

Health and Human Services Appropriations Bill House File 2526

Last Action:

House Floor

March 18, 2010

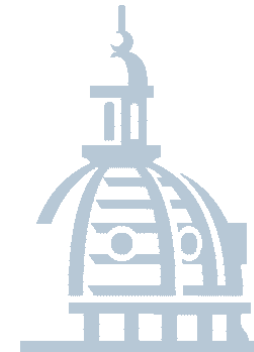
An Act relating to and making appropriations for health and human services and including other related provisions and appropriations, providing penalties, and providing effective, retroactive, and applicability date provisions.

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available on line at <http://www3.legis.state.ia.us/noba/index.jsp>

Fiscal Services Division

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FUNDING SUMMARY

- Appropriates a total of \$942.6 million from the General Fund and 7,036.4 FTE positions to the Department on Aging, Departments of Public Health, Human Services, and Veterans Affairs, and the Iowa Veterans Home. This is a decrease of \$180.1 million and an increase of 47.7 FTE positions compared to estimated net FY 2010.
- Appropriates a total of \$484.5 million from other funds. This is an increase of \$24.3 million compared to estimated net FY 2010. This includes:
 - \$90,000 from the Merchant Marine Bonus Fund to supplement the Veteran County Grant Program. This is a new appropriation for FY 2011. (Page 15, Line 28)
 - \$155.2 million from the Temporary Assistance to Needy Families (TANF) Fund to the Department of Human Services. This is an increase of \$12.5 million compared to estimated net FY 2010. (Page 16, Line 4 through Page 22, Line 8)
 - \$107.6 million from the Health Care Trust Fund to the DHS. This is an increase of \$7.0 million compared to estimated net FY 2010. The entire FY 2011 appropriation from the Health Care Trust Fund goes to Medicaid. Other FY 2010 appropriations are transferred to the General Fund. (Page 27, Line 6)
 - \$48.3 million from the Senior Living Trust Fund (SLTF) to the Department on Aging, the Departments of Human Services, and the Iowa Finance Authority. This is an increase of \$20.1 million compared to estimated net FY 2010. (Page 63, Line 33 through Page 66, Line 7)
 - \$4.0 million from the Pharmaceutical Settlement Account to Medical Contracts. This is an increase of \$2.7 million compared to estimated net FY 2010. (Page 66, Line 8)
 - \$147.3 million from the IowaCare Account to the University of Iowa Hospitals and Clinics and its physicians, Polk County Broadlawns Medical Center, federally qualified health centers, and certain IowaCare nonparticipating providers. This is an increase of \$27.0 million compared to estimated net FY 2010. (Page 66, Line 18 through Page 71, Line 8)
 - \$5.2 million from the Health Care Transformation Account (HCTA) to the DHS. This is a decrease of \$200,000 compared to estimated net FY 2010. (Page 71, Line 9 through Page 72, Line 23)
 - \$1.3 million from the Medicare Fraud Account of the Department of Inspections and Appeals. This is a new appropriation for FY 2011. (Page 72, Line 24)
 - \$8.5 million from the Quality Assurance Trust Fund. This is a new appropriation for FY 2011. (Page 72, Line 35)
 - \$7.0 million from the Iowa Comprehensive Petroleum Underground Storage Tank Fund. These are new appropriations for FY 2011. (Page 73, Line 28)
- Increases the funds available for the FY 2010 IowaCare appropriation to Broadlawns Medical Center by \$1.0 million. (Page 87, Line 17)
- The DHS received \$100,163 and the DPH received \$4.4 million in FY 2010 supplemental funding in SF 2366 (FY 2010 Appropriations Adjustments Act) that are not included in the calculations in this Bill.

FY 2010 SUPPLEMENTAL FUNDING

**MAJOR INCREASES, DECREASES,
AND TRANSFERS OF EXISTING
PROGRAMS**

Makes the following General Fund or other fund changes for FY 2011:

- **Department on Aging:** An increase of \$201,000 and a decrease of 1.5 FTE positions compared to estimated net FY 2010 with a change in funding source from the Health Care Trust Fund to the General Fund for that amount. (Page 1, Line 8)
- **Department of Public Health:** An increase of \$7.3 million and 1.1 FTE positions compared to estimated net FY 2010. There are additional funds appropriated from the Underground Storage Tank Fund. The significant changes result from a change in funding source from the Health Care Trust Fund to the General Fund and include:
 - An increase of \$3.2 million and no change in FTE position for Addictive Disorders. (Page 3, Line 24)
 - An increase of \$686,000 and no change in FTE positions for Healthy Children and Families. (Page 5, Line 32)
 - An increase of \$1.0 million and 1.1 FTE positions for Chronic Conditions. (Page 7, Line 2)
 - An increase of \$1.8 million and no change in FTE positions for Community Capacity. (Page 8, Line 8)
 - An increase of \$535,000 for Healthy Aging. (Page 12, Line 29)
- **Department of Human Services:** A decrease of \$175.6 million and an increase of 71.5 FTE positions compared to estimated net FY 2010. There are additional funds appropriated from the Underground Storage Tank Fund. The General Fund changes include:
 - An increase of \$602,000 for the Family Investment Program. (Page 24, Line 28)
 - A decrease of \$201,000 for the Child Support Recovery Unit. (Page 25, Line 35)
 - A decrease of \$191.2 million for the Medical Assistance Program. (Page 27, Line 14)
 - A decrease of \$2.6 million for Medical Contracts. (Page 34, Line 13)
 - An increase of \$1.8 million for State Supplementary Assistance. (Page 34, Line 28)
 - An increase of \$10.5 million for the State Children's Health Insurance Program. (Page 35, Line 24)
 - A decrease of \$222,000 for the Child Care Assistance Program. (Page 36, Line 10)
 - An increase of \$2.1 million and no change in FTE positions for the two juvenile institutions. (Page 38, Lines 23 and 28)
 - A decrease of \$1.9 million for Child and Family Services. (Page 39, Line 16)
 - An increase of \$462,000 for the Adoption Subsidy Program. (Page 45, Line 17)
 - A decrease of \$355,000 for the Family Support Subsidy Program. (Page 46, Line 26)
 - An increase of \$1.9 million and no change in FTE positions for the four Mental Health Institutes. (Page 47, Line 28 through Page 48, Line 13)

MAJOR INCREASES, DECREASES,
AND TRANSFERS OF EXISTING
PROGRAMS (CONTINUED)

- A decrease of \$1.3 million and an increase of 74.98 FTE positions for the two State Resource Centers. (Page 49, Line 8 and Line 11)
- An increase of \$458,000 and no change in FTE positions for the Sexual Predator Commitment Program. (Page 53, Line 13)
- A decrease of \$1.9 million and no change in FTE positions for Field Operations and General Administration. (Page 54, Line 1 and Line 14)
- ***Veterans Affairs:*** An increase of \$38,000 and no change in FTE positions from the General Fund for the Department of Veterans Affairs compared to estimated net FY 2010. This includes:
 - An increase of \$128,000 for the Injured Veterans Grant Program. This is a result of the tracking document showing the impact of the FY 2010 across-the-board reduction on an appropriation from a previous year that is carried forward. There is no net change to the funding available for the Program.
 - A decrease of \$90,000 for the County Veterans Grant Program. This same amount is provided by an appropriation from the Merchant Marine Bonus Fund for FY 2011. (Page 15, Line 18 and Line 28)
 - Transfers \$1.0 million from the Veterans Home to the DHS Field Operations budget unit to supplement that appropriation. (Page 85, Line 20)
- ***University of Iowa and additional providers within the IowaCare Program:***
 - Provides a new contingent appropriation of \$12.0 million for the physicians associated with the University of Iowa Hospitals and Clinics. (Page 68, Line 11)
 - Provides a new contingent appropriation of \$6.0 million for the federally qualified health centers that are part of the IowaCare regional provider network. (Page 70 Line 16)
 - Provides a new contingent appropriation of \$2.0 million for nonparticipating providers of the IowaCare Program. (Page 70, Line 35)
- ***Nursing Facilities:***
 - Appropriates \$8.5 million from the Quality Assurance Trust Fund to the DHS to supplement nursing facility reimbursements. (Page 72, Line 35)
- ***Appropriations from the Iowa Comprehensive Petroleum Underground Storage Tank Fund:***
 - \$635,000 to the Department of Public Health, including:
 - \$500,000 for substance abuse treatment and prevention. (Page 74, Line 1)
 - \$20,000 for food costs for those with phenylketonuria (PKU). (Page 74, Line 8)
 - \$15,000 for the University of Iowa Child Health Specialty Clinics. (Page 74, Line 12)
 - \$100,000 for the State Poison Control Center, (Page 74, Line 14)
 - \$6.4 million to the DHS, including:
 - \$600,000 for juvenile delinquent graduated sanction services. (Page 74, Line 21)
 - \$200,000 for the Exceptional Children Center in Polk County. (Page 74, Line 24)
 - \$25,000 for the Four Oaks Aspergers Syndrome Program in Linn County. (Page 74, Line 30)

