convene an interagency
 2 task force, in collaboration with the office of long-term
 3 care ombudsman, the office of substitute decision maker, the
 4 departments of public health, human services, and inspections
 5 and appeals, and the Alzheimer's association, to review the
 6 recommendations for a standard curriculum model for dementia
 7 education submitted by the Alzheimer's association dementia
 8 education task force to the department on aging in June 2010,
 9 in the Iowa dementia education project final report, and the
 10 curricula-related recommendations submitted by the direct care
 11 worker task force and the direct care worker advisory council;
 12 identify staff, in settings in which individuals with dementia
 13 may seek services and care, who should have some level of
 14 dementia proficiency and analyze gaps in existing training
 15 and educational requirements; and develop an implementation
 16 plan to transition toward competency-based dementia curricula
 17 and training that achieves dementia proficiency across a
 18 broader care continuum. To the greatest extent possible,
 19 the plan shall address training strategies for different
 20 settings, levels of skill, and licensure. The plan shall
 21 include a timeline for implementation, fiscal implications of
 22 recommendations, and identification of key decision points
 23 for the general assembly. The task force shall provide
 24 opportunities for stakeholder input from affected industry,
 25 education, professional, employee, and consumer organizations.
 26 The task force shall submit its recommendations to the governor
 27 and the general assembly no later than December 15, 2015.

28 DIVISION XIV

29 PHARMACEUTICAL COLLECTION AND DISPOSAL PROGRAM

30 Sec. 71. Section 155A.43, Code 2015, is amended to read as
 31 follows:

32 **155A.43 Pharmaceutical collection and disposal program —**
 33 **annual allocation.**

34 Of the fees collected pursuant to sections 124.301 and
 35 147.80 and chapter 155A by the board of pharmacy, and retained

1 by the board pursuant to section 147.82, not more than
2 one hundred ~~twenty-five~~ seventy-five thousand dollars may
3 be allocated annually by the board for administering the
4 pharmaceutical collection and disposal program originally
5 established pursuant to 2009 Iowa Acts, ch. 175, §9. The
6 program shall provide for the management and disposal of
7 unused, excess, and expired pharmaceuticals. The board of
8 pharmacy may cooperate with the Iowa pharmacy association and
9 may consult with the department and sanitary landfill operators
10 in administering the program.

11 DIVISION XV

12 MEDICAID STATE PLAN — FAMILY PLANNING

13 Sec. 72. MEDICAID STATE PLAN AMENDMENT — FAMILY
14 PLANNING. The department of human services shall amend the
15 medical assistance state plan to include, effective no later
16 than January 1, 2016, the eligibility provisions of the Iowa
17 family planning network section 1115 demonstration waiver in
18 effect on January 1, 2015. The department shall implement
19 the state plan amendment upon receipt of approval by the
20 centers for Medicare and Medicaid services of the United States
21 department of health and human services.

22 Sec. 73. EFFECTIVE DATE. This division of this Act, being
23 deemed of immediate importance, takes effect upon enactment.

24 DIVISION XVI

25 IOWA ABLE SAVINGS PLAN TRUST

26 Sec. 74. NEW SECTION. 12I.1 Purpose and definitions.

27 1. The general assembly finds that the general welfare
28 and well-being of the state are directly related to the
29 health, maintenance, independence, and quality of life of its
30 disabled residents, and that a vital and valid public purpose
31 is served by the creation and implementation of programs that
32 encourage and make possible savings to secure funding for
33 disability-related expenses on behalf of individuals with
34 disabilities that will supplement, but not supplant, other
35 benefits provided by various federal, state, and private

1 sources. The creation of the means of encouragement for
2 citizens to invest in such a program represents the carrying
3 out of a vital and valid public purpose. In order to make
4 available to the citizens of the state an opportunity to fund
5 future disability-related expenses of individuals, it is
6 necessary that a public trust be established in which moneys
7 may be invested for payment of future disability-related
8 expenses of an individual.

9 2. As used in this chapter, unless the context otherwise
10 requires:

11 a. "*Account balance limit*" means the maximum allowable
12 aggregate balance of an account established for a designated
13 beneficiary. Account earnings, if any, are included in the
14 account balance limit.

15 b. "*Account owner*" means an individual who enters into a
16 participation agreement under this chapter for the payment
17 of qualified disability expenses on behalf of a designated
18 beneficiary.

19 c. "*Contracting state*" means the same as defined in section
20 529A of the Internal Revenue Code.

21 d. "*Designated beneficiary*" means an individual who is a
22 resident of this state or a resident of a contracting state and
23 who meets the definition of "*eligible individual*" in section
24 529A of the Internal Revenue Code.

25 e. "*Internal Revenue Code*" means the Internal Revenue Code
26 of 1986, as amended, and regulations promulgated thereunder.

27 f. "*Iowa ABLE savings plan trust*" or "*trust*" means the trust
28 created under section 12I.2.

29 g. "*Participation agreement*" means an agreement between the
30 account owner and the trust entered into under this chapter.

31 h. "*Qualified ABLE program*" means the same as defined in
32 section 529A of the Internal Revenue Code.

33 i. "*Qualified disability expenses*" means the same as defined
34 in section 529A of the Internal Revenue Code.

35 j. "*Resident*" shall be defined by rules adopted by the

1 treasurer of state. The rules shall determine residency in
2 such manner as may be required or permitted under section
3 529A of the Internal Revenue Code, or, in the absence of any
4 guidance under federal law, as the treasurer of state deems
5 advisable for the purpose of satisfying the requirements of
6 section 529A of the Internal Revenue Code.

7 Sec. 75. NEW SECTION. 12I.2 **Creation of Iowa ABLE savings**
8 **plan trust.**

9 An Iowa ABLE savings plan trust is created. The treasurer of
10 state is the trustee of the trust, and has all powers necessary
11 to carry out and effectuate the purposes, objectives, and
12 provisions of this chapter pertaining to the trust, including
13 the power to do all of the following:

- 14 1. Make and enter into contracts necessary for the
15 administration of the trust created under this chapter.
- 16 2. Enter into agreements with this state or any other
17 state, or any federal or other state agency, or other entity as
18 required to implement this chapter.
- 19 3. Carry out the duties and obligations of the trust
20 pursuant to this chapter.
- 21 4. Accept any grants, gifts, legislative appropriations,
22 and other moneys from the state, any unit of federal, state, or
23 local government, or any other person, firm, partnership, or
24 corporation which the treasurer of state shall deposit into the
25 administrative fund or program fund.
- 26 5. Participate in any federal, state, or local governmental
27 program for the benefit of the trust.
- 28 6. Procure insurance against any loss in connection with the
29 property, assets, or activities of the trust.
- 30 7. Enter into participation agreements with account owners.
- 31 8. Make payments to designated beneficiaries pursuant to
32 participation agreements.
- 33 9. Make refunds to account owners upon the termination
34 of participation agreements, and partial nonqualified
35 distributions to account owners, pursuant to this chapter and

1 the limitations and restrictions set forth in this chapter.

2 10. Invest moneys from the program fund in any investments
3 that are determined by the treasurer of state to be
4 appropriate.

5 11. Engage investment advisors, if necessary, to assist in
6 the investment of trust assets.

7 12. Contract for goods and services and engage personnel
8 as necessary, including consultants, actuaries, managers,
9 legal counsel, and auditors for the purpose of rendering
10 professional, managerial, and technical assistance and advice
11 to the treasurer of state regarding trust administration and
12 operation.

13 13. Establish, impose, and collect administrative fees
14 and charges in connection with transactions of the trust, and
15 provide for reasonable service charges, including penalties for
16 cancellations and late payments with respect to participation
17 agreements.

18 14. Administer the funds of the trust.

19 15. Prepare and file reports and notices.

20 16. Enter into agreements with contracting states to permit
21 residents of the contracting state to participate in the Iowa
22 ABLE savings plan trust.

23 17. Adopt rules pursuant to chapter 17A for the
24 administration of this chapter.

25 Sec. 76. NEW SECTION. 12I.3 Participation agreements for
26 trust.

27 On or after July 1, 2016, the trust may enter into
28 participation agreements with account owners pursuant to the
29 following terms and agreements:

30 1. a. Unless otherwise permitted under section 529A of the
31 Internal Revenue Code, the treasurer of state shall allow only
32 one participation agreement per designated beneficiary.

33 b. Unless otherwise permitted under section 529A of the
34 Internal Revenue Code, the account owner must also be the
35 designated beneficiary of the account. However, a trustee or

1 legal guardian may be designated as custodian of an account for
2 a designated beneficiary who is a minor or who lacks capacity
3 to enter into a participation agreement if such designation is
4 not prohibited under section 529A of the Internal Revenue Code.

5 *c.* The treasurer of state shall set an annual contribution
6 limit and account balance limit to maintain compliance with
7 section 529A of the Internal Revenue Code. A contribution
8 shall not be permitted to the extent it exceeds the annual
9 contribution limit or causes the aggregate balance of the
10 account established for the designated beneficiary to exceed
11 the applicable account balance limit.

12 *d.* The maximum amount that may be deducted per year for
13 Iowa income tax purposes by an individual for contributions on
14 behalf of any one designated beneficiary that is a resident
15 of this state shall not exceed the maximum deductible amount
16 determined for the year pursuant to section 12D.3, subsection
17 1, paragraph "a".

18 *e.* Participation agreements may be amended to provide
19 for adjusted levels of contributions based upon changed
20 circumstances or changes in disability-related expenses.

21 *f.* Any person may make contributions pursuant to a
22 participation agreement on behalf of a designated beneficiary
23 under rules adopted by the treasurer of state.

24 2. The execution of a participation agreement by the trust
25 shall not guarantee in any way that future disability-related
26 expenses will be equal to projections and estimates provided by
27 the trust or that the account owner or designated beneficiary
28 is guaranteed any of the following:

29 *a.* A return of principal.

30 *b.* A rate of interest or other return from the trust.

31 *c.* Payment of interest or other return from the trust.

32 3. *a.* A designated beneficiary under a participation
33 agreement may be changed as permitted under rules adopted by
34 the treasurer of state upon written request of the account
35 owner as long as such change would be permitted by section 529A

1 of the Internal Revenue Code.

2 *b.* Participation agreements may otherwise be freely amended
3 throughout their terms in order to enable account owners to
4 increase or decrease the level of participation, change the
5 designated beneficiary, and carry out similar matters as
6 authorized by rule.

7 4. Each participation agreement shall provide that the
8 participation agreement may be canceled upon the terms and
9 conditions, and upon payment of applicable fees and costs set
10 forth and contained in the rules adopted by the treasurer of
11 state.

12 **Sec. 77. NEW SECTION. 12I.4 Program and administrative**
13 **funds — investment and payment.**

14 1. *a.* The treasurer of state shall segregate moneys
15 received by the trust into two funds: the program fund and the
16 administrative fund.

17 *b.* All moneys paid by account owners or other persons
18 on behalf of a designated beneficiary in connection with
19 participation agreements shall be deposited as received into
20 separate accounts for each designated beneficiary within the
21 program fund.

22 *c.* Contributions to the trust made on behalf of designated
23 beneficiaries may only be made in the form of cash.

24 *d.* An account owner or designated beneficiary is
25 not permitted to provide investment direction regarding
26 contributions or earnings held by the trust.

27 2. Moneys accrued by account owners in the program fund
28 of the trust may be used for payments of qualified disability
29 expenses.

30 3. Moneys in the account of a designated beneficiary may
31 be claimed by the Iowa Medicaid program as provided in section
32 529A(f) of the Internal Revenue Code and subject to limitations
33 imposed by the treasurer of state.

34 4. The trust shall comply with Pub. L. No. 113-295, §103,
35 regarding treatment of ABLE accounts under certain federal

1 programs.

2 5. Moneys in the funds are not subject to section 8.33.
3 Notwithstanding section 12C.7, interest or earnings on moneys
4 in the funds shall be credited to the funds.

5 Sec. 78. NEW SECTION. 12I.5 **Cancellation of agreements.**

6 An account owner may cancel a participation agreement at
7 will. Upon cancellation of a participation agreement, an
8 account owner shall be entitled to the return of the account
9 owner's account balance.

10 Sec. 79. NEW SECTION. 12I.6 **Repayment and ownership of**
11 **payments and investment income — transfer of ownership rights.**

12 1. a. An account owner retains ownership of all
13 contributions made on behalf of a designated beneficiary under
14 a participation agreement up to the date of utilization for
15 payment of qualified disability expenses of the designated
16 beneficiary.

17 b. All income derived from the investment of the
18 contributions made on behalf of a designated beneficiary shall
19 be considered to be held in trust for the benefit of the
20 designated beneficiary.

21 2. In the event the trust is terminated prior to payment of
22 qualified disability expenses for the designated beneficiary,
23 the account owner is entitled to a refund of the account
24 owner's account balance.

25 3. Any amounts which may be paid to any person or persons
26 pursuant to the Iowa ABLE savings plan trust but which are not
27 listed in this section are owned by the trust.

28 4. An account owner may transfer ownership rights to
29 another designated beneficiary, including a gift of the
30 ownership rights to a designated beneficiary who is a minor, in
31 accordance with rules adopted by the treasurer of state and the
32 terms of the participation agreement, so long as the transfer
33 would be permitted by section 529A of the Internal Revenue
34 Code.

35 5. An account owner or designated beneficiary shall not be

1 entitled to utilize any interest in the trust as security for
2 a loan.

3 Sec. 80. NEW SECTION. 12I.7 Reports — annual audited
4 financial report — reports under federal law.

5 1. *a.* The treasurer of state shall submit an annual
6 audited financial report, prepared in accordance with generally
7 accepted accounting principles, on the operations of the trust
8 by November 1 to the governor and the general assembly.

9 *b.* The annual audit shall be made either by the auditor
10 of state or by an independent certified public accountant
11 designated by the auditor of state and shall include direct and
12 indirect costs attributable to the use of outside consultants,
13 independent contractors, and any other persons who are not
14 state employees.

15 2. The annual audit shall be supplemented by all of the
16 following information prepared by the treasurer of state:

17 *a.* Any related studies or evaluations prepared in the
18 preceding year.

19 *b.* A summary of the benefits provided by the trust,
20 including the number of account owners and designated
21 beneficiaries in the trust, or, if the trust has caused this
22 state to become a contracting state pursuant to section 12I.10,
23 a summary of the benefits provided to Iowa residents by the
24 contracted qualified ABLE program, including the number of
25 account owners and designated beneficiaries in the contracted
26 qualified ABLE program who are Iowa residents.

27 *c.* Any other information deemed relevant by the treasurer of
28 state in order to make a full, fair, and effective disclosure
29 of the operations of the trust or the contracted qualified ABLE
30 program if applicable.

31 3. The treasurer of state shall prepare and submit to the
32 secretary of the United States treasury or other required party
33 any reports, notices, or statements required under section 529A
34 of the Internal Revenue Code.

35 Sec. 81. NEW SECTION. 12I.8 Tax considerations.

1 1. For federal income tax purposes, the Iowa ABLE savings
2 plan trust shall be considered a qualified ABLE program exempt
3 from taxation pursuant to section 529A of the Internal Revenue
4 Code and shall be operated so that it meets the requirements of
5 section 529A of the Internal Revenue Code.

6 2. State income tax treatment of the Iowa ABLE savings plan
7 trust shall be as provided in section 422.7, subsections 34 and
8 34A.

9 3. State inheritance tax treatment of interests in Iowa ABLE
10 savings plans shall be as provided in section 450.4, subsection
11 9.

12 **Sec. 82. NEW SECTION. 12I.9 Property rights to assets in**
13 **trust.**

14 1. The assets of the trust shall at all times be preserved,
15 invested, and expended solely and only for the purposes of the
16 trust and shall be held in trust for the account owners and
17 designated beneficiaries.

18 2. Except as provided in section 12I.4, subsection 3, no
19 property rights in the trust shall exist in favor of the state.

20 3. Except as provided in section 12I.4, subsection 3, the
21 assets of the trust shall not be transferred or used by the
22 state for any purposes other than the purposes of the trust.

23 **Sec. 83. NEW SECTION. 12I.10 Implementation as a**
24 **contracting state — tax considerations.**

25 1. The general assembly acknowledges that section 529A of
26 the Internal Revenue Code permits access to qualified ABLE
27 programs by residents of a state without such a program. The
28 general assembly finds that becoming a contracting state may
29 accomplish the public purpose set forth in section 12I.1,
30 subsection 1, in the same manner as if the qualified ABLE
31 program under the Iowa ABLE savings plan trust were to be
32 implemented and administered by this state. To that end,
33 the treasurer of state, as trustee of the trust, may defer
34 implementation of the qualified ABLE program under the trust
35 and alternatively cause this state to become a contracting

1 state by entering into an agreement with another state with a
2 qualified ABLE program to provide Iowa residents access to that
3 state's qualified ABLE program. The trust shall not enter into
4 an agreement pursuant to this section unless the treasurer,
5 as trustee of the trust, determines that all of the following
6 requirements are satisfied:

7 *a.* The program is a qualified ABLE program.

8 *b.* The qualified ABLE program provides comparable benefits
9 and protections to Iowa residents as would be provided under
10 the Iowa ABLE savings plan trust.

11 *c.* That entering into an agreement for access to the
12 qualified ABLE program would not result in increased costs to
13 the state or to account owners and designated beneficiaries as
14 compared to the costs of implementing and administering the
15 qualified ABLE program under the Iowa ABLE savings plan trust.

16 *d.* The qualified ABLE program will be audited annually by
17 an independent certified public accountant or by the state
18 auditor, or similar public official, of the state that has
19 implemented the qualified ABLE program.

20 *e.* The qualified ABLE program will provide information to
21 the treasurer of state as trustee of the trust so as to allow
22 the trustee to fulfill the reporting requirements in section
23 12I.7.

24 2. *a.* The maximum amount that may be deducted per year for
25 Iowa income tax purposes by an individual for contributions on
26 behalf of any one designated beneficiary that is a resident of
27 this state to the qualified ABLE program with which the state
28 has contracted pursuant to this section shall not exceed the
29 maximum deductible amount determined for the year pursuant to
30 section 12D.3, subsection 1, paragraph "a".

31 *b.* State income tax treatment of the qualified ABLE program
32 with which the state has contracted pursuant to this section
33 shall be as provided in section 422.7, subsections 34 and 34A.

34 3. State inheritance tax treatment of interests in the
35 qualified ABLE program with which the state has contracted

1 pursuant to this section shall be as provided in section 450.4,
2 subsection 9.

3 Sec. 84. NEW SECTION. 12I.11 **Construction.**

4 This chapter shall be construed liberally in order to
5 effectuate its purpose.

6 Sec. 85. Section 422.7, Code 2015, is amended by adding the
7 following new subsections:

8 NEW SUBSECTION. 34. *a.* Subtract the amount contributed
9 during the tax year on behalf of a designated beneficiary
10 that is a resident of this state to the Iowa ABLE savings
11 plan trust or to the qualified ABLE program with which the
12 state has contracted pursuant to section 12I.10, not to exceed
13 the maximum contribution level established in section 12I.3,
14 subsection 1, paragraph "d", or section 12I.10, subsection 2,
15 paragraph "a", as applicable.

16 *b.* Add the amount resulting from the cancellation of a
17 participation agreement refunded to the taxpayer as an account
18 owner in the Iowa ABLE savings plan trust or the qualified
19 ABLE program with which the state has contracted pursuant to
20 section 12I.10 to the extent previously deducted pursuant
21 to this subsection by the taxpayer or any other person as a
22 contribution to the trust or qualified ABLE program.

23 *c.* Add the amount resulting from a withdrawal made by a
24 taxpayer from the Iowa ABLE savings plan trust or the qualified
25 ABLE program with which the state has contracted pursuant to
26 section 12I.10 for purposes other than the payment of qualified
27 disability expenses to the extent previously deducted pursuant
28 to this subsection by the taxpayer or any other person as a
29 contribution to the trust or qualified ABLE program.

30 NEW SUBSECTION. 34A. Subtract, to the extent included,
31 income from interest and earnings received from the Iowa ABLE
32 savings plan trust created in chapter 12I, or received by a
33 resident account owner from a qualified ABLE program with which
34 the state has contracted pursuant to section 12I.10.