**EXECUTIVE SUMMARY
NOBA**

**HOUSE FILE 2526
HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL**

**MAJOR INCREASES, DECREASES,
AND TRANSFERS OF EXISTING
PROGRAMS (CONTINUED)**

- \$100,000 for a child protection center in Black Hawk County. (Page 75, Line 5)
- \$100,000 for the Children-at-Home Program. (Page 75, Line 11)
- \$250,000 for child support recovery. (Page 75, Line 16)
- \$200,000 for the Juvenile Home at Toledo and \$400,000 for the State Training School at Eldora. (Page 75, Line 18 through Line 25)
- \$100,000 for the Mental Health Institute (MHI) at Cherokee, \$100,000 for the MHI at Clarinda, \$100,000 for the MHI at Independence, and \$50,000 for the MHI at Mount Pleasant. (Page 75, Line 26 through Page 76, Line 4)
- \$1.0 million for the State Cases Program. (Page 76, Line 5)
- \$800,000 for the Sexual Predator Commitment Program. (Page 76, Line 7)
- \$2.3 million for Field Operations. (Page 76, Line 9)

STUDIES AND INTENT LANGUAGE

- **Department on Aging:** Requires the Department to enforce State and federal requirements for area agencies on aging. (Page 2, Line 25)
- **Department of Public Health (DPH):** Specifies intent that a board of direct care workers be established within the DPH by July 1, 2014. Requires the Direct Care Worker Advisory Council to include various items in a report due March 1, 2011. (Page 10, Line 22 through Page 12, Line 2)
- **Department of Veterans Affairs:** Permits the Iowa Veterans Home to use existing resources and federal and State regulations for the community reentry program. (Page 15, Line 18)
- **Department of Human Services (DHS):**
 - Requires the Department of Human Services (DHS) to maximize allowable federal matching funds for food stamp employment and training. Requires the DHS to expand usage of the food assistance program and complying with federal requirements regarding incarcerated or other ineligible applicants. (Page 23, Line 20 and Line 29)
 - Permits the DHS to transfer Executive Order 20 savings from Medicaid to supplement the medical contracts appropriation. (Page 33, Line 4)
 - Requires the DHS to request and implement if approved a federal waiver to add assisted living services to the home and community-based services for the elderly under the Medicaid Program. (Page 33, Line 11)
 - Requires the DHS to convene a workgroup related to mental health and disability services regulatory requirements. (Page 33, Line 21)
 - Requires the Department of Inspections and Appeals (DIA) to provide the State matching funds for the survey and certification costs performed by the DIA. (Page 34, Line 23)
 - Requires the DHS to prioritize full coverage of children's health insurance before supplemental dental services. (Page 36, Line 5)
 - Requires the DHS to prioritize the child care assistance payments before other expenditures from the child care appropriation. (Page 37, Line 29)

**STUDIES AND INTENT LANGUAGE
(CONTINUED)**

- Specifies legislative intent regarding avoidance of a waiting list in FY 2011 with expectation of sufficient funding for child care subsidy assistance in FY 2011. (Page 37, Line 29)
- Requires the Child Welfare Advisory Committee to issue recommendations relating to child welfare emergency services. (Page 41, Line 14)
- Requires the DHS to use \$17,000 the child and family services funding to support the Interstate Compact for Juveniles. (Page 43, Line 20)
- Requires the DHS to review various mental health services, including those offered at mental health institutes, subacute care, future care at 16-bed facilities, medical student and clinical practitioner participation, and communication with the Judicial Branch. (Page 48, Line 14)
- Requests the Governor's Developmental Disabilities Council to facilitate a workgroup to study residential care facilities. (Page 52, Line 27)
- Requires the DHS to develop a plan for transitioning administration of the remedial services program from a fee-for-service to the Iowa Plan by December 31, 2010, and implementation by June 30, 2011. (Page 54, Line 32)
- Requires the DHS to submit proposed rules that have a fiscal impact that were not included in the FY 2011 budget to the Chairpersons and Ranking Members of the Health and Human Services Appropriations Subcommittee and the Appropriations Committees prior to the submittal for the administrative rules process. (Page 62, Line 33)
- Limits the number of the Medicaid home and community-based services intellectual disabilities waiver openings. Requires the DHS to implement a statewide allocation method and convene a working group for criteria prioritization. (Page 90, Line 18)
- ***Department on Aging:***
 - Defers implementation of the certified retirement communities program until the Department on Aging has the resources for implementation, as determined by the Director. (Page 82, Line 3)
 - Eliminates the annual training requirements for the Area Agencies on Aging board of directors. (Page 82, Line 14)
 - Delays implementation of dementia training and education programs until the Director determines funding is available. (Page 82, Line 17)
- ***Department of Public Health (DPH):***
 - Requires the DPH to use the lead certification fee revenue for related FTE positions and costs. (Page 81, Line 23)
 - Extends the reporting deadline for the advisory council for the Health Care Continuum Pilot Project until January 1, 2012, and delineates counties to be included. (Page 84, Line 8)
 - Changes the DPH Office of Multicultural Health to the Office of Minority and Multicultural Health and reflects changes in duties of the Office. (Page 112, Line 28)

SIGNIFICANT CODE CHANGES

SIGNIFICANT CODE CHANGES
(CONTINUED)

CARRYFORWARDS, REDUCTIONS,
OR SUPPLEMENTALS

- **Department of Human Services (DHS):**
 - Reduces the FY 2011 appropriation in SF 478 (FY 2011 Standing Appropriations Act) for mental health allowed growth and provides for the FY 2011 distribution of the funds. (Page 76, Line 27 through Page 81, Line 17)
 - Extends the period of time until the end of FY 2011 for the mental health regional service network pilot project. (Page 82, Line 30)
 - Provides an interstate compact for juveniles and makes Code changes to reflect the updated compact. (Page 91, Line 4 through Page 112, Line 25)
 - Permits the DHS to adopt specific rules for substitute hours for child care licensure under certain circumstances. (Page 113, Line 18)
 - Reduces the amount of funding transferred from the General Fund to the Health Care Trust Fund. (Page 113, Line 27)
 - Exempts certain residents of certain health care facilities, persons eligible for the home and community-based services waiver program, and participants in a Medicaid employment service program from the sex offender facility employee limitation. (Page 114, Line 6)
- **Department of Management (DOM):** Replaces the Department of Education with the DOM for responsibility to submit proposed corrective legislation to the 2011 General Assembly if an Early Childhood Iowa State Board is created. (Page 114, Line 22)
- **Department of Public Health (DPH):**
 - Requires up to \$500,000 remaining from the General Fund and Health Care Trust Fund appropriations for tobacco use prevention and control to carry forward to FY 2011. (Page 85, Line 11; Page 88, Line 9 and Line 18)
- **Department of Veterans Affairs:**
 - Requires funds remaining from the Vietnam Veteran Bonus Fund to carry forward to FY 2011. (Page 83, Line 6)
 - Requires funds remaining from the Injured Veteran Grant Program to carry forward to FY 2011. (Page 83, Line 15)
 - Requires the Iowa Veterans Home to transfer up to \$1.0 million of the FY 2010 carryforward to the DHS field operations appropriation for FY 2011. (Page 85, Line 20)
- **Department of Human Services:**
 - Decreases the previously enacted FY 2011 appropriation for the Medicaid, Healthy and Well Kids in Iowa (hawk-i), and hawk-i Expansion Programs. (Page 83, Line 25)
 - Eliminates the requirement that DHS adopt rules to extend the period for annual renewal by medical assistance members by mailing the renewal form to the member on the first day of the month prior to the month of renewal. (Page 85, Line 7)
 - Requires nonreversion of the FY 2010 TANF Family Investment Program appropriation through FY 2011. (Page 85, Line 35)