35 Sec. 86. Section 450.4, Code 2015, is amended by adding the

1 following new subsection:

2 NEW SUBSECTION. 9. On the value of any interest in the Iowa
3 ABLE savings plan trust created in chapter 12I, or any interest
4 held by a resident account owner in a qualified ABLE program
5 with which the state has contracted pursuant to section 12I.10.

6 Sec. 87. CONTINGENT IMPLEMENTATION. The implementation of
7 chapter 12I as enacted in this division of this Act is subject
8 to an appropriation with the stated purpose of the Iowa ABLE
9 Savings Plan Trust.

10 Sec. 88. APPLICABILITY. The section of this division of
11 this Act amending section 450.4 applies to estates of decedents
12 dying on or after January 1, 2016.

13 Sec. 89. APPLICABILITY. The section of this division of
14 this Act amending section 422.7 applies to tax years beginning
15 on or after January 1, 2016.

16 DIVISION XVII

17 STATE CHILD CARE ASSISTANCE — INCOME ELIGIBILITY

18 Sec. 90. Section 237A.13, subsection 7, paragraph c, Code
19 2015, is amended to read as follows:

20 c. Families with an income of more than one hundred
21 percent but not more than one hundred ~~forty-five~~ sixty percent
22 of the federal poverty level whose members, for at least
23 twenty-eight hours per week in the aggregate, are employed
24 or are participating at a satisfactory level in an approved
25 training program or educational program.

26 Sec. 91. DIRECTIVE TO DEPARTMENT OF HUMAN SERVICES ON
27 CHILD CARE ASSISTANCE. The department of human services shall
28 amend its administrative rules relating to income eligibility
29 for state child care assistance, according to family size for
30 children needing basic care, to families whose nonexempt gross
31 monthly income does not exceed 160 percent of the federal
32 poverty level.

33 DIVISION XVIII

34 COUNTY MENTAL HEALTH AND DISABILITIES SERVICES FUNDING —
35 EQUALIZATION AND MEDICAID OFFSET

1 Sec. 92. Section 331.424A, subsection 8, unnumbered
2 paragraph 1, Code 2015, is amended to read as follows:

3 Notwithstanding subsection 6, for the fiscal years beginning
4 July 1, 2013, July 1, 2014, ~~and July 1, 2015,~~ and July 1, 2016,
5 county revenues from taxes levied by the county and credited
6 to the county services fund shall not exceed the lower of the
7 following amounts:

8 Sec. 93. Section 426B.3, subsection 1, Code 2015, is amended
9 to read as follows:

10 1. For the fiscal years beginning July 1, 2013, July
11 1, 2014, ~~and July 1, 2015,~~ and July 1, 2016, the state and
12 county funding for the mental health and disability services
13 administered or paid for by counties shall be provided based on
14 a statewide per capita expenditure target amount computed in
15 accordance with this section and section 331.424A.

16 Sec. 94. Section 426B.3, subsection 4, paragraph a, Code
17 2015, is amended to read as follows:

18 a. For the fiscal years beginning July 1, 2013, July 1,
19 2014, ~~and July 1, 2015,~~ and July 1, 2016, a county with a county
20 population expenditure target amount that exceeds the amount
21 of the county's base year expenditures for mental health and
22 disabilities services shall receive an equalization payment for
23 the difference.

24 Sec. 95. Section 426B.3, subsection 5, Code 2015, is amended
25 by striking the subsection.

26 DIVISION XIX

27 MEDICAID OFFSET PAYMENTS — PROPERTY TAX RELIEF FUND

28 APPROPRIATIONS

29 Sec. 96. MEDICAID OFFSET PAYMENTS — PROPERTY TAX RELIEF
30 FUND APPROPRIATION.

31 1. Of the moneys credited to the property tax relief fund
32 pursuant to section 426B.3, subsection 5, paragraph "e",
33 subparagraph (1), Code 2015, in the fiscal year beginning July
34 1, 2014, and ending June 30, 2015, there is appropriated to the
35 department of human services for the fiscal year beginning July

1 1, 2015, and ending June 30, 2016, the following amounts, to be
2 used for the purposes designated, notwithstanding any contrary
3 provision of chapter 426B:

4 a. For reductions in the waiting lists of all medical
5 assistance home and community-based services waivers:
6 \$ 5,092,000

7 b. For allocation to the department on aging for a grant
8 to a nationally affiliated organization providing support and
9 education to people living with Alzheimer's disease and other
10 related dementias to be used for a statewide public awareness
11 campaign regarding the signs of Alzheimer's disease and other
12 related dementias and the resources available to such people:
13 \$ 100,000

14 c. For development of an application for a planning
15 grant through the substance abuse and mental health services
16 administration of the United States department of health and
17 human services to participate in a two-year pilot project for
18 certified community behavioral health clinics under the federal
19 Protecting Access to Medicare Act of 2014, Pub. L. No. 113-93:
20 \$ 240,000

21 The department may use the funds allocated pursuant to this
22 paragraph to contract for necessary support to develop and
23 submit the application for the planning grant. The department
24 shall submit the application for the planning grant to the
25 centers for Medicare and Medicaid services of the United States
26 department of health and human services upon completion of the
27 application.

28 2. Of the moneys credited to the property tax relief
29 fund pursuant to section 426B.3, subsection 5, paragraph e,
30 subparagraph (1), Code 2015, in the fiscal year beginning July
31 1, 2014, and ending June 30, 2015, there is appropriated to
32 the department of human services for the fiscal year beginning
33 July 1, 2015, and ending June 30, 2016, the following amount,
34 or so much thereof as is necessary, to be used for the purpose
35 designated:

1 a. For distribution to a mental health and disability
2 services region where 25 percent of a region's projected
3 expenditures exceeds the region's projected fund balance:
4 \$ 4,554,651

5 b. For purposes of this section:

6 (1) "Available funds" means a county mental health and
7 services fund balance on June 30, 2015, plus the maximum amount
8 a county was allowed to levy for the fiscal year beginning July
9 1, 2015.

10 (2) "Projected expenditures" means the actual expenditures
11 of a mental health and disability services region as of June
12 30, 2015, multiplied by an annual inflation rate equal to
13 2 percent plus the projected costs for core services and
14 additional core services administered by the region as provided
15 in a region's regional service system management plan approved
16 pursuant to section 331.393 for the fiscal year beginning July
17 1, 2015.

18 (3) "Projected fund balance" means the difference between a
19 mental health and disability services region's available funds
20 and projected expenditures.

21 c. If sufficient funds are not available to implement this
22 subsection, the department of human services shall distribute
23 funds to a region in proportion to the availability of funds.

24 DIVISION XX
25 PROPERTY TAX RELIEF FUND — BLOCK GRANT MONEYS — MENTAL HEALTH
26 INSTITUTES

27 Sec. 97. MENTAL HEALTH INSTITUTES. The moneys transferred
28 to the property tax relief fund for the fiscal year beginning
29 July 1, 2015, from the federal social services block grant
30 pursuant to 2015 Iowa Acts, House File 630, if enacted, and
31 from the federal temporary assistance for needy families block
32 grant, totaling at least \$11,774,275, are appropriated to the
33 department of human services for the fiscal year beginning July
34 1, 2015, and ending June 30, 2016, to be used for the purposes
35 designated:

1 1. For the state mental health institute at Clarinda for
2 salaries, support, maintenance, and miscellaneous purposes:
3 \$ 4,836,507
4 2. For the state mental health institute at Mount Pleasant
5 for salaries, support, maintenance, and miscellaneous purposes,
6 and for not more than the following full-time equivalent
7 positions:
8 \$ 6,937,768
9 FTEs 97.68

DIVISION XXI

STUDY — CHILD WELFARE ADVISORY COMMITTEE

12 Sec. 98. STUDY — CHILD WELFARE ADVISORY COMMITTEE. The
13 child welfare advisory committee of the council on human
14 services established pursuant to section 217.3A shall study
15 procedures in the department of human services for receiving
16 complaints from families involved in guardianship, placement,
17 and custody proceedings; the specificity and clarity of court
18 orders issued in foster care placements pursuant to the State
19 of Iowa Primary Review of Tit. IV-E Foster Care Eligibility
20 Report of Findings for October 1, 2012, through March 31, 2013;
21 and caseload trends of social workers, including an analysis
22 of how Iowa compares nationally and with best practices as
23 utilized by other states. The study shall also identify
24 methods for decreasing social worker caseloads. The committee
25 shall submit a report with findings and recommendations to the
26 governor and general assembly on or before December 15, 2015.

DIVISION XXII

28 COVERAGE OF SERVICES PROVIDED BY A PHYSICAL THERAPIST,
29 OCCUPATIONAL THERAPIST, OR SPEECH PATHOLOGIST

30 Sec. 99. NEW SECTION. 514C.30 Services provided by
31 a physical therapist, occupational therapist, or speech
32 pathologist.

33 1. Notwithstanding the uniformity of treatment requirements
34 of section 514C.6, a policy, contract, or plan providing
35 for third-party payment or prepayment of health or medical

1 expenses shall not impose a copayment or coinsurance amount
2 on an insured for services provided by a physical therapist
3 licensed pursuant to chapter 148A, by an occupational therapist
4 licensed pursuant to chapter 148B, or by a speech pathologist
5 licensed pursuant to 154F that is greater than the copayment or
6 coinsurance amount imposed on the insured for services provided
7 by a person engaged in the practice of medicine and surgery
8 or osteopathic medicine and surgery under chapter 148 for the
9 same or a similar diagnosed condition even if a different
10 nomenclature is used to describe the condition for which the
11 services are provided.

12 2. This section applies to the following classes of
13 third-party payment provider policies, contracts, or plans
14 delivered, issued for delivery, continued, or renewed in this
15 state on or after July 1, 2015:

16 a. Individual or group accident and sickness insurance
17 providing coverage on an expense-incurred basis.

18 b. An individual or group hospital or medical service
19 contract issued pursuant to chapter 509, 514, or 514A.

20 c. An individual or group health maintenance organization
21 contract regulated under chapter 514B.

22 d. A plan established pursuant to chapter 509A for public
23 employees.

24 e. An organized delivery system licensed by the director of
25 public health.

26 3. This section shall not apply to accident-only,
27 specified disease, short-term hospital or medical, hospital
28 confinement indemnity, credit, dental, vision, Medicare
29 supplement, long-term care, basic hospital and medical-surgical
30 expense coverage as defined by the commissioner, disability
31 income insurance coverage, coverage issued as a supplement
32 to liability insurance, workers' compensation or similar
33 insurance, or automobile medical payment insurance.

34 DIVISION XXIII

35 CHILDREN'S MENTAL HEALTH AND WELL-BEING WORKGROUP

1 Sec. 100. CHILDREN'S MENTAL HEALTH AND WELL-BEING
2 WORKGROUP. The department of human services, in cooperation
3 with the departments of education and public health, shall
4 facilitate a workgroup of stakeholders to study and make
5 recommendations relating to children's mental health and
6 well-being in this state. The issues that may be considered
7 by the workgroup include developing a strategic plan for
8 data systems to provide for a comprehensive analysis of
9 the mental health and well-being of children in this state;
10 creating a comprehensive system of care for children that
11 incorporates a coordinated response to mental health issues
12 across many disciplines including education, public health,
13 mental health, child welfare, and child welfare systems
14 and services and that specifically addresses the effects of
15 adverse childhood experiences and extreme child poverty and
16 homelessness; and building interdepartmental awareness of
17 issues relating to child mental health and well-being and
18 creating interdepartmental strategies for helping improve
19 child mental health and well-being and understanding impacts
20 on education and employment outcomes; examining child care
21 quality and affordability; and determining how government can
22 create community partnerships to help address issues of child
23 mental health and well-being. In carrying out the charge
24 of the workgroup, the workgroup shall review a 2014 report
25 by the children's defense fund on the state of America's
26 children containing the most recent and reliable national and
27 state-by-state data on many complex issues affecting children's
28 health and well-being, including data on more than 7,000
29 homeless public school students in Iowa. The workgroup shall
30 develop and recommend proactive strategies across state systems
31 to address these most complex needs impacting children's mental
32 health and well-being which will also aid different populations
33 of children with fewer challenges. The workgroup shall submit
34 a report on the study and make recommendations to the governor
35 and the general assembly on or before December 15, 2015.

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DIVISION XXIV

PREVENTION OF DISABILITIES POLICY COUNCIL

Sec. 101. NEW SECTION. 225B.101 Findings and intent.

1. The general assembly finds that:

a. Between ten and twenty percent of Iowans have a disability that affects their ability to learn, work, communicate, perform activities of daily living, and participate in everyday community life. These disabilities are the result of genetics, environmental factors, injury, or illness; may occur at any point in life; may be mild, severe, or intermittent; and are often very costly for the individuals affected, their families, and government both in terms of quality of life and financial expenditures.

b. Most disabilities are due to conditions that can be prevented, can be minimized if recognized and treated early, or can be reduced through appropriate accommodation.

c. A need exists to optimize the use of cost-effective prevention of disability strategies in state policies and programs in order to reduce the cost of disabilities to Iowa's citizens and government.

2. It is the intent of the general assembly to establish a structure and process to identify opportunities to enhance prevention of disability efforts in Iowa, design cross-agency strategies to address the prevention of disabilities, integrate and coordinate proven prevention of disability strategies within state programs, and inform the general assembly about priority prevention of disability policies and programs.

Sec. 102. NEW SECTION. 225B.102 Definitions.

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

1. "Council" means the prevention of disabilities policy council.

2. "Disability" means an individual who meets the definition in 42 U.S.C. §12102.

3. "Prevention" activities include policies, programs, and

1 practices that do any of the following:

2 *a.* Prevent a disability or a condition that leads to a
3 disability from occurring.

4 *b.* Identify a disability or a condition that leads to a
5 disability early on so that intervention can eliminate the risk
6 of a disability or minimize the disability's effect.

7 *c.* Reduce the effects of a disability on an individual's
8 health and independence.

9 Sec. 103. NEW SECTION. **225B.103 Prevention of disabilities**
10 **policy council established — membership — duties.**

11 1. A prevention of disabilities policy council is
12 established to focus state prevention of disability efforts
13 and provide oversight in the development and operation of a
14 coordinated prevention of disabilities system. The council
15 shall consist of the following members:

16 *a.* Three providers of disability prevention services
17 appointed by the governor and confirmed by the senate. The
18 governor may consider recommendations from the prevention of
19 disabilities policy council in making appointments.

20 *b.* Three persons with expertise in priority prevention areas
21 appointed by the governor and confirmed by the senate. The
22 governor may consider recommendations from the prevention of
23 disabilities policy council in making appointments.

24 *c.* Three persons with disabilities or family members
25 of a person with disabilities appointed by the governor,
26 and confirmed by the senate. The governor may consider
27 recommendations from the prevention of disabilities policy
28 council in making appointments.

29 *d.* One representative each from the department on aging,
30 department of education, department of human services, and
31 department of public health appointed by the directors of the
32 respective agencies.

33 *e.* Two members of the senate appointed by the senate
34 majority leader and minority leader and two members of the
35 house of representatives appointed by the speaker of the house

1 and the house minority leader.

2 2. Members of the council appointed by the governor shall
3 serve three-year staggered terms for terms beginning and ending
4 as provided in section 69.19. Members representing the state
5 departments shall serve one-year terms and shall serve as ex
6 officio, nonvoting members. Members of the general assembly
7 appointed to the council shall serve two-year terms as provided
8 in section 69.16B and shall serve as ex officio, nonvoting
9 members. Vacancies on the council shall be filled in the same
10 manner as original appointments. Members are entitled to
11 reimbursement of actual expenses incurred in performance of
12 their official duties.

13 3. The council shall do all of the following:

14 a. Review the prevention of disabilities activities of
15 public and private entities and provide recommendations to
16 optimize the planning, implementation, and evaluation of
17 prevention of disabilities efforts.

18 b. Promote cooperative and complementary planning among the
19 public, nonpublic, and volunteer sectors involved in prevention
20 of disabilities activities.

21 c. Facilitate coordination of prevention of disabilities
22 activities among state departments to develop an integrated
23 system of care.

24 d. Provide support and technical assistance to public
25 or nonpublic entities to identify, seek, implement, and
26 evaluate state, federal, and private grants for prevention of
27 disabilities activities.

28 e. Encourage research into the causes and prevention of
29 disabilities, including methods to evaluate the effectiveness
30 of prevention efforts.

31 f. Promote professional and provider training in
32 evidence-based prevention of disabilities measures and assure
33 adequate dissemination of such to appropriate entities.

34 g. Submit to the governor and general assembly annually by
35 November 1 a report that includes all of the following:

1 (1) A summary of all disabilities prevention activities
2 conducted since the preceding annual report.

3 (2) Recommendations for policy and priorities for the
4 prevention of disabilities.

5 4. The council shall meet at least six times during the
6 year. A majority of the members of the council constitutes a
7 quorum and a quorum is necessary to act on matters within the
8 purview of the council.

9 Sec. 104. NEW SECTION. **225B.104 Rules.**

10 The department of human services shall adopt and update
11 administrative rules as necessary to implement the provisions
12 of this chapter. All rules adopted by the department of human
13 services pursuant to this section are subject to approval by
14 the council.

15 Sec. 105. NEW SECTION. **225B.105 Coordination with state
16 agencies.**

17 1. The directors or deputy directors of the state
18 departments on aging, and of education, human services, and
19 public health shall meet at least annually with the council and
20 shall do all of the following:

21 a. Provide an update to the council regarding the status
22 of prevention of disabilities policies and programs with
23 each respective department and provide recommendations about
24 priorities the council should consider in the next year.

25 b. Receive new policy and program recommendations from the
26 council regarding the prevention of disabilities.

27 2. The council may seek and receive data from state
28 departments that will aid in developing, implementing, and
29 evaluating prevention of disabilities efforts and systems in
30 Iowa.

31 Sec. 106. NEW SECTION. **225B.106 Coordination with
32 disability groups.**

33 The chairpersons and designated staff of chairpersons of
34 public and private state disabilities prevention groups shall
35 meet with the council at least annually to do all of the

1 following:

2 1. Identify ways to incorporate prevention of disabilities
3 activities within Iowa's disabilities services system.

4 2. Assist in developing a policy agenda for prevention of
5 disabilities services system improvements.

6 Sec. 107. NEW SECTION. 225B.107 Evaluation.

7 The state's prevention of disability effort and the council
8 are subject to review and evaluation by the governor and the
9 general assembly.

10

DIVISION XXV

11 FACILITY FOR PERSONS WITH AGGRESSIVE OR PSYCHIATRIC BEHAVIORS

12

— INTERIM COMMITTEE

13 Sec. 108. FACILITY FOR PERSONS WITH AGGRESSIVE OR
14 PSYCHIATRIC BEHAVIORS — INTERIM COMMITTEE — REPORT.

15 1. The legislative council is requested to establish an
16 interim study committee relating to the establishment of one
17 or more facilities to provide care and treatment for persons
18 who are sexually aggressive, combative, or who have unmet
19 geropsychiatric needs.

20 2. The study committee shall be composed of ten members
21 of the general assembly. Five members shall be members of
22 the senate, three of whom shall be appointed by the majority
23 leader of the senate, and two of whom shall be appointed by
24 the minority leader of the senate. Five members shall be
25 members of the house of representatives, three of whom shall
26 be appointed by the speaker of the house of representatives,
27 and two of whom shall be appointed by the minority leader of
28 the house of representatives.

29 3. The study committee shall receive testimony from
30 stakeholders with an interest or expertise relating to the
31 care and treatment of persons who are sexually aggressive,
32 combative, or who have unmet geropsychiatric needs including
33 health care providers, long-term care facilities, hospitals,
34 health systems, and other entities; consumers and families of
35 consumers; individuals involved in the delivery and financing

1 of related services and supports; and representatives of
2 agencies responsible for oversight, funding, and regulation of
3 such services and supports.

4 4. The study committee shall specifically address and
5 make recommendations relating to the characteristics of the
6 residents for such a facility and the size of the resident
7 populations to be served; options for creating a new facility
8 or expanding an existing facility; workforce recruitment,
9 training, and compensation issues; requirements that the
10 facility or facilities must meet in order to qualify for
11 Medicaid reimbursement; and any other information deemed
12 appropriate by the committee.

13 5. The study committee shall meet during the 2015
14 legislative interim and shall submit a report and
15 recommendations to the general assembly by January 1, 2016.

16 DIVISION XXVI

17 ANATOMICAL GIFT PUBLIC AWARENESS AND TRANSPLANTATION FUND

18 Sec. 109. Section 142C.15, subsection 4, paragraph c,
19 unnumbered paragraph 1, Code 2015, is amended to read as
20 follows:

21 ~~Not more than fifty percent of the~~ Any unobligated moneys
22 in the fund annually may be expended in the form of grants to
23 transplant recipients, transplant candidates, living organ
24 donors, or to legal representatives on behalf of transplant
25 recipients, transplant candidates, or living organ donors.
26 Transplant recipients, transplant candidates, living organ
27 donors, or the legal representatives of transplant recipients,
28 transplant candidates, or living organ donors shall submit
29 grant applications with supporting documentation provided
30 by a hospital that performs transplants, verifying that the
31 person by or for whom the application is submitted requires a
32 transplant or is a living organ donor and specifying the amount
33 of the costs associated with the following, if funds are not
34 available from any other third-party payor:

35 DIVISION XXVII

1 HOSPITAL AND LONG-TERM CARE PHARMACY PRACTICE —
2 PNEUMOCOCCAL VACCINES — BOARD OF PHARMACY RULES

3 Sec. 110. HOSPITAL AND LONG-TERM CARE PHARMACY PRACTICE —
4 PNEUMOCOCCAL VACCINES — BOARD OF PHARMACY RULES. The board
5 of pharmacy shall adopt rules pursuant to chapter 17A relating
6 to hospital and long-term care pharmacy practices that allow,
7 as authorized by federal law, in addition to influenza and
8 pneumococcal polysaccharide vaccines, that a written or verbal
9 patient-specific medication administration order shall not
10 be required prior to administration to an adult patient of
11 pneumococcal conjugate vaccine pursuant to physician-approved
12 hospital or facility policy and after the patient has been
13 assessed for contraindications.

14 DIVISION XXVIII

15 HEALTHY AND WELL KIDS IN IOWA PROGRAM — CONTINUED ENROLLMENT

16 Sec. 111. Section 514I.8, subsection 3, Code 2015, is
17 amended to read as follows:

18 3. In accordance with the rules adopted by the board, a
19 child may be determined to be presumptively eligible for the
20 program pending a final eligibility determination. Following
21 final determination of eligibility, a child shall be eligible
22 for a twelve-month period. At the end of the twelve-month
23 period, a review of the circumstances of the child's family
24 shall be conducted to establish eligibility and cost sharing
25 for the subsequent twelve-month period. Pending such review
26 of the circumstances of the child's family, the child shall
27 continue to be eligible for and remain enrolled in the same
28 plan if the family complies with requirements to provide
29 information and verification of income, otherwise cooperates
30 in the annual review process, and submits the completed
31 review form and any information necessary to establish
32 continued eligibility in a timely manner in accordance with
33 administrative rules.

34 DIVISION XXIX

35 PERSONNEL SETTLEMENT AGREEMENT PAYMENTS

1 Sec. 112. PERSONNEL SETTLEMENT AGREEMENT PAYMENTS. As a
2 condition of the appropriations in this 2015 Act, the moneys
3 appropriated and any other moneys available shall not be used
4 for payment of a personnel settlement agreement that contains a
5 confidentiality provision intended to prevent public disclosure
6 of the agreement or any terms of the agreement.

7 DIVISION XXX

8 MEDICAID REIMBURSEMENT — PSYCHOLOGISTS

9 Sec. 113. Section 249A.15, Code 2015, is amended to read as
10 follows:

11 **249A.15 Licensed psychologists eligible for payment.**

12 The department shall adopt rules pursuant to chapter 17A
13 entitling psychologists who are licensed pursuant to chapter
14 154B and psychologists who are licensed in the state where
15 the services are provided and have a doctorate degree in
16 psychology, have had at least two years of clinical experience
17 in a recognized health setting, or have met the standards of a
18 national register of health service providers in psychology,
19 to payment for services provided to recipients of medical
20 assistance, subject to limitations and exclusions the
21 department finds necessary on the basis of federal laws and
22 regulations and of funds available for the medical assistance
23 program.

24 DIVISION XXXI

25 HOME MODIFICATION ASSISTANCE PROGRAM PLAN

26 Sec. 114. HOME MODIFICATION ASSISTANCE PROGRAM PLAN.

27 1. The aging and disability resource center and the mental
28 health and disability services commission shall jointly
29 develop a plan for a home modification assistance program to
30 provide grants and individual income tax credits to assist with
31 expenses related to the making of permanent home modifications
32 that permit individuals with a disability in this state to
33 remain in their homes and age in place. The plan shall include
34 the following components:

35 a. The plan shall develop criteria and procedures for

1 establishing eligibility of individuals with a disability
2 under the program, and in doing so the plan shall utilize the
3 definition of disability found in 42 U.S.C. §12102 and shall
4 require appropriate certifications from the primary health care
5 providers of individuals with a disability.

6 b. The plan shall establish criteria for determining the
7 type of home modification expenses that will be eligible for a
8 grant or tax credit award under the program.

9 c. The plan shall develop criteria and procedures for
10 receiving grants and tax credits under the program, and shall
11 determine the maximum amount of grants and tax credits that
12 may be provided to an individual with a disability under the
13 program.

14 d. The plan shall provide that individuals with a disability
15 shall utilize any funding for home modification under the
16 Medicaid program to the fullest extent possible before becoming
17 eligible to participate in the home modification assistance
18 program to ensure that the program's grants and tax credits do
19 not supplant available Medicaid program resources.

20 e. The plan shall provide that grants under the program
21 shall be available to individuals with a disability with annual
22 incomes that do not exceed 250 percent of the federal poverty
23 level, and that individual income tax credits under the program
24 shall be available to individuals with a disability with annual
25 incomes exceeding 250 percent but not exceeding 450 percent of
26 the federal poverty level.

27 f. The plan shall avoid placing unrealistic expectations
28 and overly burdensome requirements on individuals with a
29 disability and their families, particularly those living in
30 rural areas.

31 2. In developing the plan for the home modification
32 assistance program, the aging and disability resource center
33 and the mental health and disability services commission shall
34 seek input from and consult with the department on aging, the
35 department of human services, the department of revenue, and

1 other interested public and private stakeholders.

2 3. The aging and disability resource center and the mental
3 health and disability services commission shall submit the plan
4 on or before December 15, 2015, to the chairpersons and ranking
5 members of the joint appropriations subcommittee on health and
6 human services, to the chairpersons and ranking members of the
7 senate and house standing committees on human resources, to
8 the chairpersons and ranking members of the senate and house
9 standing committees on ways and means, and to the governor.

10

DIVISION XXXII

11

MEDICAID PROGRAM ELIGIBILITY VERIFICATION

12

13 Sec. 115. MEDICAID PROGRAM-ELIGIBILITY VERIFICATION. The
14 department of human services shall establish an electronic
15 asset, income, and identity eligibility verification system
16 for the purposes of compliance with 42 U.S.C. §1396w requiring
17 determination or redetermination of the eligibility of an
18 individual who is an applicant for or recipient of medical
19 assistance under the Medicaid state plan on the basis of
20 being aged, blind, or disabled in accordance with 42 U.S.C.
21 §1396w. The department may issue a request for proposals to
22 select a third-party vendor to administer such an eligibility
23 verification system. If a third-party vendor is selected,
24 such vendor must be able to demonstrate in writing its current
25 relationships or contracts with financial institutions in the
26 state and nationally. Participation by financial institutions
27 in providing account balances for asset verification
28 shall remain voluntary. This section shall not result in
29 the displacement of existing asset, income, or identity
30 verification workers.

30

31 Sec. 116. EFFECTIVE UPON ENACTMENT. This division of this
32 Act, being deemed of immediate importance, takes effect upon
33 enactment.

33

DIVISION XXXIII

34

DEPARTMENT ON AGING — FY 2016-2017

35

36 Sec. 117. DEPARTMENT ON AGING. There is appropriated from

1 the general fund of the state to the department on aging for
2 the fiscal year beginning July 1, 2016, and ending June 30,
3 2017, the following amount, or so much thereof as is necessary,
4 to be used for the purposes designated:

5 For aging programs for the department on aging and area
6 agencies on aging to provide citizens of Iowa who are 60 years
7 of age and older with case management for frail elders, Iowa's
8 aging and disabilities resource center, and other services
9 which may include but are not limited to adult day services,
10 respite care, chore services, information and assistance,
11 and material aid, for information and options counseling for
12 persons with disabilities who are 18 years of age or older,
13 and for salaries, support, administration, maintenance, and
14 miscellaneous purposes, and for not more than the following
15 full-time equivalent positions:

16	\$	5,718,033
17	FTEs	31.00

18 1. Funds appropriated in this section may be used to
19 supplement federal funds under federal regulations. To
20 receive funds appropriated in this section, a local area
21 agency on aging shall match the funds with moneys from other
22 sources according to rules adopted by the department. Funds
23 appropriated in this section may be used for elderly services
24 not specifically enumerated in this section only if approved
25 by an area agency on aging for provision of the service within
26 the area.

27 2. Of the funds appropriated in this section, \$139,973 is
28 transferred to the economic development authority for the Iowa
29 commission on volunteer services to be used for the retired and
30 senior volunteer program.

31 3. a. The department on aging shall establish and enforce
32 procedures relating to expenditure of state and federal funds
33 by area agencies on aging that require compliance with both
34 state and federal laws, rules, and regulations, including but
35 not limited to all of the following:

1 (1) Requiring that expenditures are incurred only for goods
2 or services received or performed prior to the end of the
3 fiscal period designated for use of the funds.

4 (2) Prohibiting prepayment for goods or services not
5 received or performed prior to the end of the fiscal period
6 designated for use of the funds.

7 (3) Prohibiting the prepayment for goods or services
8 not defined specifically by good or service, time period, or
9 recipient.

10 (4) Prohibiting the establishment of accounts from which
11 future goods or services which are not defined specifically by
12 good or service, time period, or recipient, may be purchased.

13 b. The procedures shall provide that if any funds are
14 expended in a manner that is not in compliance with the
15 procedures and applicable federal and state laws, rules, and
16 regulations, and are subsequently subject to repayment, the
17 area agency on aging expending such funds in contravention of
18 such procedures, laws, rules and regulations, not the state,
19 shall be liable for such repayment.

20 4. Of the funds appropriated in this section, at least
21 \$125,000 shall be used to fund the unmet needs identified
22 through Iowa's aging and disability resource center network.

23 5. Of the funds appropriated in this section, at least
24 \$300,000 shall be used to fund home and community-based
25 services through the area agencies on aging that enable older
26 individuals to avoid more costly utilization of residential or
27 institutional services and remain in their own homes.

28 6. Of the funds appropriated in this section, \$425,000
29 shall be used for the purposes of chapter 231E and section
30 231.56A, of which \$162,500 shall be used for the office of
31 substitute decision maker pursuant to chapter 231E, and the
32 remainder shall be distributed equally to the area agencies on
33 aging to administer the prevention of elder abuse, neglect, and
34 exploitation program pursuant to section 231.56A, in accordance
35 with the requirements of the federal Older Americans Act of

1 1965, 42 U.S.C. §3001 et seq., as amended.

2

DIVISION XXXIV

3

OFFICE OF LONG-TERM CARE OMBUDSMAN — FY 2016-2017

4

Sec. 118. OFFICE OF LONG-TERM CARE OMBUDSMAN.

5

1. There is appropriated from the general fund of the state to the office of long-term care ombudsman for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

10

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

13

..... \$ 753,392

14

..... FTEs 21.00

15

2. Of the funds appropriated in this section, \$225,000 shall be used to continue to provide for additional local long-term care ombudsmen.

18

DIVISION XXXV

19

DEPARTMENT OF PUBLIC HEALTH — FY 2016-2017

20

Sec. 119. DEPARTMENT OF PUBLIC HEALTH. There is

21

appropriated from the general fund of the state to the department of public health for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

26

1. ADDICTIVE DISORDERS

27

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

31

..... \$ 13,631,845

32

..... FTEs 10.00

33

a. (1) Of the funds appropriated in this subsection, \$2,624,181 shall be used for the tobacco use prevention and control initiative, including efforts at the state and

1 local levels, as provided in chapter 142A. The commission
2 on tobacco use prevention and control established pursuant
3 to section 142A.3 shall advise the director of public health
4 in prioritizing funding needs and the allocation of moneys
5 appropriated for the programs and initiatives. Activities
6 of the programs and initiatives shall be in alignment with
7 the United States centers for disease control and prevention
8 best practices for comprehensive tobacco control programs that
9 include the goals of preventing youth initiation of tobacco
10 usage, reducing exposure to secondhand smoke, and promotion of
11 tobacco cessation.

12 (2) (a) Of the funds allocated in this paragraph "a",
13 \$226,534 is transferred to the alcoholic beverages division of
14 the department of commerce for enforcement of tobacco laws,
15 regulations, and ordinances and to engage in tobacco control
16 activities approved by the division of tobacco use prevention
17 and control of the department of public health as specified
18 in the memorandum of understanding entered into between the
19 divisions.

20 (b) For the fiscal year beginning July 1, 2016, and ending
21 June 30, 2017, the terms of the memorandum of understanding,
22 entered into between the division of tobacco use prevention
23 and control of the department of public health and the
24 alcoholic beverages division of the department of commerce,
25 governing compliance checks conducted to ensure licensed retail
26 tobacco outlet conformity with tobacco laws, regulations, and
27 ordinances relating to persons under eighteen years of age,
28 shall continue to restrict the number of such checks to one
29 check per retail outlet, and one additional check for any
30 retail outlet found to be in violation during the first check.

31 b. Of the funds appropriated in this subsection,
32 \$11,007,664 shall be used for problem gambling and
33 substance-related disorder prevention, treatment, and recovery
34 services, including a 24-hour helpline, public information
35 resources, professional training, and program evaluation.

1 (1) Of the funds allocated in this paragraph "b", \$9,451,857
2 shall be used for substance-related disorder prevention and
3 treatment.

4 (a) Of the funds allocated in this subparagraph (1),
5 \$449,650 shall be used for the public purpose of a grant
6 program to provide substance-related disorder prevention
7 programming for children.

8 (i) Of the funds allocated in this subparagraph division
9 (a), \$213,770 shall be used for grant funding for organizations
10 that provide programming for children by utilizing mentors.
11 Programs approved for such grants shall be certified or must
12 be certified within six months of receiving the grant award
13 by the Iowa commission on volunteer services as utilizing the
14 standards for effective practice for mentoring programs.

15 (ii) Of the funds allocated in this subparagraph division
16 (a), \$213,420 shall be used for grant funding for organizations
17 providing programming that includes youth development and
18 leadership services. The programs shall also be recognized as
19 being programs that are scientifically based with evidence of
20 their effectiveness in reducing substance-related disorders in
21 children.

22 (iii) The department of public health shall utilize a
23 request for proposals process to implement the grant program.

24 (iv) All grant recipients shall participate in a program
25 evaluation as a requirement for receiving grant funds.

26 (v) Of the funds allocated in this subparagraph division
27 (a), up to \$22,461 may be used to administer substance-related
28 disorder prevention grants and for program evaluations.

29 (b) Of the funds allocated in this subparagraph
30 (1), \$136,302 shall be used for culturally competent
31 substance-related disorder treatment pilot projects.

32 (i) The department shall utilize the amount allocated
33 in this subparagraph division (b) for at least three pilot
34 projects to provide culturally competent substance-related
35 disorder treatment in various areas of the state. Each pilot

1 project shall target a particular ethnic minority population.
2 The populations targeted shall include but are not limited to
3 African American, Asian, and Latino.

4 (ii) The pilot project requirements shall provide for
5 documentation or other means to ensure access to the cultural
6 competence approach used by a pilot project so that such
7 approach can be replicated and improved upon in successor
8 programs.

9 (2) Of the funds allocated in this paragraph "b", up
10 to \$1,555,807 may be used for problem gambling prevention,
11 treatment, and recovery services.

12 (a) Of the funds allocated in this subparagraph (2),
13 \$1,286,881 shall be used for problem gambling prevention and
14 treatment.

15 (b) Of the funds allocated in this subparagraph (2), up to
16 \$218,926 may be used for a 24-hour helpline, public information
17 resources, professional training, and program evaluation.

18 (c) Of the funds allocated in this subparagraph (2), up
19 to \$50,000 may be used for the licensing of problem gambling
20 treatment programs.

21 (3) It is the intent of the general assembly that from the
22 moneys allocated in this paragraph "b", persons with a dual
23 diagnosis of substance-related disorder and gambling addiction
24 shall be given priority in treatment services.

25 c. Notwithstanding any provision of law to the contrary,
26 to standardize the availability, delivery, cost of delivery,
27 and accountability of problem gambling and substance-related
28 disorder treatment services statewide, the department shall
29 continue implementation of a process to create a system
30 for delivery of treatment services in accordance with the
31 requirements specified in 2008 Iowa Acts, chapter 1187, section
32 3, subsection 4. To ensure the system provides a continuum
33 of treatment services that best meets the needs of Iowans,
34 the problem gambling and substance-related disorder treatment
35 services in any area may be provided either by a single agency

1 or by separate agencies submitting a joint proposal.

2 (1) The system for delivery of substance-related disorder
3 and problem gambling treatment shall include problem gambling
4 prevention.

5 (2) The system for delivery of substance-related disorder
6 and problem gambling treatment shall include substance-related
7 disorder prevention by July 1, 2017.

8 (3) Of the funds allocated in paragraph "b", the department
9 may use up to \$50,000 for administrative costs to continue
10 developing and implementing the process in accordance with this
11 paragraph "c".

12 d. The requirement of section 123.53, subsection 5, is met
13 by the appropriations and allocations made in this division of
14 this Act for purposes of substance-related disorder treatment
15 and addictive disorders for the fiscal year beginning July 1,
16 2016.

17 e. The department of public health shall work with all
18 other departments that fund substance-related disorder
19 prevention and treatment services and all such departments
20 shall, to the extent necessary, collectively meet the state
21 maintenance of effort requirements for expenditures for
22 substance-related disorder services as required under the
23 federal substance-related disorder prevention and treatment
24 block grant.

25 2. HEALTHY CHILDREN AND FAMILIES

26 For promoting the optimum health status for children,
27 adolescents from birth through 21 years of age, and families,
28 and for not more than the following full-time equivalent
29 positions:

30	\$	3,665,801
31	FTEs	13.00

32 a. Of the funds appropriated in this subsection, not more
33 than \$367,421 shall be used for the healthy opportunities for
34 parents to experience success (HOPES)-healthy families Iowa
35 (HFI) program established pursuant to section 135.106. The

1 funding shall be distributed to renew the grants that were
2 provided to the grantees that operated the program during the
3 fiscal year ending June 30, 2016.

4 b. In order to implement the legislative intent stated in
5 sections 135.106 and 256I.9, that priority for home visitation
6 program funding be given to programs using evidence-based or
7 promising models for home visitation, it is the intent of the
8 general assembly to phase in the funding priority in accordance
9 with 2012 Iowa Acts, chapter 1133, section 2, subsection 2,
10 paragraph 0b.

11 c. Of the funds appropriated in this subsection, \$2,456,444
12 shall be used to continue to expand statewide the department's
13 initiative to provide for adequate developmental surveillance
14 and screening during a child's first five years. The funds
15 shall be used first to fully fund the current sites to ensure
16 that the sites are fully operational, with the remaining
17 funds to be used for expansion to additional sites. The full
18 implementation and expansion shall include enhancing the scope
19 of the program through collaboration with the child health
20 specialty clinics to promote healthy child development through
21 early identification and response to both biomedical and social
22 determinants of healthy development; by monitoring child
23 health metrics to inform practice, document long-term health
24 impacts and savings, and provide for continuous improvement
25 through training, education, and evaluation; and by providing
26 for practitioner consultation particularly for children with
27 behavioral conditions and needs. The department of public
28 health shall also collaborate with the Iowa Medicaid enterprise
29 and the child health specialty clinics to integrate the
30 activities of the first five initiative into the establishment
31 of patient-centered medical homes, community utilities,
32 accountable care organizations, and other integrated care
33 models developed to improve health quality and population
34 health while reducing health care costs. To the maximum extent
35 possible, funding allocated in this paragraph shall be utilized

1 as matching funds for medical assistance program reimbursement.