**EXECUTIVE SUMMARY
NOBA**

**HOUSE FILE 2526
HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL**

**CARRYFORWARDS, REDUCTIONS,
OR SUPPLEMENTALS (CONTINUED)**

- Requires nonreversion of funds remaining from the FY 2009 appropriations from the behavioral health services account to FY 2011 for the emergency and children mental health funding and child welfare training. The remaining funds are appropriated to Medicaid. (Page 86, Line 10)
- Requires nonreversion of the remainder of the FY 2010 State Supplementary Assistance appropriation. (Page 86, Line 34)
- Requires nonreversion of funds remaining from the FY 2010 appropriation for child development programming in the Oakridge neighborhood in the city of Des Moines in Polk County. (Page 87, Line 9)
- Increases the funds available for the FY 2010 IowaCare appropriation to Broadlawns Medical Center by \$1.0 million. (Page 87, Line 17)
- Requirement that the DHS and juvenile court services develop an FY 2011 funding distribution plan. (Page 63, Line 19)
- Division VII is effective on enactment. (Page 90, Line 30)

EFFECTIVE DATES

This includes the following provisions:

- Deferral of implementation of the certified retirement communities program until the Department on Aging has the resources for implementation.
- Elimination of the annual training requirements for the area agencies on aging board of directors.
- Delay of implementation of dementia training and education programs.
- Extension until the end of FY 2011 for the mental health regional service network pilot project.
- Nonreversion of the Vietnam Veteran Bonus Program funding.
- Nonreversion of the Injured Veteran Grant Program.
- Decrease of the previously enacted FY 2011 appropriation for the Medicaid, hawk-i, and hawk-i Expansion Programs.
- Extension of the health care continuum pilot project until June 30, 2011.
- Striking the requirement that DHS adopt rules to extend the period for annual renewal by medical assistance members as specified.
- Capping nonreversion of the DHS FY 2010 multiple appropriations for tobacco use prevention and control.
- Requiring the Iowa Veterans Home to transfer up to \$1.0 million of the FY 2010 carryforward to the DHS field operations appropriation for FY 2011.
- Nonreversion of the FY 2010 TANF Family Investment Program appropriation.
- Extension and nonreversion of funds for the emergency and children's mental health projects.
- Nonreversion of the remainder of the FY 2010 State Supplementary Assistance appropriation.
- Increase in the funds available for the FY 2010 IowaCare appropriation to Broadlawns Medical Center by \$1.0 million.
- Limiting the number of the Medicaid home and community-based services intellectual disabilities waiver openings.
- The requirement that the DPH use lead certification fee revenue for FTE positions and related costs is retroactive to July 1, 2009. (Page 90, Line 33)

RETROACTIVE APPLICABILITY

House File 2526 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
5	12	2.1(2)(a)	Nwthstnd	Sec. ALL	Substance Abuse System
16	27	6.2	Nwthstnd	Sec. 8.33	Nonreversion of Contract Services Funds
17	6	6.3	Nwthstnd	Sec. 8.33	FY 2008 FaDSS Carryforward
19	2	6.13	Nwthstnd	Sec. ALL	TANF Emergency Appropriation
25	8	8.3	Nwthstnd	Sec. 8.39	DHS Authority to Transfer TANF Funds
32	26	11.19	Nwthstnd	Sec. 8.33	Medicare Clawback Carryforward
38	11	16.8	Nwthstnd	Sec. 8.33	Child Care Assistance Carryforward
41	8	19.7(a)	Nwthstnd	Sec. 234.35	Shelter Care Target
41	25	19.8	Nwthstnd	Sec. 8.33	CFS Carryforward
42	22	19.10(c)	Nwthstnd	Sec. 232.141	JCS Funding Distribution
42	31	19.10(d)	Nwthstnd	Chpt. 232	JCO Limitations
43	12	19.10(e)	Nwthstnd	Sec. ALL	JCO Limitations
45	29	20.3	Nwthstnd	Sec. 8.33	Adoption Carryforward
46	7	20	Nwthstnd	Sec. 232.142(3)	Juvenile Detention Fund
50	34	25.3	Nwthstnd	Sec. 8.33	State Cases Program Carryforward
58	16	33.1(k)	Nwthstnd	Sec. ALL	Anesthesiologist Reimbursement Rate Increase
58	20	33.1(l)	Nwthstnd	Sec. 249A.20	Provider Rates
59	35	33.4	Nwthstnd	Sec. 234.38	Foster Care Rates
61	18	33.9(b)	Nwthstnd	Sec. 232.141(8)	Shelter Care Reimbursement
61	24	32.1	Nwthstnd	Sec. ALL	Inflation Rate for ICF/MR Reimbursement Rates
64	30	37.2	Nwthstnd	Sec. 249H.7	Senior Living Programs
66	8	40	Nwthstnd	Sec. ALL	Pharmaceutical Settlement Account
67	21	41.1(a)	Nwthstnd	Sec. ALL	IowaCare Distribution of Funds
68	7	41.2	Nwthstnd	Sec. ALL	IowaCare Payment
68	24	41.3	Nwthstnd	Sec. ALL	IowaCare Payment
70	28	41.5	Nwthstnd	Sec. ALL	IowaCare Payment
72	16	42.9	Nwthstnd	Sec. 8.39(1)	Funds Transfer
72	35	44	Nwthstnd	Sec. ALL	Nursing Facility Appropriation

Page #	Line #	Bill Section	Action	Code Section	Description
76	11	43	Nwthstnd	Sec. 8.33	Carryforward of Medicaid Funds
76	27	47	Amends	Sec 1, Chapter 179, 2009 Iowa Acts	Mental Health Allowed Growth
77	13	48.1	Adds	Sec 1, Chapter 179, 2009 Iowa Acts	Mental Health Allowed Growth
78	13	48.2	Adds	Sec 1, Chapter 179, 2009 Iowa Acts	Mental Health Allowed Growth
78	20	48.3-5	Adds	Sec 1, Chapter 179, 2009 Iowa Acts	Mental Health Allowed Growth
81	23	49	Amends	Sec. 135.105A(5), 2009 Code Supplement	Lead Training and Certification Program
82	3	50	Amends	Sec. 231.24(9)	Certified Retirement Communities
82	14	51	Amends	Sec. 231.33(19)	AAA Board Training
82	17	52	Amends	Sec. 3, Chapter 1040, 2008 Iowa Acts	Dementia Training
82	30	53	Amends	Sec. 59, chapter 1187, 2008 Iowa Acts	Regional Mental Health Pilot Project
83	6	54	Amends	Sec. 82, Chapter 182, 2009 Iowa Acts	Vietnam Veteran Bonus Funding Carryforward
83	15	55	Amends	Sec. 83, Chapter 182, 2009 Iowa Acts	Injured Veteran Grant Program Carryforward
83	25	56	Amends	Sec. 16, Chapter 1188, 2008 Iowa Acts	Medicaid, hawk-i Appropriation
84	8	57.1	Amends	Sec. 36.1, Chapter 1188, 2008 Iowa Acts	Patient Decision Making Pilot Project
84	29	57.2	Amends	Sec. 36.2, Chapter 1188, 2008 Iowa Acts	Patient Autonomy Advisory Council Reporting
85	7	58	Amends	Sec. 38.3, Chapter 118, 2009 Iowa Acts	Medicaid Paperwork Requirements
85	11	59	Amends	Sec. 2.1(a), Chapter 182, 2009 Iowa Acts	Nonreversion of Tobacco General Fund
85	20	60	Amends	Sec. 3.2, Chapter 182, 2009 Iowa Acts	Use of Iowa Veterans Home FY 2010 Carryforward
85	35	61	Amends	Sec. 5, Chapter 182, 2009 Iowa Acts	TANF Carryforward

Page #	Line #	Bill Section	Action	Code Section	Description
86	10	62	Amends	Sec. 9.16(b), Chapter 182, 2009 Iowa Acts	Behavioral Health Account
86	34	63	Nwthstnd	Sec. 8.33	State Supplementary Assistance Carryforward
87	9	64	Amends	Sec. 14.9, Chapter 182, 2009 Iowa Acts	Nonreversion of Child Development Programming Funds
87	17	65	Amends	Sec. 48.3	FY 2010 IowaCare Broadlawns Appropriation
88	9	66	Amends	Sec. 60.1(b), Chapter 182, 2009 Iowa Acts	Nonreversion of Tobacco HCTF
88	32	68	Amends	Sec. 5A, Chap 182, 2009 Iowa Acts, as enacted by SF 2151	TANF Emergency Appropriation
91	4	71	Amends	Sec. 232.2(29), 2009 Code Supplement	Interstate Compact for Juveniles
112	28	74	Amends	Sec. 135.12, Code 2009	Office of Minority and Multicultural Health
113	18	75	Adds	Sec. 237A.3A(3), 2009 Code Supplement	Substitute Child Care Hours
113	27	76	Amends	Sec. 435A.35(1)	Health Care Trust Fund Transfer
114	6	77	Amends	Sec. 692A.115	Sex Offender Employment
114	22	78	Amends	Sec. 361.2, SF 2088	Empowerment Lead Agency Technical Correction

1 1 DIVISION I
1 2 DEPARTMENT ON AGING

1 3 Section 1. DEPARTMENT ON AGING. There is appropriated from
1 4 the general fund of the state to the department on aging for
1 5 the fiscal year beginning July 1, 2010, and ending June 30,
1 6 2011, the following amount, or so much thereof as is necessary,
1 7 to be used for the purposes designated:

1 8 For aging programs for the department on aging and area
1 9 agencies on aging to provide citizens of Iowa who are 60 years
1 10 of age and older with case management for the frail elderly,
1 11 resident advocate committee coordination, employment, and other
1 12 services which may include but are not limited to adult day
1 13 services, respite care, chore services, telephone reassurance,
1 14 information and assistance, and home repair services, and
1 15 for the construction of entrance ramps which make residences
1 16 accessible to the physically handicapped, and for salaries,
1 17 support, administration, maintenance, and miscellaneous
1 18 purposes, and for not more than the following full-time
1 19 equivalent positions:
1 20 \$ 4,662,988
1 21 FTEs 36.00

General Fund appropriation to the Department on Aging for FY 2011.

DETAIL: This is a net increase of \$200,581 and a decrease of 1.50 FTE positions compared to estimated net FY 2010. The increase in funding is due to additional funding for unmet needs for seniors that was previously funded through the Health Care Trust Fund (HCTF). The decrease in FTE positions is to match actual utilization.

1 22 1. Funds appropriated in this section may be used to
1 23 supplement federal funds under federal regulations. To
1 24 receive funds appropriated in this section, a local area
1 25 agency on aging shall match the funds with moneys from other
1 26 sources according to rules adopted by the department. Funds
1 27 appropriated in this section may be used for elderly services
1 28 not specifically enumerated in this section only if approved
1 29 by an area agency on aging for provision of the service within
1 30 the area.

Permits the use of funds appropriated in this Section to supplement federal funds for elderly services if those services are approved by an Area Agency on Aging. Requires local Area Agencies on Aging to match the funds for aging programs and services.

1 31 2. a. Of the funds appropriated in this section, \$1,246,514

Requires \$1,246,514 to be transferred to the Department of Human

1 32 shall be transferred to the department of human services in
 1 33 equal amounts on a quarterly basis for reimbursement of case
 1 34 management services provided under the medical assistance
 1 35 elderly waiver. The department of human services shall adopt
 2 1 rules for case management services provided under the medical
 2 2 assistance elderly waiver in consultation with the department
 2 3 on aging.

Services (DHS) in equal amounts on a quarterly basis for Case Management reimbursement under the Medicaid Elderly Waiver for the Case Management Program for the Frail Elderly.

DETAIL: This is a decrease of \$138,501 compared to the original FY 2010 transfer amount. The amount was reduced by 10.00% when the Governor issued the across-the-board (ATB) reduction.

2 4 b. The department of human services shall review
 2 5 projections for state funding expenditures for reimbursement
 2 6 of case management services under the medical assistance
 2 7 elderly waiver on a quarterly basis and shall determine if an
 2 8 adjustment to the medical assistance reimbursement rates are
 2 9 necessary to provide reimbursement within the state funding
 2 10 amounts budgeted under the appropriations made for the fiscal
 2 11 year for the medical assistance program. Any temporary
 2 12 enhanced federal financial participation that may become
 2 13 available for the medical assistance program during the fiscal
 2 14 year shall not be used in projecting the medical assistance
 2 15 elderly waiver case management budget. The department of human
 2 16 services shall revise such reimbursement rates as necessary to
 2 17 maintain expenditures for medical assistance elderly waiver
 2 18 case management services within the state funding amounts
 2 19 budgeted under the appropriations made for the fiscal year for
 2 20 the medical assistance program.

Requires the DHS to review expenditure for reimbursement of case management services under the Medicaid Elderly Waiver on a quarterly basis and adjust to provide reimbursements within the appropriation.

2 21 3. Of the funds appropriated in this section, \$179,964 shall
 2 22 be transferred to the department of economic development for
 2 23 the Iowa commission on volunteer services to be used for the
 2 24 retired and senior volunteer program.

Requires a transfer of \$179,961 to the Iowa Commission on Volunteer Services in the Department of Economic Development for the Retired Senior Volunteer Program (RSVP).

DETAIL: This is no change compared to the FY 2010 allocation.

2 25 4. a. The department on aging shall establish and enforce

Requires the Department on Aging to establish and enforce

2 26 procedures relating to expenditure of state and federal funds
2 27 by area agencies on aging that require compliance with both
2 28 state and federal laws, rules, and regulations, including but
2 29 not limited to all of the following:
2 30 (1) Requiring that expenditures are incurred only for goods
2 31 or services received or performed prior to the end of the
2 32 fiscal period designated for use of the funds.
2 33 (2) Prohibiting prepayment for goods or services not
2 34 received or performed prior to the end of the fiscal period
2 35 designated for use of the funds.
3 1 (3) Prohibiting the prepayment for goods or services
3 2 not defined specifically by good or service, time period, or
3 3 recipient.
3 4 (4) Prohibiting the establishment of accounts from which
3 5 future goods or services which are not defined specifically by
3 6 good or service, time period, or recipient, may be purchased.
3 7 b. The procedures shall provide that if any funds are
3 8 expended in a manner that is not in compliance with the
3 9 procedures and applicable federal and state laws, rules, and
3 10 regulations, and are subsequently subject to repayment, the
3 11 area agency on aging expending such funds in contravention of
3 12 such procedures, laws, rules and regulations, not the state,
3 13 shall be liable for such repayment.