2 d. Of the funds appropriated in this subsection, \$37,320
3 shall be distributed to a statewide dental carrier to provide
4 funds to continue the donated dental services program patterned
5 after the projects developed by the lifeline network to provide
6 dental services to indigent individuals who are elderly or with
7 disabilities.

8 e. Of the funds appropriated in this subsection, \$55,998
9 shall be used for childhood obesity prevention.

10 f. Of the funds appropriated in this subsection, \$81,384
11 shall be used to provide audiological services and hearing
12 aids for children. The department may enter into a contract
13 to administer this paragraph.

14 g. Of the funds appropriated in this subsection, \$12,500 is
15 transferred to the university of Iowa college of dentistry for
16 provision of primary dental services to children. State funds
17 shall be matched on a dollar-for-dollar basis. The university
18 of Iowa college of dentistry shall coordinate efforts with the
19 department of public health, bureau of oral and health delivery
20 systems, to provide dental care to underserved populations
21 throughout the state.

22 h. Of the funds appropriated in this subsection, \$25,000
23 shall be used to address youth suicide prevention.

24 i. Of the funds appropriated in this subsection, \$25,000
25 shall be used to support the Iowa effort to address the survey
26 of children who experience adverse childhood experiences known
27 as ACEs.

28 3. CHRONIC CONDITIONS

29 For serving individuals identified as having chronic
30 conditions or special health care needs, and for not more than
31 the following full-time equivalent positions:

32	\$	2,552,931
33	FTEs	5.00

34 a. Of the funds appropriated in this subsection, \$79,966
35 shall be used for grants to individual patients who have an

1 inherited metabolic disorder to assist with the costs of
2 medically necessary foods and formula.

3 b. Of the funds appropriated in this subsection, \$445,822
4 shall be used for the brain injury services program pursuant to
5 section 135.22B, including for continuation of the contracts
6 for resource facilitator services in accordance with section
7 135.22B, subsection 9, and to enhance brain injury training and
8 recruitment of service providers on a statewide basis. Of the
9 amount allocated in this paragraph, \$47,500 shall be used to
10 fund one full-time equivalent position to serve as the state
11 brain injury services program manager.

12 c. Of the funds appropriated in this subsection, \$273,991
13 shall be used as additional funding to leverage federal funding
14 through the federal Ryan White Care Act, Tit. II, AIDS drug
15 assistance program supplemental drug treatment grants.

16 d. Of the funds appropriated in this subsection, \$74,912
17 shall be used for the public purpose of continuing to contract
18 with an existing national-affiliated organization to provide
19 education, client-centered programs, and client and family
20 support for people living with epilepsy and their families.
21 The amount allocated in this paragraph in excess of \$50,000
22 shall be matched dollar-for-dollar by the organization
23 specified.

24 e. Of the funds appropriated in this subsection, \$392,557
25 shall be used for child health specialty clinics.

26 f. Of the funds appropriated in this subsection, \$200,000
27 shall be used by the regional autism assistance program
28 established pursuant to section 256.35, and administered by
29 the child health specialty clinic located at the university of
30 Iowa hospitals and clinics. The funds shall be used to enhance
31 interagency collaboration and coordination of educational,
32 medical, and other human services for persons with autism,
33 their families, and providers of services, including delivering
34 regionalized services of care coordination, family navigation,
35 and integration of services through the statewide system of

1 regional child health specialty clinics and fulfilling other
2 requirements as specified in chapter 225D. The university of
3 Iowa shall not receive funds allocated under this paragraph for
4 indirect costs associated with the regional autism assistance
5 program.

6 g. Of the funds appropriated in this subsection, \$285,497
7 shall be used for the comprehensive cancer control program to
8 reduce the burden of cancer in Iowa through prevention, early
9 detection, effective treatment, and ensuring quality of life.
10 Of the funds allocated in this paragraph "g", \$75,000 shall
11 be used to support a melanoma research symposium, a melanoma
12 biorepository and registry, basic and translational melanoma
13 research, and clinical trials.

14 h. Of the funds appropriated in this subsection, \$63,225
15 shall be used for cervical and colon cancer screening, and
16 \$150,000 shall be used to enhance the capacity of the cervical
17 cancer screening program to include provision of recommended
18 prevention and early detection measures to a broader range of
19 low-income women.

20 i. Of the funds appropriated in this subsection, \$338,432
21 shall be used for the center for congenital and inherited
22 disorders including to provide for surveillance of stillbirths
23 as defined in section 136A.2.

24 j. Of the funds appropriated in this subsection, \$64,706
25 shall be used for the prescription drug donation repository
26 program created in chapter 135M.

27 k. Of the funds appropriated in this subsection,
28 \$107,632 shall be used by the department of public health
29 for reform-related activities, including but not limited to
30 facilitation of communication to stakeholders at the state and
31 local level, administering the patient-centered health advisory
32 council pursuant to section 135.159, and involvement in health
33 care system innovation activities occurring across the state.

34 l. Of the funds appropriated in this subsection, \$12,500
35 shall be used for administration of chapter 124D, the medical

1 cannabidiol Act, or other Code provisions authorizing the
2 compassionate medical use of cannabis, if enacted by the 2016
3 regular session of the Eighty-sixth General Assembly.

4 4. COMMUNITY CAPACITY

5 For strengthening the health care delivery system at the
6 local level, and for not more than the following full-time
7 equivalent positions:

8	\$	4,359,858
9	FTEs	11.00

10 a. Of the funds appropriated in this subsection, \$49,707
11 is allocated for continuation of the child vision screening
12 program implemented through the university of Iowa hospitals
13 and clinics in collaboration with early childhood Iowa areas.
14 The program shall submit a report to the individuals identified
15 in this Act for submission of reports regarding the use of
16 funds allocated under this paragraph "a". The report shall
17 include the objectives and results for the program year
18 including the target population and how the funds allocated
19 assisted the program in meeting the objectives; the number,
20 age, and location within the state of individuals served;
21 the type of services provided to the individuals served; the
22 distribution of funds based on service provided; and the
23 continuing needs of the program.

24 b. Of the funds appropriated in this subsection, \$55,328 is
25 allocated for continuation of an initiative implemented at the
26 university of Iowa and \$49,952 is allocated for continuation of
27 an initiative at the state mental health institute at Cherokee
28 to expand and improve the workforce engaged in mental health
29 treatment and services. The initiatives shall receive input
30 from the university of Iowa, the department of human services,
31 the department of public health, and the mental health and
32 disability services commission to address the focus of the
33 initiatives.

34 c. Of the funds appropriated in this subsection, \$582,314
35 shall be used for essential public health services that promote

1 healthy aging throughout one's lifespan, contracted through a
2 formula for local boards of health, to enhance health promotion
3 and disease prevention services.

4 d. Of the funds appropriated in this section, \$49,643 shall
5 be deposited in the governmental public health system fund
6 created in section 135A.8 to be used for the purposes of the
7 fund.

8 e. Of the funds appropriated in this subsection, \$52,724
9 shall be used to continue to address the shortage of mental
10 health professionals in the state.

11 f. Of the funds appropriated in this subsection,
12 \$25,000 shall be used for a grant to a statewide association
13 of psychologists that is affiliated with the American
14 psychological association to be used for continuation of a
15 program to rotate intern psychologists in placements in urban
16 and rural mental health professional shortage areas, as defined
17 in section 135.180.

18 g. (1) Of the funds appropriated in this subsection,
19 \$1,441,485 shall be allocated as a grant to the Iowa primary
20 care association to be used pursuant to section 135.153 for
21 the statewide coordination of the Iowa collaborative safety
22 net provider network. Coordination of the network shall
23 focus on increasing access by underserved populations to
24 health care services, increasing integration of the health
25 system and collaboration across the continuum of care with
26 a focus on safety net services, and enhancing the Iowa
27 collaborative safety net provider network's communication and
28 education efforts. The amount allocated as a grant under this
29 subparagraph (1) shall be used as follows to support the Iowa
30 collaborative safety net provider network goals of increased
31 access, health system integration, and engagement:

32 (a) For distribution to safety net partners in the state
33 that work to increase access of the underserved population to
34 health services:

35 \$ 512,743

1 (i) Of the amount allocated in this subparagraph
2 division (a), up to \$206,708 shall be distributed to the
3 Iowa prescription drug corporation for continuation of the
4 pharmaceutical infrastructure for safety net providers as
5 described in 2007 Iowa Acts, chapter 218, section 108.

6 (ii) Of the amount allocated in this subparagraph division
7 (a), up to \$174,161 shall be distributed to free clinics and
8 free clinics of Iowa for necessary infrastructure, statewide
9 coordination, provider recruitment, service delivery, and
10 provision of assistance to patients in securing a medical home
11 inclusive of oral health care.

12 (iii) Of the amount allocated in this subparagraph
13 division (a), up to \$25,000 shall be distributed to the
14 Iowa coalition against sexual assault to continue a training
15 program for sexual assault response team (SART) members,
16 including representatives of law enforcement, victim advocates,
17 prosecutors, and certified medical personnel.

18 (iv) Of the amount allocated in this subparagraph division
19 (a), up to \$106,874 shall be distributed to the Polk county
20 medical society for continuation of the safety net provider
21 patient access to a specialty health care initiative as
22 described in 2007 Iowa Acts, chapter 218, section 109.

23 (b) For distribution to safety net partners in the
24 state that work to increase health system integration, care
25 coordination, and collaboration across the continuum of care
26 with a focus on safety net services. Such efforts shall
27 include but not be limited to community care coordination team
28 development and integration of medical and behavioral health
29 services. Efforts shall also include working, in conjunction
30 with the department of human services and the department
31 of public health, to support Medicaid managed care efforts
32 inclusive of the state innovation model through the continued
33 development and implementation of community care coordination
34 teams. Implementation of the community care coordination
35 teams shall be accomplished through a statewide regionally

1 based network that provides an integrated approach to health
2 care delivery through care coordination that supports primary
3 care providers and links patients with community resources
4 necessary to empower patients in addressing biomedical and
5 social determinants of health to improve health outcomes:

6 \$ 836,100

7 (c) For distribution to safety net partners in the state
8 that work to serve as a resource for credible, accurate
9 information on health care-related needs and services
10 for vulnerable populations in the state including the
11 Iowa association of rural health clinics for necessary
12 infrastructure and service delivery transformation and the Iowa
13 primary care association to support partner engagement, program
14 management, and statewide coordination of the network:

15 \$ 92,643

16 (2) The amount allocated under this paragraph "g" shall
17 not be reduced for administrative or other costs prior to
18 distribution. The Iowa collaborative safety net provider
19 network may continue to distribute funds allocated pursuant to
20 this paragraph "g" through existing contracts or renewal of
21 existing contracts.

22 (3) For each goal of the Iowa collaborative safety net
23 provider network, the Iowa primary care association shall
24 submit a progress report to the individuals designated in this
25 Act for submission of reports by December 15, 2016, including
26 progress in developing and implementing the network, how the
27 funds were distributed and used in developing and implementing
28 the network, and the remaining needs identified to fully
29 develop and implement the network.

30 h. Of the funds appropriated in this subsection, \$106,700
31 shall be used for continuation of the work of the direct care
32 worker advisory council established pursuant to 2008 Iowa Acts,
33 chapter 1188, section 69, in implementing the recommendations
34 in the final report submitted by the advisory council to the
35 governor and the general assembly in March 2012, including

1 by continuing to develop, promote, and make available on a
2 statewide basis the prepare-to-care core curriculum and its
3 associated modules and specialties through various formats
4 including online access, community colleges, and other venues;
5 exploring new and maintaining existing specialties including
6 but not limited to oral health and dementia care; supporting
7 instructor training; and assessing and making recommendations
8 concerning the Iowa care book and information technology
9 systems and infrastructure uses and needs.

10 i. (1) Of the funds appropriated in this subsection,
11 \$108,188 shall be used for allocation to an independent
12 statewide direct care worker organization under continuation
13 of the contract in effect during the fiscal year ending June
14 30, 2016.

15 (2) Of the funds appropriated in this subsection,
16 \$52,500 shall be used to provide scholarships or other
17 forms of subsidization for direct care worker educational
18 conferences, training, or outreach activities, and for the
19 mouth-care-matters oral health care project.

20 j. Of the funds appropriated in this subsection, the
21 department may use up to \$29,088 for up to one full-time
22 equivalent position to administer the volunteer health care
23 provider program pursuant to section 135.24.

24 k. Of the funds appropriated in this subsection, \$50,000
25 shall be used for a matching dental education loan repayment
26 program to be allocated to a dental nonprofit health service
27 corporation to continue to develop the criteria and implement
28 the loan repayment program.

29 l. Of the funds appropriated in this subsection, \$52,912 is
30 transferred to the college student aid commission for deposit
31 in the rural Iowa primary care trust fund created in section
32 261.113 to be used for the purposes of the fund.

33 m. Of the funds appropriated in this subsection, \$125,000
34 shall be used for the purposes of the Iowa donor registry as
35 specified in section 142C.18.

1 n. Of the funds appropriated in this subsection, \$50,000
2 shall be used for continuation of a grant to a nationally
3 affiliated volunteer eye organization that has an established
4 program for children and adults and that is solely dedicated to
5 preserving sight and preventing blindness through education,
6 nationally certified vision screening and training, and
7 community and patient service programs. The organization
8 shall submit a report to the individuals identified in this
9 Act for submission of reports regarding the use of funds
10 allocated under this paragraph "n". The report shall include
11 the objectives and results for the program year including
12 the target population and how the funds allocated assisted
13 the program in meeting the objectives; the number, age, and
14 location within the state of individuals served; the type of
15 services provided to the individuals served; the distribution
16 of funds based on services provided; and the continuing needs
17 of the program.

18 o. Of the funds appropriated in this subsection, \$12,500
19 shall be used for the continuation of a wellness council under
20 the direction of the director of public health to increase
21 support for wellness activities in the state.

22 p. Of the funds appropriated in this subsection, \$1,000,000
23 shall be deposited in the medical residency training account
24 created in section 135.175, subsection 5, paragraph "a", and
25 is appropriated from the account to the department of public
26 health to be used for the purposes of the medical residency
27 training state matching grants program as specified in section
28 135.176. However, notwithstanding any provision to the
29 contrary in section 135.176, priority in the awarding of grants
30 shall be given to sponsors that propose preference in the use
31 of the grant funds for psychiatric residency positions and
32 family practice residency positions.

33 5. HEALTHY AGING

34 To provide public health services that reduce risks and
35 invest in promoting and protecting good health over the

1 course of a lifetime with a priority given to older Iowans and
2 vulnerable populations:

3 \$ 3,648,571

4 6. INFECTIOUS DISEASES

5 For reducing the incidence and prevalence of communicable
6 diseases, and for not more than the following full-time
7 equivalent positions:

8 \$ 667,578

9 FTEs 4.00

10 7. PUBLIC PROTECTION

11 For protecting the health and safety of the public through
12 establishing standards and enforcing regulations, and for not
13 more than the following full-time equivalent positions:

14 \$ 2,169,596

15 FTEs 135.50

16 a. Of the funds appropriated in this subsection, not more
17 than \$227,350 shall be credited to the emergency medical
18 services fund created in section 135.25. Moneys in the
19 emergency medical services fund are appropriated to the
20 department to be used for the purposes of the fund.

21 b. Of the funds appropriated in this subsection, \$101,516
22 shall be used for sexual violence prevention programming
23 through a statewide organization representing programs
24 serving victims of sexual violence through the department's
25 sexual violence prevention program. The amount allocated
26 in this paragraph "b" shall not be used to supplant funding
27 administered for other sexual violence prevention or victims
28 assistance programs.

29 c. Of the funds appropriated in this subsection, \$299,376
30 shall be used for the state poison control center. Pursuant
31 to the directive under 2014 Iowa Acts, chapter 1140, section
32 102, the federal matching funds available to the state poison
33 control center from the department of human services under the
34 federal Children's Health Insurance Program Reauthorization Act
35 allotment shall be subject to the federal administrative cap

1 rule of 10 percent applicable to funding provided under Tit.
2 XXI of the federal Social Security Act and included within the
3 department's calculations of the cap.

4 d. Of the funds appropriated in this subsection, \$268,875
5 shall be used for childhood lead poisoning provisions.

6 8. RESOURCE MANAGEMENT

7 For establishing and sustaining the overall ability of the
8 department to deliver services to the public, and for not more
9 than the following full-time equivalent positions:

10	.....	\$	427,536
11	.....	FTEs	4.00

12 The university of Iowa hospitals and clinics under the
13 control of the state board of regents shall not receive
14 indirect costs from the funds appropriated in this section.
15 The university of Iowa hospitals and clinics billings to the
16 department shall be on at least a quarterly basis.

17 DIVISION XXXVI

18 DEPARTMENT OF VETERANS AFFAIRS — FY 2016-2017

19 Sec. 120. DEPARTMENT OF VETERANS AFFAIRS. There is
20 appropriated from the general fund of the state to the
21 department of veterans affairs for the fiscal year beginning
22 July 1, 2016, and ending June 30, 2017, the following amounts,
23 or so much thereof as is necessary, to be used for the purposes
24 designated:

25 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

26 For salaries, support, maintenance, and miscellaneous
27 purposes, and for not more than the following full-time
28 equivalent positions:

29	.....	\$	600,273
30	.....	FTEs	15.00

31 2. IOWA VETERANS HOME

32 For salaries, support, maintenance, and miscellaneous
33 purposes:

34	\$	3,797,498
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35 a. The Iowa veterans home billings involving the department

1 of human services shall be submitted to the department on at
2 least a monthly basis.

3 b. If there is a change in the employer of employees
4 providing services at the Iowa veterans home under a collective
5 bargaining agreement, such employees and the agreement shall
6 be continued by the successor employer as though there had not
7 been a change in employer.

8 c. Within available resources and in conformance with
9 associated state and federal program eligibility requirements,
10 the Iowa veterans home may implement measures to provide
11 financial assistance to or on behalf of veterans or their
12 spouses who are participating in the community reentry program.

13 d. The Iowa veterans home expenditure report shall be
14 submitted monthly to the legislative services agency.

15 3. HOME OWNERSHIP ASSISTANCE PROGRAM

16 For transfer to the Iowa finance authority for the
17 continuation of the home ownership assistance program for
18 persons who are or were eligible members of the armed forces of
19 the United States, pursuant to section 16.54:

20 \$ 1,250,000

21 Sec. 121. LIMITATION OF COUNTY COMMISSIONS OF VETERAN
22 AFFAIRS FUND STANDING APPROPRIATIONS. Notwithstanding the
23 standing appropriation in section 35A.16 for the fiscal year
24 beginning July 1, 2016, and ending June 30, 2017, the amount
25 appropriated from the general fund of the state pursuant to
26 that section for the following designated purposes shall not
27 exceed the following amount:

28 For the county commissions of veteran affairs fund under
29 section 35A.16:

30 \$ 495,000

31 DIVISION XXXVII

32 DEPARTMENT OF HUMAN SERVICES — FY 2016-2017

33 Sec. 122. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
34 GRANT. There is appropriated from the fund created in section
35 8.41 to the department of human services for the fiscal year

1 beginning July 1, 2016, and ending June 30, 2017, from moneys
2 received under the federal temporary assistance for needy
3 families (TANF) block grant pursuant to the federal Personal
4 Responsibility and Work Opportunity Reconciliation Act of 1996,
5 Pub. L. No. 104-193, and successor legislation, the following
6 amounts, or so much thereof as is necessary, to be used for the
7 purposes designated:

8 1. To be credited to the family investment program account
9 and used for assistance under the family investment program
10 under chapter 239B:

11 \$ 2,568,498

12 2. To be credited to the family investment program account
13 and used for the job opportunities and basic skills (JOBS)
14 program and implementing family investment agreements in
15 accordance with chapter 239B:

16 \$ 5,069,089

17 3. To be used for the family development and
18 self-sufficiency grant program in accordance with section
19 216A.107:

20 \$ 1,449,490

21 Notwithstanding section 8.33, moneys appropriated in this
22 subsection that remain unencumbered or unobligated at the close
23 of the fiscal year shall not revert but shall remain available
24 for expenditure for the purposes designated until the close of
25 the succeeding fiscal year. However, unless such moneys are
26 encumbered or obligated on or before September 30, 2016, the
27 moneys shall revert.