3 14 DIVISION II
3 15 DEPARTMENT OF PUBLIC HEALTH

3 16 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. The allocations
3 17 made in this section may include amounts carried forward from
3 18 appropriations and allocations made for the same purposes in
3 19 the previous fiscal year. There is appropriated from the
3 20 general fund of the state to the department of public health
3 21 for the fiscal year beginning July 1, 2010, and ending June
3 22 30, 2011, the following amounts, or so much thereof as is
3 23 necessary, to be used for the purposes designated:

procedures related to expenditures of State and federal funds,
complying with both State and federal law. An Area Agency on Aging
is liable for any expended funds found not in compliance with the law.

3 24 1. ADDICTIVE DISORDERS
 3 25 For reducing the prevalence of use of tobacco, alcohol, and
 3 26 other drugs, and treating individuals affected by addictive
 3 27 behaviors, including gambling, and for not more than the
 3 28 following full-time equivalent positions:
 3 29 \$ 28,974,840
 3 30 FTEs 18.00

General Fund appropriation to addictive disorders programs.

DETAIL: This is a net increase of \$3,187,590 and no change in FTE positions compared to estimated net FY 2010. The General Fund changes include:

- A decrease of \$500,000 for tobacco use, prevention, cessation, and treatment to reflect available carryforward.
- A decrease of \$100,000 for savings relating to merging the Bureau of Substance Abuse Prevention and Treatment and the Division of Tobacco Use, Prevention and Control.
- The following increases reflect partial restorations of funding from the FY 2010 ATB reductions:
 - \$719,710 for substance abuse treatment and prevention.
 - \$175,000 for tobacco use, prevention, and control.
 - \$361,505 for gambling treatment.
 - \$57,552 for culturally competent substance abuse treatment pilot projects.
- The following increases were formerly funded by the Health Care Trust Fund (HCTF) but have been moved to the General Fund:
 - \$793,166 for substance abuse treatment and prevention.
 - \$242,768 for three culturally competent substance abuse treatment pilot projects.
 - \$1,437,889 for tobacco use, prevention and control.

3 31 a. Of the funds appropriated in this subsection, \$7,438,282
 3 32 shall be used for the tobacco use prevention and control
 3 33 initiative, including efforts at the state and local levels, as
 3 34 provided in chapter 142A.

Requires an allocation of \$7,438,282 to be used for tobacco use, prevention, cessation, and treatment.

DETAIL: This is a net decrease of \$589,932 compared to the FY 2010 allocation. This includes \$1,437,889 of funding from the HCTF that will now be funded from the General Fund.

3 35 (1) The director of public health shall dedicate sufficient

Requires the Director of the Department of Public Health to promote

<p>4 1 resources to promote and ensure retailer compliance with 4 2 tobacco laws and ordinances relating to persons under 18 4 3 years of age, and shall prioritize the state's compliance in 4 4 the allocation of available funds to comply with 42 U.S.C. 4 5 300x=26 and section 453A.2.</p>	<p>and ensure retailer compliance with tobacco laws.</p>
<p>4 6 (2) Of the full-time equivalent positions authorized in 4 7 this subsection, 2.00 full-time equivalent positions shall 4 8 be utilized to provide for enforcement of tobacco laws, 4 9 regulations, and ordinances.</p>	<p>Requires 2.00 FTE positions to be used by the Department of Public Health for enforcement of tobacco laws.</p>
<p>4 10 (3) Of the funds allocated in this lettered paragraph, 4 11 \$1,796,508 shall be used for youth programs designed to 4 12 achieve the goals of the initiative, that are directed by youth 4 13 participants for youth pursuant to section 142A.9.</p>	<p>Requires an allocation of \$1,796,508 to be used for the youth component of tobacco use, prevention, and control.</p> <p>DETAIL: This is a new allocation for FY 2011. In estimated net FY 2010, the Division of Tobacco Use, Prevention, and Control budgeted \$1,627,251 for Just Eliminate Lies (JEL).</p>
<p>4 14 b. (1) Of the funds appropriated in this subsection, 4 15 \$17,920,028 shall be used for substance abuse treatment and 4 16 prevention.</p>	<p>Requires an allocation of \$17,920,028 for substance abuse treatment and prevention.</p> <p>DETAIL: This is a net increase of \$373,776 compared to the FY 2010 allocation. This includes \$1,093,486 of funding from the HCTF that will now be funded from the General Fund.</p>
<p>4 17 (2) It is the intent of the general assembly that from the 4 18 moneys allocated in this lettered paragraph persons with a dual 4 19 diagnosis of substance abuse and gambling addictions shall be 4 20 given priority in treatment services.</p>	<p>Specifies it is the intent of the General Assembly that individuals with a diagnosis of both substance abuse and gambling addiction are required to be given priority in treatment services from the funds appropriated in this Section.</p>
<p>4 21 c. Of the funds appropriated in this subsection, \$300,320 4 22 shall be used for culturally competent substance abuse 4 23 treatment pilot projects. 4 24 (1) The department shall utilize the amount allocated</p>	<p>Requires an allocation of \$300,320 for three culturally competent substance abuse treatment pilot projects.</p> <p>DETAIL: This is a decrease of \$57,550 compared to the FY 2010</p>

4 25 in this lettered paragraph for at least three pilot projects
 4 26 to provide culturally competent substance abuse treatment in
 4 27 various areas of the state. Each pilot project shall target
 4 28 a particular ethnic minority population. The populations
 4 29 targeted shall include but are not limited to African=American,
 4 30 Asian, and Latino.
 4 31 (2) The pilot project requirements shall provide for
 4 32 documentation or other means to ensure access to the cultural
 4 33 competence approach used by a pilot project so that such
 4 34 approach can be replicated and improved upon in successor
 4 35 programs.

allocation. This allocation was previously funded by the HCTF. The pilot projects are located in Woodbury County, Scott County, and Polk County.

5 1 d. (1) Of the funds appropriated in this subsection,
 5 2 \$3,716,530 shall be used for funding of gambling treatment,
 5 3 including administrative costs and to provide programs
 5 4 which may include but are not limited to outpatient and
 5 5 follow=up treatment for persons affected by problem gambling,
 5 6 rehabilitation and residential treatment programs, information
 5 7 and referral services, education and preventive services, and
 5 8 financial management services. Of the amount allocated in
 5 9 this lettered paragraph, up to \$100,000 may be used for the
 5 10 licensing of gambling treatment programs as provided in section
 5 11 135.150.

Allocates \$3,716,530 for gambling addiction treatment.

DETAIL: This is a decrease of \$361,505 compared to the FY 2010 allocation. The Department is permitted to use a maximum of \$100,000 for licensing of gambling treatment programs.

5 12 (2) (a) Notwithstanding any provision to the contrary,
 5 13 to standardize the availability, delivery, cost of
 5 14 delivery, and accountability of gambling and substance abuse
 5 15 treatment services statewide, the department shall continue
 5 16 implementation of a process to create a system for delivery
 5 17 of the treatment services in accordance with the requirements
 5 18 specified in 2008 Iowa Acts, chapter 1187, section 3,
 5 19 subsection 4. To ensure the system provides a continuum of
 5 20 treatment services that best meets the needs of lowans, the
 5 21 gambling and substance abuse treatment services in an area may
 5 22 be provided either by a single agency or by separate agencies
 5 23 submitting a joint proposal.

CODE: Requires the Department of Public Health to implement a process to create a system for delivery of treatment services. Requires the process to include the establishment of joint licensure for gambling and substance abuse treatment programs. Requires the process to be completed by July 1, 2010.

5 24 (b) From the amounts designated for gambling and substance
 5 25 abuse treatment, the department may use up to \$100,000 for
 5 26 administrative costs to continue developing and implementing
 5 27 the process in accordance with subparagraph division (a).

Permits the Department of Public Health to allocate up to \$100,000 for administrative costs to develop and implement the process in accordance with this Subsection.

5 28 (3) The requirement of section 123.53, subsection 3, is
 5 29 met by the appropriations and allocations made in this Act for
 5 30 purposes of substance abuse treatment and addictive disorders
 5 31 for the fiscal year beginning July 1, 2010.