28 4. For field operations:

29 \$ 15,648,116

30 5. For general administration:

31 \$ 1,872,000

32 6. For state child care assistance:

33 \$ 17,523,555

34 a. Of the funds appropriated in this subsection,
35 \$13,164,049 is transferred to the child care and development

1 block grant appropriation made by the Eighty-sixth General
2 Assembly, 2016 Session, for the federal fiscal year beginning
3 October 1, 2016, and ending September 30, 2017. Of this
4 amount, \$100,000 shall be used for provision of educational
5 opportunities to registered child care home providers in order
6 to improve services and programs offered by this category
7 of providers and to increase the number of providers. The
8 department may contract with institutions of higher education
9 or child care resource and referral centers to provide
10 the educational opportunities. Allowable administrative
11 costs under the contracts shall not exceed 5 percent. The
12 application for a grant shall not exceed two pages in length.

13 b. Any funds appropriated in this subsection remaining
14 unallocated shall be used for state child care assistance
15 payments for families who are employed including but not
16 limited to individuals enrolled in the family investment
17 program.

18 7. For distribution to counties and regions through the
19 property tax relief fund for mental health and disability
20 services as provided in an appropriation made for this purpose:
21 \$ 2,447,026

22 8. For child and family services:
23 \$ 16,042,215

24 9. For child abuse prevention grants:
25 \$ 62,500

26 10. For pregnancy prevention grants on the condition that
27 family planning services are funded:
28 \$ 965,034

29 Pregnancy prevention grants shall be awarded to programs
30 in existence on or before July 1, 2016, if the programs have
31 demonstrated positive outcomes. Grants shall be awarded to
32 pregnancy prevention programs which are developed after July
33 1, 2016, if the programs are based on existing models that
34 have demonstrated positive outcomes. Grants shall comply with
35 the requirements provided in 1997 Iowa Acts, chapter 208,

1 section 14, subsections 1 and 2, including the requirement that
2 grant programs must emphasize sexual abstinence. Priority in
3 the awarding of grants shall be given to programs that serve
4 areas of the state which demonstrate the highest percentage of
5 unplanned pregnancies of females of childbearing age within the
6 geographic area to be served by the grant.

7 11. For technology needs and other resources necessary
8 to meet federal welfare reform reporting, tracking, and case
9 management requirements:

10 \$ 518,593

11 12. For the family investment program share of the costs to
12 continue to develop and maintain a new, integrated eligibility
13 determination system:

14 \$ 3,327,440

15 13. a. Notwithstanding any provision to the contrary,
16 including but not limited to requirements in section 8.41 or
17 provisions in 2015 or 2016 Iowa Acts regarding the receipt and
18 appropriation of federal block grants, federal funds from the
19 temporary assistance for needy families block grant received by
20 the state and not otherwise appropriated in this section and
21 remaining available for the fiscal year beginning July 1, 2016,
22 are appropriated to the department of human services to the
23 extent as may be necessary to be used in the following priority
24 order: the family investment program, for state child care
25 assistance program payments for families who are employed, and
26 for the family investment program share of costs to develop and
27 maintain a new, integrated eligibility determination system.
28 The federal funds appropriated in this paragraph "a" shall be
29 expended only after all other funds appropriated in subsection
30 1 for the assistance under the family investment program,
31 in subsection 6 for child care assistance, or in subsection
32 12 for the family investment program share of the costs to
33 continue to develop and maintain a new, integrated eligibility
34 determination system, as applicable, have been expended. For
35 the purposes of this subsection, the funds appropriated in

1 subsection 6, paragraph "a", for transfer to the child care
2 and development block grant appropriation are considered fully
3 expended when the full amount has been transferred.

4 b. The department shall, on a quarterly basis, advise the
5 legislative services agency and department of management of
6 the amount of funds appropriated in this subsection that was
7 expended in the prior quarter.

8 14. Of the amounts appropriated in this section, \$6,481,004
9 for the fiscal year beginning July 1, 2016, is transferred to
10 the appropriation of the federal social services block grant
11 made to the department of human services for that fiscal year.

12 15. For continuation of the program providing categorical
13 eligibility for the food assistance program as specified for
14 the program in the section of this division of this 2016 Act
15 relating to the family investment program account:

16 \$ 12,500

17 16. The department may transfer funds allocated in this
18 section to the appropriations made in this division of this Act
19 for the same fiscal year for general administration and field
20 operations for resources necessary to implement and operate the
21 services referred to in this section and those funded in the
22 appropriation made in this division of this Act for the same
23 fiscal year for the family investment program from the general
24 fund of the state.

25 Sec. 123. FAMILY INVESTMENT PROGRAM ACCOUNT.

26 1. Moneys credited to the family investment program (FIP)
27 account for the fiscal year beginning July 1, 2016, and
28 ending June 30, 2017, shall be used to provide assistance in
29 accordance with chapter 239B.

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

33 3. The department may transfer funds allocated in
34 subsection 4 to the appropriations made in this division of
35 this Act for the same fiscal year for general administration

1 and field operations for resources necessary to implement and
2 operate the family investment program services referred to in
3 this section and those funded in the appropriation made in this
4 division of this Act for the same fiscal year for the family
5 investment program from the general fund of the state.

6 4. Moneys appropriated in this division of this Act and
7 credited to the FIP account for the fiscal year beginning July
8 1, 2016, and ending June 30, 2017, are allocated as follows:

9 a. To be retained by the department of human services to
10 be used for coordinating with the department of human rights
11 to more effectively serve participants in FIP and other shared
12 clients and to meet federal reporting requirements under the
13 federal temporary assistance for needy families block grant:
14 \$ 10,000

15 b. To the department of human rights for staffing,
16 administration, and implementation of the family development
17 and self-sufficiency grant program in accordance with section
18 216A.107:
19 \$ 3,196,417

20 (1) Of the funds allocated for the family development
21 and self-sufficiency grant program in this paragraph "b",
22 not more than 5 percent of the funds shall be used for the
23 administration of the grant program.

24 (2) The department of human rights may continue to implement
25 the family development and self-sufficiency grant program
26 statewide during fiscal year 2016-2017.

27 (3) The department of human rights may engage in activities
28 to strengthen and improve family outcomes measures and
29 data collection systems under the family development and
30 self-sufficiency grant program.

31 c. For the diversion subaccount of the FIP account:
32 \$ 407,500

33 A portion of the moneys allocated for the subaccount may
34 be used for field operations, salaries, data management
35 system development, and implementation costs and support

1 deemed necessary by the director of human services in order
2 to administer the FIP diversion program. To the extent
3 moneys allocated in this paragraph "c" are not deemed by the
4 department to be necessary to support diversion activities,
5 such moneys may be used for other efforts intended to increase
6 engagement by family investment program participants in work,
7 education, or training activities.

8 d. For the food assistance employment and training program:
9 \$ 33,294

10 (1) The department shall apply the federal supplemental
11 nutrition assistance program (SNAP) employment and training
12 state plan in order to maximize to the fullest extent permitted
13 by federal law the use of the 50 percent federal reimbursement
14 provisions for the claiming of allowable federal reimbursement
15 funds from the United States department of agriculture
16 pursuant to the federal SNAP employment and training program
17 for providing education, employment, and training services
18 for eligible food assistance program participants, including
19 but not limited to related dependent care and transportation
20 expenses.

21 (2) The department shall continue the categorical federal
22 food assistance program eligibility at 160 percent of the
23 federal poverty level and continue to eliminate the asset test
24 from eligibility requirements, consistent with federal food
25 assistance program requirements. The department shall include
26 as many food assistance households as is allowed by federal
27 law. The eligibility provisions shall conform to all federal
28 requirements including requirements addressing individuals who
29 are incarcerated or otherwise ineligible.

30 e. For the JOBS program:
31 \$ 8,770,199

32 5. Of the child support collections assigned under FIP,
33 an amount equal to the federal share of support collections
34 shall be credited to the child support recovery appropriation
35 made in this division of this Act. Of the remainder of the

1 assigned child support collections received by the child
2 support recovery unit, a portion shall be credited to the FIP
3 account, a portion may be used to increase recoveries, and a
4 portion may be used to sustain cash flow in the child support
5 payments account. If as a consequence of the appropriations
6 and allocations made in this section the resulting amounts
7 are insufficient to sustain cash assistance payments and meet
8 federal maintenance of effort requirements, the department
9 shall seek supplemental funding. If child support collections
10 assigned under FIP are greater than estimated or are otherwise
11 determined not to be required for maintenance of effort, the
12 state share of either amount may be transferred to or retained
13 in the child support payments account.

14 6. The department may adopt emergency rules for the family
15 investment, JOBS, food assistance, and medical assistance
16 programs if necessary to comply with federal requirements.

17 Sec. 124. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
18 is appropriated from the general fund of the state to the
19 department of human services for the fiscal year beginning July
20 1, 2016, and ending June 30, 2017, the following amount, or
21 so much thereof as is necessary, to be used for the purpose
22 designated:

23 To be credited to the family investment program (FIP)
24 account and used for family investment program assistance under
25 chapter 239B:

26 \$ 24,546,938

27 1. Of the funds appropriated in this section, \$3,701,110 is
28 allocated for the JOBS program.

29 2. Of the funds appropriated in this section, \$1,756,927 is
30 allocated for the family development and self-sufficiency grant
31 program.

32 3. Notwithstanding section 8.39, for the fiscal year
33 beginning July 1, 2016, if necessary to meet federal
34 maintenance of effort requirements or to transfer federal
35 temporary assistance for needy families block grant funding

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

- 14 a. For the family investment program.
- 15 b. For child care assistance.
- 16 c. For child and family services.
- 17 d. For field operations.
- 18 e. For general administration.
- 19 f. For distribution to counties or regions through the
20 property tax relief fund for mental health and disability
21 services as provided in an appropriation for this purpose.

22 This subsection shall not be construed to prohibit the use
23 of existing state transfer authority for other purposes. The
24 department shall report any transfers made pursuant to this
25 subsection to the legislative services agency.

26 4. Of the funds appropriated in this section, \$97,839 shall
27 be used for continuation of a grant to an Iowa-based nonprofit
28 organization with a history of providing tax preparation
29 assistance to low-income Iowans in order to expand the usage of
30 the earned income tax credit. The purpose of the grant is to
31 supply this assistance to underserved areas of the state.

32 5. Of the funds appropriated in this section, \$40,000 shall
33 be used for the continuation of an unfunded pilot project, as
34 defined in 441 IAC 100.1, relating to parental obligations,
35 in which the child support recovery unit participates, to

1 support the efforts of a nonprofit organization committed to
2 strengthening the community through youth development, healthy
3 living, and social responsibility headquartered in a county
4 with a population over 350,000. The funds allocated in this
5 subsection shall be used by the recipient organization to
6 develop a larger community effort, through public and private
7 partnerships, to support a broad-based multi-county fatherhood
8 initiative that promotes payment of child support obligations,
9 improved family relationships, and full-time employment.

10 6. Of the funds appropriated in this section, \$100,000
11 shall be used to continue a grant to a nonprofit organization
12 organized under section 501(c)(4) of the Internal Revenue Code
13 to continue a youth development strategy through after-school
14 programming that promotes academic success, healthy lifestyles,
15 good character, and citizenship. The organization shall meet
16 all of the following criteria:

17 a. Operate statewide and provide services through more than
18 one location.

19 b. Provide the after-school programming for students ages
20 five through eighteen years of age who are members of families
21 eligible for the federal temporary assistance for needy
22 families program.

23 c. Provide evidence, based on measurable outcomes, that the
24 after-school programming provided results in increased student
25 achievement.

26 7. The department may transfer funds appropriated in this
27 section to the appropriations made in this division of this Act
28 for general administration and field operations as necessary
29 to administer this section and the overall family investment
30 program.

31 Sec. 125. CHILD SUPPORT RECOVERY. There is appropriated
32 from the general fund of the state to the department of human
33 services for the fiscal year beginning July 1, 2016, and ending
34 June 30, 2017, the following amount, or so much thereof as is
35 necessary, to be used for the purposes designated:

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

4	\$	7,331,687
5	FTEs	464.00

6 1. The department shall expend up to \$12,165, including
7 federal financial participation, for the fiscal year beginning
8 July 1, 2016, for a child support public awareness campaign.
9 The department and the office of the attorney general shall
10 cooperate in continuation of the campaign. The public
11 awareness campaign shall emphasize, through a variety of
12 media activities, the importance of maximum involvement of
13 both parents in the lives of their children as well as the
14 importance of payment of child support obligations.

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

20 3. The appropriation made to the department for child
21 support recovery may be used throughout the fiscal year in the
22 manner necessary for purposes of cash flow management, and for
23 cash flow management purposes the department may temporarily
24 draw more than the amount appropriated, provided the amount
25 appropriated is not exceeded at the close of the fiscal year.

26 4. With the exception of the funding amount specified, the
27 requirements established under 2001 Iowa Acts, chapter 191,
28 section 3, subsection 5, paragraph "c", subparagraph (3), shall
29 be applicable to parental obligation pilot projects for the
30 fiscal year beginning July 1, 2016, and ending June 30, 2017.
31 Notwithstanding 441 IAC 100.8, providing for termination of
32 rules relating to the pilot projects, the rules shall remain
33 in effect until June 30, 2017.

34 Sec. 126. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE —
35 FY 2016-2017. Any funds remaining in the health care trust

1 fund created in section 453A.35A for the fiscal year beginning
2 July 1, 2016, and ending June 30, 2017, are appropriated to
3 the department of human services to supplement the medical
4 assistance program appropriations made in this division of this
5 Act, for medical assistance reimbursement and associated costs,
6 including program administration and costs associated with
7 program implementation.

8 Sec. 127. MEDICAID FRAUD FUND — MEDICAL ASSISTANCE — FY
9 2016-2017. Any funds remaining in the Medicaid fraud fund
10 created in section 249A.50 for the fiscal year beginning
11 July 1, 2016, and ending June 30, 2017, are appropriated to
12 the department of human services to supplement the medical
13 assistance appropriations made in this division of this Act,
14 for medical assistance reimbursement and associated costs,
15 including program administration and costs associated with
16 program implementation.

17 Sec. 128. MEDICAL ASSISTANCE.

18 1. There is appropriated from the general fund of the
19 state to the department of human services for the fiscal year
20 beginning July 1, 2016, and ending June 30, 2017, the following
21 amount, or so much thereof as is necessary, to be used for the
22 purpose designated:

23 For medical assistance program reimbursement and associated
24 costs as specifically provided in the reimbursement
25 methodologies in effect on June 30, 2016, except as otherwise
26 expressly authorized by law, including reimbursement for
27 abortion services which shall be available under the medical
28 assistance program only for those abortions which are medically
29 necessary:

30 \$673,176,820

31 2. Medically necessary abortions are those performed under
32 any of the following conditions:

- 33 a. The attending physician certifies that continuing the
34 pregnancy would endanger the life of the pregnant woman.
- 35 b. The attending physician certifies that the fetus is

1 physically deformed, mentally deficient, or afflicted with a
2 congenital illness.

3 c. The pregnancy is the result of a rape which is reported
4 within 45 days of the incident to a law enforcement agency or
5 public or private health agency which may include a family
6 physician.

7 d. The pregnancy is the result of incest which is reported
8 within 150 days of the incident to a law enforcement agency
9 or public or private health agency which may include a family
10 physician.

11 e. Any spontaneous abortion, commonly known as a
12 miscarriage, if not all of the products of conception are
13 expelled.

14 3. a. Iowans support reducing the number of abortions
15 performed in our state. For an abortion covered under the
16 program, except in the case of a medical emergency, as defined
17 in section 135L.1, for any woman, the physician shall certify
18 both of the following:

19 (1) That the woman has been given the opportunity to view an
20 ultrasound image of the fetus as part of the standard of care
21 before an abortion is performed.

22 (2) That the woman has been provided information regarding
23 the options relative to a pregnancy, including continuing the
24 pregnancy to term and retaining parental rights following the
25 child's birth, continuing the pregnancy to term and placing the
26 child for adoption, and terminating the pregnancy.

27 b. The provisions of this section relating to abortions
28 shall also apply to the Iowa health and wellness plan created
29 pursuant to chapter 249N.

30 4. The department shall utilize not more than \$30,000 of
31 the funds appropriated in this section to continue the AIDS/HIV
32 health insurance premium payment program as established in 1992
33 Iowa Acts, Second Extraordinary Session, chapter 1001, section
34 409, subsection 6. Of the funds allocated in this subsection,
35 not more than \$2,500 may be expended for administrative

1 purposes.

2 5. Of the funds appropriated in this Act to the department
3 of public health for addictive disorders, \$475,000 for
4 the fiscal year beginning July 1, 2016, is transferred
5 to the department of human services for an integrated
6 substance-related disorder managed care system. The department
7 shall not assume management of the substance-related disorder
8 system in place of the managed care contractor unless such
9 a change in approach is specifically authorized in law.
10 The departments of human services and public health shall
11 work together to maintain the level of mental health and
12 substance-related disorder treatment services provided by the
13 managed care contractor through the Iowa plan for behavioral
14 health. Each department shall take the steps necessary to
15 continue the federal waivers as necessary to maintain the level
16 of services.

17 6. a. The department shall aggressively pursue options for
18 providing medical assistance or other assistance to individuals
19 with special needs who become ineligible to continue receiving
20 services under the early and periodic screening, diagnostic,
21 and treatment program under the medical assistance program
22 due to becoming 21 years of age who have been approved for
23 additional assistance through the department's exception to
24 policy provisions, but who have health care needs in excess
25 of the funding available through the exception to policy
26 provisions.

27 b. Of the funds appropriated in this section, \$50,000
28 shall be used for participation in one or more pilot projects
29 operated by a private provider to allow the individual or
30 individuals to receive service in the community in accordance
31 with principles established in *Olmstead v. L.C.*, 527 U.S. 581
32 (1999), for the purpose of providing medical assistance or
33 other assistance to individuals with special needs who become
34 ineligible to continue receiving services under the early and
35 periodic screening, diagnostic, and treatment program under

1 the medical assistance program due to becoming 21 years of
2 age who have been approved for additional assistance through
3 the department's exception to policy provisions, but who have
4 health care needs in excess of the funding available through
5 the exception to the policy provisions.

6 7. Of the funds appropriated in this section, up to
7 \$1,525,041 may be transferred to the field operations or
8 general administration appropriations in this division of this
9 Act for operational costs associated with Part D of the federal
10 Medicare Prescription Drug Improvement and Modernization Act
11 of 2003, Pub. L. No. 108-173.

12 8. Of the funds appropriated in this section, up to \$221,050
13 may be transferred to the appropriation in this division
14 of this Act for medical contracts to be used for clinical
15 assessment services and prior authorization of services.

16 9. A portion of the funds appropriated in this section
17 may be transferred to the appropriations in this division of
18 this Act for general administration, medical contracts, the
19 children's health insurance program, or field operations to be
20 used for the state match cost to comply with the payment error
21 rate measurement (PERM) program for both the medical assistance
22 and children's health insurance programs as developed by the
23 centers for Medicare and Medicaid services of the United States
24 department of health and human services to comply with the
25 federal Improper Payments Information Act of 2002, Pub. L. No.
26 107-300.

27 10. The department shall continue to implement the
28 recommendations of the assuring better child health and
29 development initiative II (ABCDII) clinical panel to the
30 Iowa early and periodic screening, diagnostic, and treatment
31 services healthy mental development collaborative board
32 regarding changes to billing procedures, codes, and eligible
33 service providers.

34 11. Of the funds appropriated in this section, a sufficient
35 amount is allocated to supplement the incomes of residents of

1 nursing facilities, intermediate care facilities for persons
2 with mental illness, and intermediate care facilities for
3 persons with an intellectual disability, with incomes of less
4 than \$50 in the amount necessary for the residents to receive a
5 personal needs allowance of \$50 per month pursuant to section
6 249A.30A.