The requirements of Code Section 123.53(3) are met by the appropriations made in this Act.

5 32 2. HEALTHY CHILDREN AND FAMILIES
 5 33 For promoting the optimum health status for children,
 5 34 adolescents from birth through 21 years of age, and families,
 5 35 and for not more than the following full-time equivalent
 6 1 positions:
 6 2 \$ 2,710,062
 6 3 FTEs 14.00

General Fund appropriation to healthy children and families programs.

DETAIL: This is an increase of \$685,812 and no change in FTE positions compared to estimated net FY 2010. The General Fund changes include:

- An increase of \$225,000 for the Healthy Opportunities for Parents to Experience Success (HOPES) Program to partially restore funding due to the FY 2010 ATB reductions.
- The following increases were programs formerly funded by the HCTF but have been moved to the General Fund:
 - \$187,890 for the Audiological Services for Kids Program.
 - \$143,643 for the Assuring Better Child Development (ABCD II) mental health Program.
 - \$129,279 for childhood obesity prevention programs.

6 4 a. Of the funds appropriated in this subsection, not more
 6 5 than \$738,203 shall be used for the healthy opportunities to
 6 6 experience success (HOPES)=healthy families Iowa (HFI) program
 6 7 established pursuant to section 135.106. The funding shall
 6 8 be distributed to renew the grants that were provided to the
 6 9 grantees that operated the program during the fiscal year
 6 10 ending June 30, 2010.

Limits the General Fund amount used to fund the HOPES Program to \$738,203. The funds are required to be distributed to the grantees that received funding in FY 2010.

DETAIL: This is an increase of \$167,977 compared to the FY 2010 allocation. The Temporary Assistance for Needy Families (TANF) appropriation to the DHS for HOPES has been eliminated for FY 2011.

6 11 b. Of the funds appropriated in this subsection, \$304,885
6 12 shall be used to continue to address the healthy mental
6 13 development of children from birth through five years of age
6 14 through local evidence-based strategies that engage both the
6 15 public and private sectors in promoting healthy development,
6 16 prevention, and treatment for children.

Allocates \$304,885 for the ABCD II Program.

DETAIL: This is a decrease of \$147,509 compared to the total FY 2010 allocations and includes \$143,643 of funding from the HCTF that will now be funded from the General Fund.

6 17 c. Of the funds appropriated in this subsection, \$31,597
6 18 shall be distributed to a statewide dental carrier to provide
6 19 funds to continue the donated dental services program patterned
6 20 after the projects developed by the national foundation of
6 21 dentistry for the handicapped to provide dental services to
6 22 indigent elderly and disabled individuals.

Allocates \$31,597 for dental services for indigent elderly and disabled individuals.

DETAIL: This is a decrease of \$3,511 compared to the FY 2010 allocation for a general reduction.

6 23 d. Of the funds appropriated in this subsection, \$129,279
6 24 shall be used for childhood obesity prevention.

Allocates \$129,279 for childhood obesity programs.

DETAIL: This is a decrease of \$14,364 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.

6 25 e. Of the funds appropriated in this subsection, \$187,890
6 26 shall be used to provide audiological services and hearing
6 27 aids for children. The department may enter into a contract
6 28 to administer this paragraph.

Allocates \$187,890 for the Audiological Services for Kids Program.

DETAIL: This is a decrease of \$2,438 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.

6 29 f. It is the intent of the general assembly that the
6 30 department of public health shall implement the recommendations
6 31 of the postnatal tissue and fluid bank task force created in
6 32 2007 Iowa Acts, chapter 147, based upon the report submitted
6 33 to the general assembly in November 2007, as funding becomes

Specifies legislative intent that the DPH continue to implement the recommendations of the Postnatal Tissue and Fluid Bank Task Force.

6 34 available. The department shall notify the Iowa Code editor
 6 35 and the persons specified in this Act to receive reports when
 7 1 such funding becomes available.

7 2 3. CHRONIC CONDITIONS

7 3 For serving individuals identified as having chronic
 7 4 conditions or special health care needs, and for not more than
 7 5 the following full-time equivalent positions:
 7 6 \$ 3,522,313
 7 7 FTEs 4.10

General Fund appropriation to chronic conditions programs.

DETAIL: This is an increase of \$1,041,701 and 1.10 FTE positions compared to estimated net FY 2010. The funding from the General Fund is expended as follows:

- \$788,303 for Child Health Specialty Clinics. Of this amount, \$344,944 was formerly funded by the HCTF.
- \$85,678 for muscular dystrophy programs.
- \$528,834 and 0.40 FTE positions for programming related to birth defects.
- \$489,868 for the Aids Drug Assistance Program (ADAP).
- \$160,582 for PKU assistance.
- \$149,612 for the Prescription Drug Donation Program.
- \$57,013 for epilepsy education programming.
- \$27,338 and 0.70 FTE positions for the Brain Injury Council.
- \$416,682 for Brain Injury Services.
- \$408,802 for Comprehensive Cancer Control. This allocation was formerly funded by the HCTF.
- \$145,550 for cervical and colon cancer screenings. This allocation was formerly funded by the HCTF.
- \$138,502 and 1.50 FTE positions for the Prevention and Chronic Care Advisory Council.
- \$125,549 and 1.50 FTE positions for the Medical Home Advisory Council.

7 8 a. Of the funds appropriated in this subsection, \$160,582
 7 9 shall be used for grants to individual patients who have
 7 10 phenylketonuria (PKU) to assist with the costs of necessary
 7 11 special foods.

Allocates \$160,582 for PKU assistance.

DETAIL: This is a decrease of \$15,960 compared to the FY 2010 allocation for a general reduction.

7 12 b. Of the funds appropriated in this subsection, \$416,682

Allocates \$416,682 for continuation of the two contracts from FY 2010

7 13 is allocated for continuation of the contracts for resource	in the DPH Brain Injury Services Program.
7 14 facilitator services in accordance with section 135.22B,	
7 15 subsection 9, and for brain injury training services and	DETAIL: This is a decrease of \$21,336 compared to the FY 2010
7 16 recruiting of service providers to increase the capacity within	allocation for a general reduction. The contracts from FY 2010 were
7 17 this state to address the needs of individuals with brain	with the Brain Injury Association of Iowa and the Iowa Association of
7 18 injuries and such individuals' families.	Community Providers.
7 19 c. Of the funds appropriated in this subsection, \$489,868	Allocates \$489,868 to the ADAP.
7 20 shall be used as additional funding to leverage federal funding	
7 21 through the federal Ryan White Care Act, Tit. II, AIDS drug	DETAIL: Maintains the current level of funding.
7 22 assistance program supplemental drug treatment grants.	
7 23 d. Of the funds appropriated in this subsection, \$57,013	Allocates \$57,013 for epilepsy education and support.
7 24 shall be used for the public purpose of providing a grant to an	
7 25 existing national=affiliated organization to provide education,	DETAIL: This is a decrease of \$31,885 compared to the FY 2010
7 26 client=centered programs, and client and family support for	allocation for a general reduction.
7 27 people living with epilepsy and their families.	
7 28 e. Of the funds appropriated in this subsection, \$788,303	Allocates \$788,303 for child health specialty clinics.
7 29 shall be used for child health specialty clinics.	
7 30 f. Of the funds appropriated in this subsection, \$408,802	Allocates \$408,802 for the Iowa Comprehensive Cancer Control
7 31 shall be used for the comprehensive cancer control program to	Program.
7 32 reduce the burden of cancer in Iowa through prevention, early	
7 33 detection, effective treatment, and ensuring quality of life.	DETAIL: This is a decrease of \$45,422 compared to the FY 2010
 	allocation for a general reduction. This allocation was previously
	funded by the HCTF.
7 34 g. Of the funds appropriated in this subsection, \$145,550	Allocates \$145,550 for cervical and colon cancer screening.
7 35 shall be used for cervical and colon cancer screening.	
	DETAIL: This is a decrease of \$16,174 compared to the FY 2010

allocation for a general reduction. This allocation was previously funded by the HCTF.