7 12. Of the funds appropriated in this section, the following
8 amounts are transferred to the appropriations made in this
9 division of this Act for the state mental health institutes:

- 10 a. Cherokee mental health institute..... \$ 4,549,213
- 11 b. Clarinda mental health institute..... \$ 988,653
- 12 c. Independence mental health institute..... \$ 4,522,947

13 13. a. Of the funds appropriated in this section,
14 \$4,298,325 is allocated for the state match for a
15 disproportionate share hospital payment of \$9,566,715 to
16 hospitals that meet both of the conditions specified in
17 subparagraphs (1) and (2). In addition, the hospitals that
18 meet the conditions specified shall either certify public
19 expenditures or transfer to the medical assistance program
20 an amount equal to provide the nonfederal share for a
21 disproportionate share hospital payment of \$3,750,000. The
22 hospitals that meet the conditions specified shall receive and
23 retain 100 percent of the total disproportionate share hospital
24 payment of \$13,316,715.

25 (1) The hospital qualifies for disproportionate share and
26 graduate medical education payments.

27 (2) The hospital is an Iowa state-owned hospital with more
28 than 500 beds and eight or more distinct residency specialty
29 or subspecialty programs recognized by the American college of
30 graduate medical education.

31 b. Distribution of the disproportionate share payments
32 shall be made on a monthly basis. The total amount of
33 disproportionate share payments including graduate medical
34 education, enhanced disproportionate share, and Iowa
35 state-owned teaching hospital payments shall not exceed the

1 amount of the state's allotment under Pub. L. No. 102-234.
2 In addition, the total amount of all disproportionate
3 share payments shall not exceed the hospital-specific
4 disproportionate share limits under Pub. L. No. 103-66.

5 c. The university of Iowa hospitals and clinics shall either
6 certify public expenditures or transfer to the appropriations
7 made in this division of this Act for medical assistance an
8 amount equal to provide the nonfederal share for increased
9 medical assistance payments for inpatient and outpatient
10 hospital services of \$4,950,000. The university of Iowa
11 hospitals and clinics shall receive and retain 100 percent of
12 the total increase in medical assistance payments.

13 d. Program payments for disproportionate share hospitals
14 and graduate medical education, and the upper payment limits
15 applicable to these programs shall be held harmless from the
16 impacts of Medicaid managed care and the governor's Medicaid
17 modernization initiative. Payment methodologies utilized
18 for these programs may be adjusted or converted to other
19 methodologies or payment types in order to comply with this
20 hold harmless requirement.

21 14. One hundred percent of the nonfederal share of payments
22 to area education agencies that are medical assistance
23 providers for medical assistance-covered services provided to
24 medical assistance-covered children, shall be made from the
25 appropriation made in this section.

26 15. Any new or renewed contract entered into by the
27 department with a third party to administer behavioral health
28 services under the medical assistance program shall provide
29 that any interest earned on payments from the state during
30 the state fiscal year shall be remitted to the department
31 and treated as recoveries to offset the costs of the medical
32 assistance program.

33 16. A portion of the funds appropriated in this section
34 may be transferred to the appropriation in this division of
35 this Act for medical contracts to be used for administrative

1 activities associated with the money follows the person
2 demonstration project.

3 17. Of the funds appropriated in this section, \$174,506
4 shall be used for the administration of the health insurance
5 premium payment program, including salaries, support,
6 maintenance, and miscellaneous purposes.

7 18. a. The department may increase the amounts allocated
8 for salaries, support, maintenance, and miscellaneous purposes
9 associated with the medical assistance program, as necessary,
10 to implement cost containment strategies. The department shall
11 report any such increase to the legislative services agency and
12 the department of management.

13 b. If the savings to the medical assistance program from
14 cost containment efforts exceed the cost for the fiscal
15 year beginning July 1, 2016, the department may transfer any
16 savings generated for the fiscal year due to medical assistance
17 program cost containment efforts to the appropriation
18 made in this division of this Act for medical contracts or
19 general administration to defray the increased contract costs
20 associated with implementing such efforts.

21 c. The department of human services shall not implement
22 the following cost containment measures as recommended by the
23 governor for the fiscal year beginning July 1, 2016:

24 (1) A measure to provide uniform rates of \$.575 per mile
25 based on the 2015 Internal Revenue Service mileage rate and
26 of \$9.29, the current statewide average, per one-way trip for
27 Medicaid program home and community-based services waivers.

28 (2) A measure to cap the total costs of all services
29 received by a recipient of the home and community-based
30 services waiver for individuals with an intellectual disability
31 at the daily intermediate care facility for persons with an
32 intellectual disability (ICF/ID) per diem rate of \$346.39 per
33 day based on the 80th percentile of all ICF/ID rates.

34 (3) A measure to align individual requests for exceptions to
35 policy with the capped total cost of services for a recipient

1 of the home and community-based services waiver for individuals
2 with an intellectual disability as computed under subparagraph
3 (2).

4 (4) A measure to utilize the supports intensity scale
5 to determine payment amounts and a tiered payment system
6 for the services provided to adults served under the home
7 and community-based services waiver for individuals with an
8 intellectual disability.

9 (5) A measure to reallocate funding for community-based
10 systems of care to instead support integrated health homes.

11 (6) A measure to increase the university of Iowa hospitals
12 and clinics state share responsibility for the supplemental
13 disproportionate share hospital payment to the university of
14 Iowa hospitals and clinics for the fiscal year beginning July
15 1, 2016.

16 d. The department shall report the implementation of
17 any cost containment strategies under this subsection to
18 the individuals specified in this division of this Act for
19 submission of reports on a quarterly basis.

20 19. For the fiscal year beginning July 1, 2016, and ending
21 June 30, 2017, the replacement generation tax revenues required
22 to be deposited in the property tax relief fund pursuant to
23 section 437A.8, subsection 4, paragraph "d", and section
24 437A.15, subsection 3, paragraph "f", shall instead be credited
25 to and supplement the appropriation made in this section and
26 used for the allocations made in this section.

27 20. The department shall continue to administer the state
28 balancing incentive payments program as specified in 2012 Iowa
29 Acts, chapter 1133, section 14.

30 21. a. Of the funds appropriated in this section, \$450,000
31 shall be used for continued implementation of the children's
32 mental health home project proposed by the department of human
33 services and reported to the general assembly's mental health
34 and disability services study committee in December 2011. Of
35 this amount, up to \$25,000 may be transferred by the department

1 to the appropriation made in this division of this Act to the
2 department for the same fiscal year for general administration
3 to be used for associated administrative expenses and for not
4 more than one full-time equivalent position, in addition to
5 those authorized for the same fiscal year, to be assigned to
6 implementing the project.

7 b. Of the funds appropriated in this section, up to \$200,000
8 may be transferred by the department to the appropriation made
9 to the department in this division of this Act for the same
10 fiscal year for Medicaid program-related general administration
11 planning and implementation activities. The funds may be used
12 for contracts or for personnel in addition to the amounts
13 appropriated for and the positions authorized for general
14 administration for the fiscal year.

15 c. Of the funds appropriated in this section, up to
16 \$1,500,000 may be transferred by the department to the
17 appropriations made in this division of this Act for the same
18 fiscal year for general administration or medical contracts
19 to be used to support the development and implementation of
20 standardized assessment tools for persons with mental illness,
21 an intellectual disability, a developmental disability, or a
22 brain injury.

23 22. Of the funds appropriated in this section, \$125,000
24 shall be used for lodging expenses associated with care
25 provided at the university of Iowa hospitals and clinics for
26 patients with cancer whose travel distance is 30 miles or more
27 and whose income is at or below 200 percent of the federal
28 poverty level as defined by the most recently revised poverty
29 income guidelines published by the United States department of
30 health and human services. The department of human services
31 shall establish the maximum number of overnight stays and the
32 maximum rate reimbursed for overnight lodging, which may be
33 based on the state employee rate established by the department
34 of administrative services. The funds allocated in this
35 subsection shall not be used as nonfederal share matching

1 funds.

2 23. a. For inpatient and outpatient services provided by
3 hospitals on or after July 1, 2016, the department of human
4 services shall continue to recalculate and prospectively
5 apply an updated cost-to-charge ratio upon the request of a
6 hospital to implement price or charge reductions, if all of the
7 following criteria are met:

8 (1) The recalculation of an updated cost-to-charge ratio is
9 budget neutral to the state funding amount appropriated for the
10 respective fiscal year and maintains budget neutral payments or
11 revenue to all hospitals.

12 (2) The hospital requesting the price or charge reduction
13 submits a proforma cost report and charge master that reflects
14 the anticipated cost-to-charge reduction.

15 b. Based upon the proforma cost report submitted by the
16 requesting hospital, the department of human services shall
17 prospectively apply the recalculated cost-to-charge ratio as
18 appropriate to submitted claims for health care services.

19 24. The department of human services shall not adopt
20 emergency rules to implement Medicaid managed care or the
21 governor's Medicaid modernization initiative.

22 25. The number of home and community-based services waiver
23 slots available during the fiscal year beginning July 1, 2016,
24 shall not be reduced below the number of such slots available
25 on January 1, 2015.

26 Sec. 129. MEDICAL CONTRACTS. There is appropriated from the
27 general fund of the state to the department of human services
28 for the fiscal year beginning July 1, 2016, and ending June 30,
29 2017, the following amount, or so much thereof as is necessary,
30 to be used for the purpose designated:

31 For medical contracts:

32 \$ 11,076,792

33 1. The department of inspections and appeals shall
34 provide all state matching funds for survey and certification
35 activities performed by the department of inspections

1 and appeals. The department of human services is solely
2 responsible for distributing the federal matching funds for
3 such activities.

4 2. Of the funds appropriated in this section, \$25,000 shall
5 be used for continuation of home and community-based services
6 waiver quality assurance programs, including the review and
7 streamlining of processes and policies related to oversight and
8 quality management to meet state and federal requirements.

9 3. Of the amount appropriated in this section, up to
10 \$100,000 may be transferred to the appropriation for general
11 administration in this division of this Act to be used for
12 additional full-time equivalent positions in the development of
13 key health initiatives such as cost containment, development
14 and oversight of managed care programs, and development of
15 health strategies targeted toward improved quality and reduced
16 costs in the Medicaid program.

17 4. Of the funds appropriated in this section, \$500,000 shall
18 be used for planning and development, in cooperation with the
19 department of public health, of a phased-in program to provide
20 a dental home for children.

21 5. Of the funds appropriated in this section, \$1,000,000
22 shall be used for the autism support program created in chapter
23 225D.

24 Sec. 130. STATE SUPPLEMENTARY ASSISTANCE.

25 1. There is appropriated from the general fund of the
26 state to the department of human services for the fiscal year
27 beginning July 1, 2016, and ending June 30, 2017, the following
28 amount, or so much thereof as is necessary, to be used for the
29 purpose designated:

30 For the state supplementary assistance program:
31 \$ 6,498,594

32 2. The department shall increase the personal needs
33 allowance for residents of residential care facilities by the
34 same percentage and at the same time as federal supplemental
35 security income and federal social security benefits are

1 increased due to a recognized increase in the cost of living.
2 The department may adopt emergency rules to implement this
3 subsection.

4 3. If during the fiscal year beginning July 1, 2016,
5 the department projects that state supplementary assistance
6 expenditures for a calendar year will not meet the federal
7 pass-through requirement specified in Tit. XVI of the federal
8 Social Security Act, section 1618, as codified in 42 U.S.C.
9 §1382g, the department may take actions including but not
10 limited to increasing the personal needs allowance for
11 residential care facility residents and making programmatic
12 adjustments or upward adjustments of the residential care
13 facility or in-home health-related care reimbursement rates
14 prescribed in this division of this Act to ensure that federal
15 requirements are met. In addition, the department may make
16 other programmatic and rate adjustments necessary to remain
17 within the amount appropriated in this section while ensuring
18 compliance with federal requirements. The department may adopt
19 emergency rules to implement the provisions of this subsection.

20 Sec. 131. CHILDREN'S HEALTH INSURANCE PROGRAM.

21 1. There is appropriated from the general fund of the
22 state to the department of human services for the fiscal year
23 beginning July 1, 2016, and ending June 30, 2017, the following
24 amount, or so much thereof as is necessary, to be used for the
25 purpose designated:

26 For maintenance of the healthy and well kids in Iowa (hawk-i)
27 program pursuant to chapter 514I, including supplemental dental
28 services, for receipt of federal financial participation under
29 Tit. XXI of the federal Social Security Act, which creates the
30 children's health insurance program:

31 \$ 10,581,922

32 2. Of the funds appropriated in this section, \$21,400 is
33 allocated for continuation of the contract for outreach with
34 the department of public health.

35 Sec. 132. CHILD CARE ASSISTANCE. There is appropriated

1 from the general fund of the state to the department of human
2 services for the fiscal year beginning July 1, 2016, and ending
3 June 30, 2017, the following amount, or so much thereof as is
4 necessary, to be used for the purpose designated:

5 For child care programs:

6 \$ 28,319,015

7 1. Of the funds appropriated in this section, \$24,409,301
8 shall be used for state child care assistance in accordance
9 with section 237A.13.

10 2. Nothing in this section shall be construed or is
11 intended as or shall imply a grant of entitlement for services
12 to persons who are eligible for assistance due to an income
13 level consistent with the waiting list requirements of section
14 237A.13. Any state obligation to provide services pursuant to
15 this section is limited to the extent of the funds appropriated
16 in this section.

17 3. Of the funds appropriated in this section, \$216,227
18 is allocated for the statewide grant program for child care
19 resource and referral services under section 237A.26. A list
20 of the registered and licensed child care facilities operating
21 in the area served by a child care resource and referral
22 service shall be made available to the families receiving state
23 child care assistance in that area.

24 4. Of the funds appropriated in this section, \$468,487
25 is allocated for child care quality improvement initiatives
26 including but not limited to the voluntary quality rating
27 system in accordance with section 237A.30.

28 5. Of the funds appropriated in this section, \$3,175,000
29 shall be credited to the early childhood programs grants
30 account in the early childhood Iowa fund created in section
31 256I.11. The moneys shall be distributed for funding of
32 community-based early childhood programs targeted to children
33 from birth through five years of age developed by early
34 childhood Iowa areas in accordance with approved community
35 plans as provided in section 256I.8.

1 6. The department may use any of the funds appropriated
2 in this section as a match to obtain federal funds for use in
3 expanding child care assistance and related programs. For
4 the purpose of expenditures of state and federal child care
5 funding, funds shall be considered obligated at the time
6 expenditures are projected or are allocated to the department's
7 service areas. Projections shall be based on current and
8 projected caseload growth, current and projected provider
9 rates, staffing requirements for eligibility determination
10 and management of program requirements including data systems
11 management, staffing requirements for administration of the
12 program, contractual and grant obligations and any transfers
13 to other state agencies, and obligations for decategorization
14 or innovation projects.

15 7. A portion of the state match for the federal child care
16 and development block grant shall be provided as necessary to
17 meet federal matching funds requirements through the state
18 general fund appropriation made for child development grants
19 and other programs for at-risk children in section 279.51.

20 8. If a uniform reduction ordered by the governor under
21 section 8.31 or other operation of law, transfer, or federal
22 funding reduction reduces the appropriation made in this
23 section for the fiscal year, the percentage reduction in the
24 amount paid out to or on behalf of the families participating
25 in the state child care assistance program shall be equal to or
26 less than the percentage reduction made for any other purpose
27 payable from the appropriation made in this section and the
28 federal funding relating to it. The percentage reduction to
29 the other allocations made in this section shall be the same as
30 the uniform reduction ordered by the governor or the percentage
31 change of the federal funding reduction, as applicable.
32 If there is an unanticipated increase in federal funding
33 provided for state child care assistance, the entire amount
34 of the increase shall be used for state child care assistance
35 payments. If the appropriations made for purposes of the

1 state child care assistance program for the fiscal year are
2 determined to be insufficient, it is the intent of the general
3 assembly to appropriate sufficient funding for the fiscal year
4 in order to avoid establishment of waiting list requirements.

5 9. Notwithstanding section 8.33, moneys advanced for
6 purposes of the programs developed by early childhood Iowa
7 areas, advanced for purposes of wraparound child care, or
8 received from the federal appropriations made for the purposes
9 of this section that remain unencumbered or unobligated at the
10 close of the fiscal year shall not revert to any fund but shall
11 remain available for expenditure for the purposes designated
12 until the close of the succeeding fiscal year.

13 10. Of the funds appropriated in this section, \$50,000
14 is transferred to the department of public health to be used
15 to continue a program to assist parents in this state with
16 costs resulting from the death of a child in accordance with
17 this subsection. If it is less costly than administering the
18 program directly, the department shall issue a request for
19 proposals and issue a grant to an appropriate organization to
20 administer the program.

21 a. The program funding shall be used to assist parents who
22 reside in this state with costs incurred for a funeral, burial
23 or cremation, cemetery costs, or grave marker costs associated
24 with the unintended death of a child of the parent or a child
25 under the care of a guardian or custodian. The department
26 shall consider the following eligibility factors in developing
27 program requirements:

28 (1) The child was a stillborn infant or was less than age
29 eighteen at the time of death.

30 (2) The request for assistance was approved by the local
31 board or department of health or the county general assistance
32 director and may have been referred by a local funeral home.

33 (3) To be eligible, the parent, guardian, or custodian must
34 have an annual household income that is less than 145 percent
35 of the federal poverty level based on the number of people

1 in the applicant's household as defined by the most recently
2 revised poverty income guidelines published by the United
3 States department of health and human services.

4 (4) The maximum amount of grant assistance provided to a
5 parent, guardian, or custodian associated with the death of
6 a child is \$2,000. If the death is a multiple death and the
7 infants or children are being cremated, or buried together, the
8 same limitation applies.

9 (5) To the extent the overall amount of assistance received
10 by a recipient for the costs addressed under this subsection
11 does not exceed the overall total of the costs, the recipient
12 may receive other public or private assistance in addition to
13 grant assistance under this section.

14 b. Notwithstanding section 8.33, moneys transferred by this
15 subsection that remain unencumbered or unobligated at the close
16 of the fiscal year shall not revert but shall remain available
17 for expenditure for the purposes designated until expended.

18 Sec. 133. JUVENILE INSTITUTIONS. There is appropriated
19 from the general fund of the state to the department of human
20 services for the fiscal year beginning July 1, 2016, and ending
21 June 30, 2017, the following amounts, or so much thereof as is
22 necessary, to be used for the purposes designated:

23 1. For the costs of security, building and grounds
24 maintenance, utilities, salary, and support for the facilities
25 located at the Iowa juvenile home at Toledo and for salaries,
26 support, maintenance, and miscellaneous purposes, and for not
27 more than the following full-time equivalent positions:

28	\$	186,383
29	FTEs	2.00

30 2. For operation of the state training school at Eldora and
31 for salaries, support, maintenance, and miscellaneous purposes,
32 and for not more than the following full-time equivalent
33 positions:

34	\$	6,222,776
35	FTEs	169.30

1 Of the funds appropriated in this subsection, \$45,575 shall
2 be used for distribution to licensed classroom teachers at this
3 and other institutions under the control of the department of
4 human services based upon the average student yearly enrollment
5 at each institution as determined by the department.

6 Sec. 134. CHILD AND FAMILY SERVICES.

7 1. There is appropriated from the general fund of the
8 state to the department of human services for the fiscal year
9 beginning July 1, 2016, and ending June 30, 2017, the following
10 amount, or so much thereof as is necessary, to be used for the
11 purpose designated:

12 For child and family services:

13 \$ 49,091,090

14 2. Up to \$2,600,000 of the amount of federal temporary
15 assistance for needy families block grant funding appropriated
16 in this division of this Act for child and family services
17 shall be made available for purposes of juvenile delinquent
18 graduated sanction services.

19 3. The department may transfer funds appropriated in this
20 section as necessary to pay the nonfederal costs of services
21 reimbursed under the medical assistance program, state child
22 care assistance program, or the family investment program which
23 are provided to children who would otherwise receive services
24 paid under the appropriation in this section. The department
25 may transfer funds appropriated in this section to the
26 appropriations made in this division of this Act for general
27 administration and for field operations for resources necessary
28 to implement and operate the services funded in this section.

29 4. a. Of the funds appropriated in this section, up to
30 \$17,910,893 is allocated as the statewide expenditure target
31 under section 232.143 for group foster care maintenance and
32 services. If the department projects that such expenditures
33 for the fiscal year will be less than the target amount
34 allocated in this paragraph "a", the department may reallocate
35 the excess to provide additional funding for shelter care

1 or the child welfare emergency services addressed with the
2 allocation for shelter care.

3 b. If at any time after September 30, 2016, annualization
4 of a service area's current expenditures indicates a service
5 area is at risk of exceeding its group foster care expenditure
6 target under section 232.143 by more than 5 percent, the
7 department and juvenile court services shall examine all
8 group foster care placements in that service area in order to
9 identify those which might be appropriate for termination.
10 In addition, any aftercare services believed to be needed
11 for the children whose placements may be terminated shall be
12 identified. The department and juvenile court services shall
13 initiate action to set dispositional review hearings for the
14 placements identified. In such a dispositional review hearing,
15 the juvenile court shall determine whether needed aftercare
16 services are available and whether termination of the placement
17 is in the best interest of the child and the community.

18 5. In accordance with the provisions of section 232.188,
19 the department shall continue the child welfare and juvenile
20 justice funding initiative during fiscal year 2016-2017. Of
21 the funds appropriated in this section, \$858,877 is allocated
22 specifically for expenditure for fiscal year 2016-2017 through
23 the decategorization services funding pools and governance
24 boards established pursuant to section 232.188.

25 6. A portion of the funds appropriated in this section
26 may be used for emergency family assistance to provide other
27 resources required for a family participating in a family
28 preservation or reunification project or successor project to
29 stay together or to be reunified.

30 7. Notwithstanding section 234.35 or any other provision
31 of law to the contrary, state funding for shelter care and
32 the child welfare emergency services contracting implemented
33 to provide for or prevent the need for shelter care shall be
34 limited to \$4,034,237.

35 8. Federal funds received by the state during the fiscal

1 year beginning July 1, 2016, as the result of the expenditure
2 of state funds appropriated during a previous state fiscal
3 year for a service or activity funded under this section are
4 appropriated to the department to be used as additional funding
5 for services and purposes provided for under this section.
6 Notwithstanding section 8.33, moneys received in accordance
7 with this subsection that remain unencumbered or unobligated at
8 the close of the fiscal year shall not revert to any fund but
9 shall remain available for the purposes designated until the
10 close of the succeeding fiscal year.

11 9. a. Of the funds appropriated in this section, up to
12 \$1,645,000 is allocated for the payment of the expenses of
13 court-ordered services provided to juveniles who are under
14 the supervision of juvenile court services, which expenses
15 are a charge upon the state pursuant to section 232.141,
16 subsection 4. Of the amount allocated in this paragraph "a",
17 up to \$778,144 shall be made available to provide school-based
18 supervision of children adjudicated under chapter 232, of which
19 not more than \$7,500 may be used for the purpose of training.
20 A portion of the cost of each school-based liaison officer
21 shall be paid by the school district or other funding source as
22 approved by the chief juvenile court officer.

23 b. Of the funds appropriated in this section, up to \$374,493
24 is allocated for the payment of the expenses of court-ordered
25 services provided to children who are under the supervision
26 of the department, which expenses are a charge upon the state
27 pursuant to section 232.141, subsection 4.

28 c. Notwithstanding section 232.141 or any other provision
29 of law to the contrary, the amounts allocated in this
30 subsection shall be distributed to the judicial districts
31 as determined by the state court administrator and to the
32 department's service areas as determined by the administrator
33 of the department of human services' division of child and
34 family services. The state court administrator and the
35 division administrator shall make the determination of the

1 distribution amounts on or before June 15, 2016.

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

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

23 f. Of the funds allocated in this subsection, not more than
24 \$41,500 may be used by the judicial branch for administration
25 of the requirements under this subsection.

26 g. Of the funds allocated in this subsection, \$8,500
27 shall be used by the department of human services to support
28 the interstate commission for juveniles in accordance with
29 the interstate compact for juveniles as provided in section
30 232.173.

31 10. Of the funds appropriated in this section, \$4,026,614 is
32 allocated for juvenile delinquent graduated sanctions services.
33 Any state funds saved as a result of efforts by juvenile court
34 services to earn a federal Tit. IV-E match for juvenile court
35 services administration may be used for the juvenile delinquent

1 graduated sanctions services.

2 11. Of the funds appropriated in this section, \$804,143 is
3 transferred to the department of public health to be used for
4 the child protection center grant program for child protection
5 centers located in Iowa in accordance with section 135.118.
6 The grant amounts under the program shall be equalized so that
7 each center receives a uniform base amount of \$122,500, and
8 the remaining funds shall be awarded through a funding formula
9 based upon the volume of children served.

10 12. If the department receives federal approval to
11 implement a waiver under Tit. IV-E of the federal Social
12 Security Act to enable providers to serve children who remain
13 in the children's families and communities, for purposes of
14 eligibility under the medical assistance program through 25
15 years of age, children who participate in the waiver shall be
16 considered to be placed in foster care.

17 13. Of the funds appropriated in this section, \$2,012,584 is
18 allocated for the preparation for adult living program pursuant
19 to section 234.46.

20 14. Of the funds appropriated in this section, \$260,075
21 shall be used for juvenile drug courts. The amount allocated
22 in this subsection shall be distributed as follows:

23 To the judicial branch for salaries to assist with the
24 operation of juvenile drug court programs operated in the
25 following jurisdictions:

26	a. Marshall county:		
27	.....	\$	31,354
28	b. Woodbury county:		
29	.....	\$	62,841
30	c. Polk county:		
31	.....	\$	97,946
32	d. The third judicial district:		
33	.....	\$	33,967
34	e. The eighth judicial district:		
35	.....	\$	33,967

1 15. Of the funds appropriated in this section, \$113,669
2 shall be used for the public purpose of continuing a grant to
3 a nonprofit human services organization providing services to
4 individuals and families in multiple locations in southwest
5 Iowa and Nebraska for support of a project providing immediate,
6 sensitive support and forensic interviews, medical exams, needs
7 assessments, and referrals for victims of child abuse and their
8 nonoffending family members.

9 16. Of the funds appropriated in this section, \$150,310
10 is allocated for the foster care youth council approach of
11 providing a support network to children placed in foster care.

12 17. Of the funds appropriated in this section, \$101,000 is
13 allocated for use pursuant to section 235A.1 for continuation
14 of the initiative to address child sexual abuse implemented
15 pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection
16 21.

17 18. Of the funds appropriated in this section, \$315,120 is
18 allocated for the community partnership for child protection
19 sites.

20 19. Of the funds appropriated in this section, \$185,625
21 is allocated for the department's minority youth and family
22 projects under the redesign of the child welfare system.

23 20. Of the funds appropriated in this section, \$593,298
24 is allocated for funding of the community circle of care
25 collaboration for children and youth in northeast Iowa.

26 21. Of the funds appropriated in this section, at least
27 \$73,579 shall be used for the continuation of the child
28 welfare provider training academy, a collaboration between the
29 coalition for family and children's services in Iowa and the
30 department.

31 22. Of the funds appropriated in this section, \$12,500
32 shall be used for the public purpose of continuation of a
33 grant to a child welfare services provider headquartered in a
34 county with a population between 205,000 and 215,000 in the
35 latest certified federal census that provides multiple services

1 including but not limited to a psychiatric medical institution
2 for children, shelter, residential treatment, after school
3 programs, school-based programming, and an Asperger's syndrome
4 program, to be used for support services for children with
5 autism spectrum disorder and their families.

6 23. Of the funds appropriated in this section, \$12,500
7 shall be used for the public purpose of continuing a grant to
8 a hospital-based provider headquartered in a county with a
9 population between 90,000 and 95,000 in the latest certified
10 federal census that provides multiple services including
11 but not limited to diagnostic, therapeutic, and behavioral
12 services to individuals with autism spectrum disorder across
13 one's lifespan. The grant recipient shall utilize the funds
14 to continue the pilot project to determine the necessary
15 support services for children with autism spectrum disorder and
16 their families to be included in the children's disabilities
17 services system. The grant recipient shall submit findings and
18 recommendations based upon the results of the pilot project
19 to the individuals specified in this division of this Act for
20 submission of reports by December 31, 2016.

21 24. Of the funds appropriated in this section, \$105,936
22 shall be used for continuation of the central Iowa system of
23 care program grant through June 30, 2017.

24 25. Of the funds appropriated in this section, \$125,000
25 shall be used for the public purpose of the continuation
26 and expansion of a system of care program grant implemented
27 in Cerro Gordo and Linn counties to utilize a comprehensive
28 and long-term approach for helping children and families by
29 addressing the key areas in a child's life of childhood basic
30 needs, education and work, family, and community.

31 26. Of the funds appropriated in this section, at least
32 \$12,500 shall be used to continue and to expand the foster
33 care respite pilot program in which postsecondary students in
34 social work and other human services-related programs receive
35 experience by assisting family foster care providers with

1 respite and other support.

2 27. Of the funds appropriated in this section, \$55,000
3 shall be used for the public purpose of funding community-based
4 services and other supports with a system of care approach
5 for children with a serious emotional disturbance and their
6 families through a nonprofit provider of child welfare services
7 that has been in existence for more than 115 years, is located
8 in a county with a population of more than 200,000 but less
9 than 220,000 according to the latest census information
10 issued by the United States census bureau, is licensed as a
11 psychiatric medical institution for children, and was a system
12 of care grantee prior to July 1, 2016.

13 Sec. 135. ADOPTION SUBSIDY.

14 1. There is appropriated from the general fund of the
15 state to the department of human services for the fiscal year
16 beginning July 1, 2016, and ending June 30, 2017, the following
17 amount, or so much thereof as is necessary, to be used for the
18 purpose designated:

19 For adoption subsidy payments and services:
20 \$ 21,499,143

21 2. The department may transfer funds appropriated in
22 this section to the appropriation made in this division of
23 this Act for general administration for costs paid from the
24 appropriation relating to adoption subsidy.

25 3. Federal funds received by the state during the
26 fiscal year beginning July 1, 2016, as the result of the
27 expenditure of state funds during a previous state fiscal
28 year for a service or activity funded under this section are
29 appropriated to the department to be used as additional funding
30 for the services and activities funded under this section.
31 Notwithstanding section 8.33, moneys received in accordance
32 with this subsection that remain unencumbered or unobligated
33 at the close of the fiscal year shall not revert to any fund
34 but shall remain available for expenditure for the purposes
35 designated until the close of the succeeding fiscal year.

1 is reduced from the amount initially used to establish the
2 figure for the number of family members for whom a subsidy
3 is to be provided at any one time during the fiscal year,
4 notwithstanding section 225C.38, subsection 2, the department
5 shall revise the figure as necessary to conform to the amount
6 of funding available.

7 Sec. 138. CONNER DECREE. There is appropriated from the
8 general fund of the state to the department of human services
9 for the fiscal year beginning July 1, 2016, and ending June 30,
10 2017, the following amount, or so much thereof as is necessary,
11 to be used for the purpose designated:

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

16 \$ 16,816

17 Sec. 139. MENTAL HEALTH INSTITUTES. There is appropriated
18 from the general fund of the state to the department of human
19 services for the fiscal year beginning July 1, 2016, and ending
20 June 30, 2017, the following amounts, or so much thereof as is
21 necessary, to be used for the purposes designated:

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

25 \$ 2,772,808

26 FTEs 169.20

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

30 \$ 906,450

31 FTEs 86.10

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

35 \$ 5,195,387

1 FTEs 233.00

2 Sec. 140. STATE RESOURCE CENTERS.

3 1. There is appropriated from the general fund of the
4 state to the department of human services for the fiscal year
5 beginning July 1, 2016, and ending June 30, 2017, the following
6 amounts, or so much thereof as is necessary, to be used for the
7 purposes designated:

8 a. For the state resource center at Glenwood for salaries,
9 support, maintenance, and miscellaneous purposes:
10 \$ 11,012,241

11 b. For the state resource center at Woodward for salaries,
12 support, maintenance, and miscellaneous purposes:
13 \$ 7,466,903

14 2. The department may continue to bill for state resource
15 center services utilizing a scope of services approach used for
16 private providers of intermediate care facilities for persons
17 with an intellectual disability services, in a manner which
18 does not shift costs between the medical assistance program,
19 counties, or other sources of funding for the state resource
20 centers.

21 3. The state resource centers may expand the time-limited
22 assessment and respite services during the fiscal year.

23 4. If the department's administration and the department
24 of management concur with a finding by a state resource
25 center's superintendent that projected revenues can reasonably
26 be expected to pay the salary and support costs for a new
27 employee position, or that such costs for adding a particular
28 number of new positions for the fiscal year would be less
29 than the overtime costs if new positions would not be added,
30 the superintendent may add the new position or positions. If
31 the vacant positions available to a resource center do not
32 include the position classification desired to be filled, the
33 state resource center's superintendent may reclassify any
34 vacant position as necessary to fill the desired position. The
35 superintendents of the state resource centers may, by mutual

1 agreement, pool vacant positions and position classifications
2 during the course of the fiscal year in order to assist one
3 another in filling necessary positions.

4 5. If existing capacity limitations are reached in
5 operating units, a waiting list is in effect for a service or
6 a special need for which a payment source or other funding
7 is available for the service or to address the special need,
8 and facilities for the service or to address the special need
9 can be provided within the available payment source or other
10 funding, the superintendent of a state resource center may
11 authorize opening not more than two units or other facilities
12 and begin implementing the service or addressing the special
13 need during fiscal year 2016-2017.

14 Sec. 141. SEXUALLY VIOLENT PREDATORS.

15 1. There is appropriated from the general fund of the
16 state to the department of human services for the fiscal year
17 beginning July 1, 2016, and ending June 30, 2017, the following
18 amount, or so much thereof as is necessary, to be used for the
19 purpose designated:

20 For costs associated with the commitment and treatment of
21 sexually violent predators in the unit located at the state
22 mental health institute at Cherokee, including costs of legal
23 services and other associated costs, including salaries,
24 support, maintenance, and miscellaneous purposes, and for not
25 more than the following full-time equivalent positions:
26 \$ 4,946,540
27 FTEs 132.50

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

1 section.

2 Sec. 142. FIELD OPERATIONS. There is appropriated from the
3 general fund of the state to the department of human services
4 for the fiscal year beginning July 1, 2016, and ending June 30,
5 2017, the following amount, or so much thereof as is necessary,
6 to be used for the purposes designated:

7 For field operations, including salaries, support,
8 maintenance, and miscellaneous purposes, and for not more than
9 the following full-time equivalent positions:

10	\$ 29,460,488
11	FTEs 1,837.00

12 1. As a condition of this appropriation, the department
13 shall make every possible effort to fill the entire number of
14 positions authorized by this section and, unless specifically
15 provided otherwise by an applicable collective bargaining
16 agreement, the department is not subject to any approval
17 requirement external to the department to fill a field
18 operations vacancy within the number of full-time equivalent
19 positions authorized by this section. The department shall
20 report on the first of each month to the chairpersons and
21 ranking members of the appropriations committees of the senate
22 and house of representatives, and the persons designated by
23 this Act for submission of reports concerning the status of
24 filling the positions.

25 2. Priority in filling full-time equivalent positions
26 shall be given to those positions related to child protection
27 services and eligibility determination for low-income families.

28 Sec. 143. GENERAL ADMINISTRATION. There is appropriated
29 from the general fund of the state to the department of human
30 services for the fiscal year beginning July 1, 2016, and ending
31 June 30, 2017, the following amount, or so much thereof as is
32 necessary, to be used for the purpose designated:

33 For general administration, including salaries, support,
34 maintenance, and miscellaneous purposes, and for not more than
35 the following full-time equivalent positions:

1 \$ 7,580,871

2 FTEs 309.00

3 1. Of the funds appropriated in this section, \$19,272 is
4 allocated for the prevention of disabilities policy council
5 created in section 225B.103, if enacted in this or any other
6 Act.

7 2. The department shall report at least monthly to the
8 legislative services agency concerning the department's
9 operational and program expenditures.

10 3. Of the funds appropriated in this section, \$75,000 shall
11 be used to continue the contract for the provision of a program
12 to provide technical assistance, support, and consultation to
13 providers of habilitation services and home and community-based
14 services waiver services for adults with disabilities under the
15 medical assistance program.

16 4. Of the funds appropriated in this section, \$25,000
17 is transferred to the Iowa finance authority to be used
18 for administrative support of the council on homelessness
19 established in section 16.2D and for the council to fulfill its
20 duties in addressing and reducing homelessness in the state.

21 5. Of the funds appropriated in this section, \$125,000
22 is allocated to an Iowa food bank association selected by
23 the department for the purchase of food on behalf of an Iowa
24 emergency feeding organization or for the distribution of
25 moneys to the Iowa emergency feeding organization for the
26 purchase of food. The moneys allocated in this subsection
27 shall be allocated only to the extent that the allocated moneys
28 are matched on a dollar-for-dollar basis. Notwithstanding
29 section 8.33, moneys allocated in this subsection that remain
30 unencumbered or unobligated at the close of the fiscal year
31 shall not revert but shall remain available for expenditure for
32 the purposes designated until the close of the following fiscal
33 year.

34 6. Of the funds appropriated in this section, \$125,000 shall
35 be transferred to and deposited in the administrative fund of

1 the Iowa ABLE savings plan trust created in section 12I.4, if
2 enacted in this or any other Act, to be used for implementation
3 and administration activities of the Iowa ABLE savings plan
4 trust.

5 Sec. 144. VOLUNTEERS. There is appropriated from the
6 general fund of the state to the department of human services
7 for the fiscal year beginning July 1, 2016, and ending June 30,
8 2017, the following amount, or so much thereof as is necessary,
9 to be used for the purpose designated:

10 For development and coordination of volunteer services:
11 \$ 42,343

12 Sec. 145. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
13 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
14 DEPARTMENT OF HUMAN SERVICES.

15 1. a. (1) For the fiscal year beginning July 1, 2016,
16 the total state funding amount for the nursing facility budget
17 shall not exceed \$160,950,003.

18 (2) The department, in cooperation with nursing facility
19 representatives, shall review projections for state funding
20 expenditures for reimbursement of nursing facilities on a
21 quarterly basis and the department shall determine if an
22 adjustment to the medical assistance reimbursement rate is
23 necessary in order to provide reimbursement within the state
24 funding amount for the fiscal year. Notwithstanding 2001
25 Iowa Acts, chapter 192, section 4, subsection 2, paragraph
26 "c", and subsection 3, paragraph "a", subparagraph (2),
27 if the state funding expenditures for the nursing facility
28 budget for the fiscal year are projected to exceed the amount
29 specified in subparagraph (1), the department shall adjust
30 the reimbursement for nursing facilities reimbursed under the
31 case-mix reimbursement system to maintain expenditures of the
32 nursing facility budget within the specified amount for the
33 fiscal year.

34 (3) For the fiscal year beginning July 1, 2016, special
35 population nursing facilities shall be reimbursed in accordance

1 with the methodology in effect on June 30, 2016.

2 (4) For any open or unsettled nursing facility cost report
3 for a fiscal year prior to and including the fiscal year
4 beginning July 1, 2015, including any cost report remanded on
5 judicial review for inclusion of prescription drug, laboratory,
6 or x-ray costs, the department shall offset all reported
7 prescription drug, laboratory, and x-ray costs with any revenue
8 received from Medicare or other revenue source for any purpose.
9 For purposes of this subparagraph, a nursing facility cost
10 report is not considered open or unsettled if the facility did
11 not initiate an administrative appeal under chapter 17A or if
12 any appeal rights initiated have been exhausted.

13 b. (1) For the fiscal year beginning July 1, 2016,
14 the department shall establish the pharmacy dispensing fee
15 reimbursement at \$11.73 per prescription, until a cost of
16 dispensing survey is completed. The actual dispensing fee
17 shall be determined by a cost of dispensing survey performed
18 by the department and required to be completed by all medical
19 assistance program participating pharmacies every two years,
20 adjusted as necessary to maintain expenditures within the
21 amount appropriated to the department for this purpose for the
22 fiscal year.

23 (2) The department shall utilize an average acquisition
24 cost reimbursement methodology for all drugs covered under the
25 medical assistance program in accordance with 2012 Iowa Acts,
26 chapter 1133, section 33.