8 1 h. Of the funds appropriated in this subsection, \$528,834
 8 2 shall be used for the center for congenital and inherited
 8 3 disorders central registry under section 144.13A, subsection
 8 4 4, paragraph "a".

Allocates \$528,834 for the Center for Congenital and Inherited Disorders Central Registry.

DETAIL: This is a new allocation for FY 2011.

8 5 i. Of the funds appropriated in this subsection, \$149,612
 8 6 shall be used for the prescription drug donation repository
 8 7 program created in chapter 135M.

Allocates \$149,612 for the Prescription Drug Donation Program.

DETAIL: This is a new allocation for FY 2011.

8 8 4. COMMUNITY CAPACITY
 8 9 For strengthening the health care delivery system at the
 8 10 local level, and for not more than the following full-time
 8 11 equivalent positions:

General Fund appropriation to the community capacity programs.

8 12 \$ 5,503,037
 8 13 FTEs 21.00

DETAIL: This is an increase of \$1,797,875 and no change in FTE positions compared to estimated net FY 2010. The changes include the following increases that are programs formerly funded by the HCTF but have been moved to the General Fund:

- \$55,214 for local public health modernization and redesign.
- \$135,000 for the Direct Care Worker Association.
- \$180,000 for the Direct Care Worker Task Force.
- \$63,000 for conference scholarships for direct care workers.
- \$184,050 for mental health professional shortage programs.
- \$73,620 for the Iowa Collaborative Safety Net Provider Network coordination.
- \$74,517 for family planning network agencies.
- \$74,517 for local board of health medical home pilot programs.
- \$74,517 for child and maternal health center pilot programs.
- \$184,050 for free clinics.
- \$110,430 for rural health clinics.
- \$294,480 for the safety net provider patient access to specialty care initiative.
- \$294,480 for the pharmaceutical infrastructure for safety net

providers.

8 14 a. Of the funds appropriated in this subsection, \$63,592
 8 15 is allocated for a child vision screening program implemented
 8 16 through the university of Iowa hospitals and clinics in
 8 17 collaboration with community empowerment areas.

Requires an allocation of \$63,592 for a Child Vision Screening program through the University of Iowa Hospitals and Clinics in collaboration with Community Empowerment areas.

DETAIL: This is a decrease of \$26,408 compared to the FY 2010 allocation for a general reduction.

8 18 b. Of the funds appropriated in this subsection, \$129,741 is
 8 19 allocated for continuation of an initiative implemented at the
 8 20 university of Iowa and \$117,142 is allocated for continuation
 8 21 of an initiative at the state mental health institute at
 8 22 Cherokee to expand and improve the workforce engaged in
 8 23 mental health treatment and services. The initiatives shall
 8 24 receive input from the university of Iowa, the department
 8 25 of human services, the department of public health, and the
 8 26 mental health, mental retardation, developmental disabilities,
 8 27 and brain injury commission to address the focus of the
 8 28 initiatives.

Requires an allocation of \$129,741 for a University of Iowa initiative to expand and improve the mental health treatment and services workforce. Requires an allocation of \$117,142 for a similar initiative at the Mental Health Institute at Cherokee.

DETAIL: These are decreases compared to the FY 2010 allocations of \$13,513 for the University of Iowa initiative and \$8,660 for a similar initiative at the Mental Health Institute at Cherokee for general reductions.

8 29 c. Of the funds appropriated in this subsection, \$1,264,812
 8 30 shall be used for essential public health services that promote
 8 31 healthy aging throughout the lifespan, contracted through a
 8 32 formula for local boards of health, to enhance health promotion
 8 33 and disease prevention services.

Requires the Department of Public Health (DPH) to use \$1,264,812 for core public health functions, including home health care and public health nursing services.

DETAIL: This is an increase of \$210,752 compared to the FY 2010 allocation.

8 34 d. Of the funds appropriated in this section, \$130,214 shall
 8 35 be deposited in the governmental public health system fund
 9 1 created in section 135A.8 to be used for the purposes of the
 9 2 fund.

Allocates \$130,214 to the Governmental Public Health System Fund.

DETAIL: This is a decrease of \$31,135 compared to the total FY 2010 allocation for a general reduction and includes \$55,214 of

PG LN	House File 2526	Explanation
		funding from the HCTF that will now be funded from the General Fund. The Fund is used for activities relating to the Department's Public Health Modernization initiative.
9 3	e. Of the funds appropriated in this subsection, \$143,150	Allocates \$143,150 for the Mental Health Professional Shortage Area Program. DETAIL: This is a decrease of \$20,450 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the Health Care Trust Fund (HCTF).
9 4	shall be used for the mental health professional shortage area	
9 5	program implemented pursuant to section 135.80.	
9 6	f. Of the funds appropriated in this subsection,	Allocates \$40,900 for a rotation program for intern psychologists in urban and rural mental health professional shortage areas. DETAIL: This is no change compared to the FY 2010 allocation. This allocation was previously funded by the HCTF.
9 7	\$40,900 shall be used for a grant to a statewide association	
9 8	of psychologists that is affiliated with the American	Provides for allocations to the Iowa Collaborative Safety Net Provider Network.
9 9	psychological association to be used for continuation of a	
9 10	program to rotate intern psychologists in placements in urban	
9 11	and rural mental health professional shortage areas, as defined	
9 12	in section 135.80.	
9 13	g. Of the funds appropriated in this subsection, the	Provides for allocations to the Iowa Collaborative Safety Net Provider Network.
9 14	following amounts shall be allocated to the Iowa collaborative	
9 15	safety net provider network established pursuant to section	
9 16	135.153 to be used for the purposes designated:	
9 17	(1) For distribution to the Iowa=Nebraska primary	Allocates \$73,620 for the Iowa Collaborative Safety Net Provider Network. DETAIL: This is a decrease of \$8,180 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.
9 18	care association for statewide coordination of the Iowa	
9 19	collaborative safety net provider network:	Allocates \$74,517 for family planning network agencies to assist patients in finding an appropriate medical home.
9 20	..... \$ 73,620
9 21	(2) For distribution to the Iowa family planning network	Allocates \$74,517 for family planning network agencies to assist patients in finding an appropriate medical home.
9 22	agencies for necessary infrastructure, statewide coordination,	
9 23	provider recruitment, service delivery, and provision of	

<p>9 24 assistance to patients in determining an appropriate medical 9 25 home: 9 26 \$ 74,517</p>	<p>DETAIL: This is a decrease of \$8,279 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.</p>
<p>9 27 (3) For distribution to the local boards of health that 9 28 provide direct services for pilot programs in three counties to 9 29 assist patients in determining an appropriate medical home: 9 30 \$ 74,517</p>	<p>Allocates \$74,517 for local board of health pilot programs in three counties to assist patients in finding an appropriate medical home.</p> <p>DETAIL: This is a decrease of \$8,279 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.</p>
<p>9 31 (4) For distribution to maternal and child health centers 9 32 for pilot programs in three counties to assist patients in 9 33 determining an appropriate medical home: 9 34 \$ 74,517</p>	<p>Allocates \$74,517 for three child and maternal health center pilot programs to assist patients in finding an appropriate medical home.</p> <p>DETAIL: This is a decrease of \$8,279 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.</p>
<p>9 35 (5) For distribution to free clinics for necessary 10 1 infrastructure, statewide coordination, provider recruitment, 10 2 service delivery, and provision of assistance to patients in 10 3 determining an appropriate medical home: 10 4 \$ 184,050</p>	<p>Allocates \$184,050 for free clinics to assist patients in finding an appropriate medical home.</p> <p>DETAIL: This is a decrease of \$20,450 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.</p>
<p>10 5 (6) For distribution to rural health clinics for necessary 10 6 infrastructure, statewide coordination, provider recruitment, 10 7 service delivery, and provision of assistance to patients in 10 8 determining an appropriate medical home: 10 9 \$ 110,430</p>	<p>Allocates \$110,430 for rural health clinics to assist patients in finding an appropriate medical home.</p> <p>DETAIL: This is a decrease of \$12,270 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.</p>