27 (3) Notwithstanding subparagraph (2), if the centers for
28 Medicare and Medicaid services of the United States department
29 of health and human services (CMS) requires, as a condition
30 of federal Medicaid funding, that the department implement an
31 aggregate federal upper limit (FUL) for drug reimbursement
32 based on the average manufacturer's price (AMP), the department
33 may utilize a reimbursement methodology for all drugs covered
34 under the Medicaid program based on the national average drug
35 acquisition cost (NADAC) methodology published by CMS, in order

1 to assure compliance with the aggregate FUL, minimize outcomes
2 of drug reimbursements below pharmacy acquisition costs, limit
3 administrative costs, and minimize any change in the aggregate
4 reimbursement for drugs. The department may adopt emergency
5 rules to implement this subparagraph.

6 c. (1) For the fiscal year beginning July 1, 2016,
7 reimbursement rates for outpatient hospital services shall
8 remain at the rates in effect on June 30, 2016, subject
9 to Medicaid program upper payment limit rules and adjusted
10 as necessary to maintain expenditures within the amount
11 appropriated to the department for this purpose for the fiscal
12 year.

13 (2) For the fiscal year beginning July 1, 2016,
14 reimbursement rates for inpatient hospital services shall
15 remain at the rates in effect on June 30, 2016, subject
16 to Medicaid program upper payment limit rules and adjusted
17 as necessary to maintain expenditures within the amount
18 appropriated to the department for this purpose for the fiscal
19 year.

20 (3) For the fiscal year beginning July 1, 2016, the graduate
21 medical education and disproportionate share hospital fund
22 shall remain at the amount in effect on June 30, 2016, except
23 that the portion of the fund attributable to graduate medical
24 education shall be reduced in an amount that reflects the
25 elimination of graduate medical education payments made to
26 out-of-state hospitals.

27 (4) In order to ensure the efficient use of limited state
28 funds in procuring health care services for low-income Iowans,
29 funds appropriated in this Act for hospital services shall
30 not be used for activities which would be excluded from a
31 determination of reasonable costs under the federal Medicare
32 program pursuant to 42 U.S.C. §1395x(v)(1)(N).

33 d. For the fiscal year beginning July 1, 2016, reimbursement
34 rates for rural health clinics, hospices, and acute mental
35 hospitals shall be increased in accordance with increases under

1 the federal Medicare program or as supported by their Medicare
2 audited costs.

3 e. For the fiscal year beginning July 1, 2016, independent
4 laboratories and rehabilitation agencies shall be reimbursed
5 using the same methodology in effect on June 30, 2016.

6 f. (1) For the fiscal year beginning July 1, 2016,
7 reimbursement rates for home health agencies shall continue to
8 be based on the Medicare low utilization payment adjustment
9 (LUPA) methodology with state geographic wage adjustments, and
10 updated to reflect the most recent Medicare LUPA rates.

11 (2) For the fiscal year beginning July 1, 2016, rates for
12 private duty nursing and personal care services under the early
13 and periodic screening, diagnostic, and treatment program
14 benefit shall be calculated based on the methodology in effect
15 on June 30, 2016.

16 g. For the fiscal year beginning July 1, 2016, federally
17 qualified health centers shall receive cost-based reimbursement
18 for 100 percent of the reasonable costs for the provision of
19 services to recipients of medical assistance.

20 h. For the fiscal year beginning July 1, 2016, the
21 reimbursement rates for dental services shall remain at the
22 rates in effect on June 30, 2016.

23 i. (1) For the fiscal year beginning July 1, 2016,
24 state-owned psychiatric medical institutions for children shall
25 receive cost-based reimbursement for 100 percent of the actual
26 and allowable costs for the provision of services to recipients
27 of medical assistance.

28 (2) For the nonstate-owned psychiatric medical institutions
29 for children, reimbursement rates shall be based on the
30 reimbursement methodology developed by the department as
31 required for federal compliance.

32 (3) As a condition of participation in the medical
33 assistance program, enrolled providers shall accept the medical
34 assistance reimbursement rate for any covered goods or services
35 provided to recipients of medical assistance who are children

1 under the custody of a psychiatric medical institution for
2 children.

3 j. For the fiscal year beginning July 1, 2016, unless
4 otherwise specified in this Act, all noninstitutional medical
5 assistance provider reimbursement rates shall remain at the
6 rates in effect on June 30, 2016, except for area education
7 agencies, local education agencies, infant and toddler
8 services providers, home and community-based services providers
9 including consumer-directed attendant care providers under a
10 section 1915(c) or 1915(i) waiver, targeted case management
11 providers, and those providers whose rates are required to be
12 determined pursuant to section 249A.20.

13 k. Notwithstanding any provision to the contrary, for the
14 fiscal year beginning July 1, 2016, the reimbursement rate for
15 anesthesiologists shall remain at the rate in effect on June
16 30, 2016.

17 l. Notwithstanding section 249A.20, for the fiscal year
18 beginning July 1, 2016, the average reimbursement rate for
19 health care providers eligible for use of the federal Medicare
20 resource-based relative value scale reimbursement methodology
21 under section 249A.20 shall remain at the rate in effect on
22 June 30, 2016; however, this rate shall not exceed the maximum
23 level authorized by the federal government.

24 m. For the fiscal year beginning July 1, 2016, the
25 reimbursement rate for residential care facilities shall not
26 be less than the minimum payment level as established by the
27 federal government to meet the federally mandated maintenance
28 of effort requirement. The flat reimbursement rate for
29 facilities electing not to file annual cost reports shall not
30 be less than the minimum payment level as established by the
31 federal government to meet the federally mandated maintenance
32 of effort requirement.

33 n. For the fiscal year beginning July 1, 2016, the
34 reimbursement rates for inpatient mental health services
35 provided at hospitals shall remain at the rates in effect on

1 June 30, 2016, subject to Medicaid program upper payment limit
2 rules; and psychiatrists shall be reimbursed at the medical
3 assistance program fee-for-service rate in effect on June 30,
4 2016.

5 o. For the fiscal year beginning July 1, 2016, community
6 mental health centers may choose to be reimbursed for the
7 services provided to recipients of medical assistance through
8 either of the following options:

9 (1) For 100 percent of the reasonable costs of the services.

10 (2) In accordance with the alternative reimbursement rate
11 methodology established by the medical assistance program's
12 managed care contractor for mental health services and approved
13 by the department of human services.

14 p. For the fiscal year beginning July 1, 2016, the
15 reimbursement rate for providers of family planning services
16 that are eligible to receive a 90 percent federal match shall
17 remain at the rates in effect on June 30, 2016.

18 q. For the fiscal year beginning July 1, 2016, the upper
19 limits on reimbursement rates for providers of home and
20 community-based services waiver services shall remain at the
21 limits in effect on June 30, 2016.

22 r. For the fiscal year beginning July 1, 2016, the
23 reimbursement rates for emergency medical service providers
24 shall remain at the rates in effect on June 30, 2016.

25 s. For the fiscal year beginning July 1, 2016, reimbursement
26 rates for substance-related disorder treatment programs
27 licensed under section 125.13 shall remain at the rates in
28 effect on June 30, 2016.

29 2. For the fiscal year beginning July 1, 2016, the
30 reimbursement rate for providers reimbursed under the
31 in-home-related care program shall not be less than the minimum
32 payment level as established by the federal government to meet
33 the federally mandated maintenance of effort requirement.

34 3. Unless otherwise directed in this section, when the
35 department's reimbursement methodology for any provider

1 reimbursed in accordance with this section includes an
2 inflation factor, this factor shall not exceed the amount
3 by which the consumer price index for all urban consumers
4 increased during the calendar year ending December 31, 2002.

5 4. For the fiscal year beginning July 1, 2016, the foster
6 family basic daily maintenance rate and the maximum adoption
7 subsidy rate for children ages 0 through 5 years shall be
8 \$16.78, the rate for children ages 6 through 11 years shall be
9 \$17.45, the rate for children ages 12 through 15 years shall
10 be \$19.10, and the rate for children and young adults ages 16
11 and older shall be \$19.35. For youth ages 18 to 21 who have
12 exited foster care, the preparation for adult living program
13 maintenance rate shall be \$602.70 per month. The maximum
14 payment for adoption subsidy nonrecurring expenses shall be
15 limited to \$500 and the disallowance of additional amounts
16 for court costs and other related legal expenses implemented
17 pursuant to 2010 Iowa Acts, chapter 1031, section 408, shall
18 be continued.

19 5. For the fiscal year beginning July 1, 2016, the maximum
20 reimbursement rates for social services providers under
21 contract shall remain at the rates in effect on June 30, 2016,
22 or the provider's actual and allowable cost plus inflation for
23 each service, whichever is less. However, if a new service
24 or service provider is added after June 30, 2016, the initial
25 reimbursement rate for the service or provider shall be based
26 upon a weighted average of provider rates for similar services.

27 6. For the fiscal year beginning July 1, 2016, the
28 reimbursement rates for resource family recruitment and
29 retention contractors, child welfare emergency services
30 contractors, and supervised apartment living foster care
31 providers shall remain at the rates in effect on June 30, 2016.

32 7. For the fiscal year beginning July 1, 2016, the
33 reimbursement rate for safety plan services and family safety,
34 risk, and permanency services (family-centered) shall be as
35 follows:

1 a. The statewide base monthly payment amount for all
2 family safety, risk, and permanency services (family-centered)
3 contractors shall be the rate in effect on June 30, 2016.

4 (1) Family safety, risk, and permanency services
5 Performance Measure 1 payments shall be the rate in effect on
6 June 30, 2016.

7 (2) Family safety, risk, and permanency services
8 Performance Measure 2 payments shall be the rate in effect on
9 June 30, 2016.

10 (3) Family safety, risk, and permanency services
11 Performance Measure 3 payments shall be the rate in effect on
12 June 30, 2016.

13 (4) Family safety, risk, and permanency services
14 Performance Measure 4 payments shall be the rate in effect on
15 June 30, 2016.

16 b. The maximum reimbursement unit rate for safety plan
17 services shall be the rate in effect on June 30, 2016.

18 (1) Safety plan services Performance Measure 1 payments
19 shall be the rate in effect on June 30, 2016.

20 (2) Safety plan services Performance Measure 2 payments
21 shall be the rate in effect on June 30, 2016.

22 8. a. For the purposes of this subsection, "combined
23 reimbursement rate" means the combined service and maintenance
24 reimbursement rate for a service level under the department's
25 reimbursement methodology. Effective July 1, 2016, the
26 combined reimbursement rate for a group foster care service
27 level shall be the amount designated in this subsection.
28 However, if a group foster care provider's reimbursement rate
29 for a service level as of June 30, 2016, is more than the rate
30 designated in this subsection, the provider's reimbursement
31 shall remain at the higher rate.

32 b. Unless a group foster care provider is subject to the
33 exception provided in paragraph "a", effective July 1, 2016,
34 the combined reimbursement rates for the service levels under
35 the department's reimbursement methodology shall be as follows:

1 (1) For service level, community - D1, the daily rate shall
2 be at least \$84.17.

3 (2) For service level, comprehensive - D2, the daily rate
4 shall be at least \$119.09.

5 (3) For service level, enhanced - D3, the daily rate shall
6 be at least \$131.09.

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

15 10. a. For the fiscal year beginning July 1, 2016, the
16 reimbursement rate paid for shelter care and the child welfare
17 emergency services implemented to provide or prevent the need
18 for shelter care shall be established by contract.

19 b. For the fiscal year beginning July 1, 2016, the combined
20 service and maintenance components of the reimbursement rate
21 paid for shelter care services shall be based on the financial
22 and statistical report submitted to the department. The
23 maximum reimbursement rate shall be \$101.83 per day. The
24 department shall reimburse a shelter care provider at the
25 provider's actual and allowable unit cost, plus inflation, not
26 to exceed the maximum reimbursement rate.

27 c. Notwithstanding section 232.141, subsection 8, for the
28 fiscal year beginning July 1, 2016, the amount of the statewide
29 average of the actual and allowable rates for reimbursement of
30 juvenile shelter care homes that is utilized for the limitation
31 on recovery of unpaid costs shall remain at the amount in
32 effect for this purpose in the fiscal year beginning July 1,
33 2015.

34 11. For the fiscal year beginning July 1, 2016, the
35 department shall calculate reimbursement rates for intermediate

1 care facilities for persons with an intellectual disability
2 at the 80th percentile. Beginning July 1, 2016, the rate
3 calculation methodology shall utilize the consumer price index
4 inflation factor applicable to the fiscal year beginning July
5 1, 2016.

6 12. For the fiscal year beginning July 1, 2016, for child
7 care providers reimbursed under the state child care assistance
8 program, the department shall set provider reimbursement
9 rates based on the rate reimbursement survey completed in
10 December 2004. Effective July 1, 2016, the child care provider
11 reimbursement rates shall remain at the rates in effect on June
12 30, 2016. The department shall set rates in a manner so as
13 to provide incentives for a nonregistered provider to become
14 registered by applying the increase only to registered and
15 licensed providers.

16 13. For the fiscal year beginning July 1, 2016, if the
17 centers for Medicare and Medicaid services of the United
18 States department of health and human services approves the
19 waivers necessary to implement medical assistance program
20 managed care applicable to any providers or services subject to
21 reimbursement under this section, notwithstanding any provision
22 to the contrary under this section, affected providers or
23 services shall instead be reimbursed as follows:

24 a. For fee-for-service claims, reimbursement rates shall
25 be calculated based on the methodology otherwise specified in
26 this section for the fiscal year beginning July 1, 2016, for
27 the respective provider or service.

28 b. For claims subject to a managed care contract,
29 reimbursement shall be based on the actuarially sound
30 capitation rates established under the contract. However,
31 any reimbursement established under such contract shall not
32 be lower than the reimbursement otherwise specified in this
33 section for the fiscal year beginning July 1, 2016, for the
34 respective provider or service.

35 14. The department may adopt emergency rules to implement

1 this section.

2 Sec. 146. EMERGENCY RULES.

3 1. If specifically authorized by a provision of this
4 division of this Act, the department of human services or
5 the mental health and disability services commission may
6 adopt administrative rules under section 17A.4, subsection
7 3, and section 17A.5, subsection 2, paragraph "b", to
8 implement the provisions of this division of this Act and
9 the rules shall become effective immediately upon filing or
10 on a later effective date specified in the rules, unless the
11 effective date of the rules is delayed or the applicability
12 of the rules is suspended by the administrative rules review
13 committee. Any rules adopted in accordance with this section
14 shall not take effect before the rules are reviewed by the
15 administrative rules review committee. The delay authority
16 provided to the administrative rules review committee under
17 section 17A.4, subsection 7, and section 17A.8, subsection 9,
18 shall be applicable to a delay imposed under this section,
19 notwithstanding a provision in those sections making them
20 inapplicable to section 17A.5, subsection 2, paragraph "b".
21 Any rules adopted in accordance with the provisions of this
22 section shall also be published as a notice of intended action
23 as provided in section 17A.4.

24 2. If during a fiscal year, the department of human
25 services is adopting rules in accordance with this section
26 or as otherwise directed or authorized by state law, and the
27 rules will result in an expenditure increase beyond the amount
28 anticipated in the budget process or if the expenditure was
29 not addressed in the budget process for the fiscal year, the
30 department shall notify the persons designated by this division
31 of this Act for submission of reports, the chairpersons and
32 ranking members of the committees on appropriations, and
33 the department of management concerning the rules and the
34 expenditure increase. The notification shall be provided at
35 least 30 calendar days prior to the date notice of the rules

1 is submitted to the administrative rules coordinator and the
2 administrative code editor.

3 Sec. 147. REPORTS. Any reports or other information
4 required to be compiled and submitted under this Act during the
5 fiscal year beginning July 1, 2016, shall be submitted to the
6 chairpersons and ranking members of the joint appropriations
7 subcommittee on health and human services, the legislative
8 services agency, and the legislative caucus staffs on or
9 before the dates specified for submission of the reports or
10 information.

11 Sec. 148. EFFECTIVE UPON ENACTMENT. The following
12 provisions of this division of this Act, being deemed of
13 immediate importance, take effect upon enactment:

14 1. The provision relating to section 232.141 and directing
15 the state court administrator and the division administrator of
16 the department of human services division of child and family
17 services to make the determination, by June 15, 2016, of the
18 distribution of funds allocated for the payment of the expenses
19 of court-ordered services provided to juveniles which are a
20 charge upon the state.

21 DIVISION XXXVIII

22 HEALTH CARE ACCOUNTS AND FUNDS — FY 2016-2017

23 Sec. 149. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
24 appropriated from the pharmaceutical settlement account created
25 in section 249A.33 to the department of human services for the
26 fiscal year beginning July 1, 2016, and ending June 30, 2017,
27 the following amount, or so much thereof as is necessary, to be
28 used for the purpose designated:

29 Notwithstanding any provision of law to the contrary, to
30 supplement the appropriations made in this Act for medical
31 contracts under the medical assistance program for the fiscal
32 year beginning July 1, 2016, and ending June 30, 2017:

33 \$ 250,000

34 Sec. 150. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF
35 HUMAN SERVICES. Notwithstanding any provision to the contrary

1 and subject to the availability of funds, there is appropriated
2 from the quality assurance trust fund created in section
3 249L.4 to the department of human services for the fiscal year
4 beginning July 1, 2016, and ending June 30, 2017, the following
5 amounts, or so much thereof as is necessary, for the purposes
6 designated:

7 To supplement the appropriation made in this Act from the
8 general fund of the state to the department of human services
9 for medical assistance for the same fiscal year:

10 \$ 18,352,604

11 Sec. 151. HOSPITAL HEALTH CARE ACCESS TRUST FUND —
12 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to
13 the contrary and subject to the availability of funds, there is
14 appropriated from the hospital health care access trust fund
15 created in section 249M.4 to the department of human services
16 for the fiscal year beginning July 1, 2016, and ending June
17 30, 2017, the following amounts, or so much thereof as is
18 necessary, for the purposes designated:

19 To supplement the appropriation made in this Act from the
20 general fund of the state to the department of human services
21 for medical assistance for the same fiscal year:

22 \$ 17,350,000

23 Sec. 152. MEDICAL ASSISTANCE PROGRAM — NONREVERSION
24 FOR FY 2016-2017. Notwithstanding section 8.33, if moneys
25 appropriated for purposes of the medical assistance program for
26 the fiscal year beginning July 1, 2016, and ending June 30,
27 2017, from the general fund of the state, the quality assurance
28 trust fund and the hospital health care access trust fund, are
29 in excess of actual expenditures for the medical assistance
30 program and remain unencumbered or unobligated at the close
31 of the fiscal year, the excess moneys shall not revert but
32 shall remain available for expenditure for the purposes of the
33 medical assistance program until the close of the succeeding
34 fiscal year.

35

DIVISION XXXIX

1 PROPERTY TAX RELIEF FUND — BLOCK GRANT MONEYS — MENTAL HEALTH
2 INSTITUTES

3 Sec. 153. MENTAL HEALTH INSTITUTES. The moneys transferred
4 to the property tax relief fund for the fiscal year beginning
5 July 1, 2016, from the federal social services block grant
6 pursuant to 2015 Iowa Acts, House File 630, if enacted, and
7 from the federal temporary assistance for needy families block
8 grant, totaling at least \$11,774,275, are appropriated to the
9 department of human services for the fiscal year beginning July
10 1, 2016, and ending June 30, 2017, to be used for the purposes
11 designated:

12 1. For the state mental health institute at Clarinda for
13 salaries, support, maintenance, and miscellaneous purposes:
14 \$ 2,418,254

15 2. For the state mental health institute at Mount Pleasant
16 for salaries, support, maintenance, and miscellaneous purposes,
17 and for not more than the following full-time equivalent
18 positions:
19 \$ 3,468,884
20 FTEs 97.68

21 DIVISION XXXX

22 PERSONNEL SETTLEMENT AGREEMENT PAYMENTS

23 Sec. 154. PERSONNEL SETTLEMENT AGREEMENT PAYMENTS. As a
24 condition of the appropriations in this 2016 Act, the moneys
25 appropriated and any other moneys available shall not be used
26 for payment of a personnel settlement agreement that contains a
27 confidentiality provision intended to prevent public disclosure
28 of the agreement or any terms of the agreement.