<p>10 10 (7) For continuation of the safety net provider patient 10 11 access to specialty health care initiative as described in 2007 10 12 Iowa Acts, chapter 218, section 109: 10 13 \$ 294,480</p>	<p>Allocates \$294,480 for the safety net provider patient access to specialty care initiative.</p> <p>DETAIL: This is a decrease of \$32,720 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.</p>
<p>10 14 (8) For continuation of the pharmaceutical infrastructure 10 15 for safety net providers as described in 2007 Iowa Acts, 10 16 chapter 218, section 108: 10 17 \$ 294,480</p>	<p>Allocates \$294,480 for the pharmaceutical infrastructure for safety net providers.</p> <p>DETAIL: This is a decrease of \$32,720 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.</p>
<p>10 18 The Iowa collaborative safety net provider network may 10 19 continue to distribute funds allocated pursuant to this 10 20 lettered paragraph through existing contracts or renewal of 10 21 existing contracts.</p>	<p>Permits the Iowa Collaborative Safety Net Provider Network to continue existing contracts to distribute the funding.</p>
<p>10 22 h. (1) Of the funds appropriated in this subsection, 10 23 \$180,000 shall be used for continued implementation of 10 24 the recommendations of the direct care worker task force 10 25 established pursuant to 2005 Iowa Acts, chapter 88, based upon 10 26 the report submitted to the governor and the general assembly 10 27 in December 2006. The department may use a portion of the 10 28 funds allocated in this paragraph for an additional position to 10 29 assist in the continued implementation.</p>	<p>Allocates \$180,000 for continued implementation of the recommendations of the Direct Care Worker Task Force.</p> <p>DETAIL: This is a decrease of \$20,000 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF. Directs the Department to work toward establishing a data collection system and a Board of Direct Care Workers by FY 2014.</p>
<p>10 30 (2) It is the intent of the general assembly that a 10 31 board of direct care workers shall be established within the 10 32 department of public health by July 1, 2014, contingent upon 10 33 the availability of funds to establish and maintain the board.</p>	<p>Requires the DPH to establish a Board of Direct Care Workers by July 1, 2014, if funds are available to establish and maintain it.</p>
<p>10 34 (3) The direct care worker advisory council shall submit</p>	<p>Requires the Direct Care Worker Advisory Council to submit an</p>

10 35 an interim progress report no later than March 1, 2011, and a
11 1 final report no later than March 1, 2012, to the governor and
11 2 the general assembly, that includes but is not limited to all
11 3 of the following:
11 4 (a) Documenting the size of the direct care workforce. The
11 5 report shall provide the best estimates of the size of the
11 6 direct care workforce in Iowa by identifying what workforce
11 7 data is currently being collected, who is currently collecting
11 8 the data, the gaps in existing data, and the collection methods
11 9 necessary to address such gaps.
11 10 (b) Identifying the information management system required
11 11 to facilitate credentialing of direct care workers and
11 12 estimating the costs of development and maintenance of the
11 13 system.
11 14 (c) Reporting the results of any pilot relating to and
11 15 evaluating the recommendations of the advisory council that
11 16 address direct care worker training and curricula.
11 17 (d) Describing activities relating to developing and
11 18 delivering an education and outreach campaign to direct care
11 19 workers and other stakeholders regarding strategies to increase
11 20 the professionalism of the direct care workforce. The goals
11 21 of such education and outreach campaign are to bring greater
11 22 stability to the workforce and meet the needs of direct care
11 23 workers that exist due to the growth in Iowa's aging and
11 24 persons with disabilities populations.
11 25 (e) Making recommendations regarding the functions
11 26 and composition of the board of direct care workers, the
11 27 definitions of and categories for credentialing direct care
11 28 workers, for deeming the experience level of members of the
11 29 existing workforce to be the equivalent of other credentials,
11 30 the form of credentialing to be used, the timeframe for
11 31 credentialing of direct care workers, and the estimated costs
11 32 of establishing and maintaining board operations and the
11 33 methods to be used to fund and sustain such operations.

Interim progress report by March 1, 2011, and a final report by March 1, 2012, to the Governor and General Assembly and specifies the required contents of the reports.

11 34 (4) The department of public health shall report to the
11 35 persons designated in this Act for submission of reports

Requires the DPH to submit a report to the Chairpersons and Ranking Members of the Health and Human Services Appropriations

12 1 regarding use of the funds allocated in this lettered 12 2 paragraph, on or before January 15, 2011.	Subcommittee, Legislative Caucus Staff, and the Legislative Services Agency (LSA) by January 15, 2011.
12 3 i. (1) Of the funds appropriated in this subsection, 12 4 \$135,000 shall be used for allocation to an independent 12 5 statewide direct care worker association for education, 12 6 outreach, leadership development, mentoring, and other 12 7 initiatives intended to enhance the recruitment and retention 12 8 of direct care workers in health and long-term care.	Allocates \$135,000 to enhance the recruitment and retention of direct care workers in health and long-term care. DETAIL: This is a decrease of \$15,000 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.
12 9 (2) Of the funds appropriated in this subsection, \$63,000 12 10 shall be used to provide scholarships or other forms of 12 11 subsidized direct care worker educational conferences, 12 12 training, or outreach activities.	Allocated \$63,000 for scholarships for conferences, trainings, and other outreach activities for direct care workers. DETAIL: This is a decrease of \$7,000 compared to the FY 2010 allocation for a general reduction. This allocation was previously funded by the HCTF.
12 13 (3) The association specified in this lettered paragraph 12 14 shall report to the persons designated in this Act for 12 15 submission of reports on or before January 1, 2011, the use of 12 16 the funds allocated in this lettered paragraph, any progress 12 17 made regarding the initiatives specified and in expanding the 12 18 association statewide, and the number of scholarships provided, 12 19 and shall include in the report a copy of the association's 12 20 internal revenue service form 990.	Requires the Statewide Direct Care Worker Association to submit a report and a completed copy of the Association's Federal 990 Tax Form to the Chairpersons and Ranking Members of the Health and Human Services Appropriations Subcommittee, Legislative Caucus Staffs, and the LSA by January 1, 2011.
12 21 j. The department may utilize one of the full-time 12 22 equivalent positions authorized in this subsection for 12 23 administration of the activities related to the Iowa 12 24 collaborative safety net provider network.	Permits the Department to utilize up to 1.00 FTE position for administration of activities related to the Iowa Collaborative Safety Net Provider Network.
12 25 k. The department may utilize one of the full-time 12 26 equivalent positions authorized in this subsection for 12 27 administration of the volunteer health care provider program	Permits the Department to utilize up to 1.00 FTE position for administration of the Voluntary Health Care Provider Program.

12 28 pursuant to section 135.24.

12 29 5. HEALTHY AGING

12 30 To provide public health services that reduce risks and
 12 31 invest in promoting and protecting good health over the
 12 32 course of a lifetime with a priority given to older lowans and
 12 33 vulnerable populations:
 12 34 \$ 8,045,779

General Fund appropriation to the healthy aging programs (formerly referred to as elderly wellness).

DETAIL: This is a net increase of \$534,578 compared to estimated net FY 2010. The General Fund changes include:

- A decrease of \$300,000 to reduce funds directed to non-elderly wellness initiatives.
- The following increases reflect restorations of funding due to the FY 2010 ATB reductions:
 - \$229,208 for the Local Public Health Nursing Program.
 - \$605,370 for the Home Care Aid Program.

13 35 a. Of the funds appropriated in this subsection, \$2,209,696
 13 1 shall be used for local public health nursing services.

Allocates \$2,209,696 for the Local Public Health Nursing Program.

DETAIL: This is a decrease of \$82,380 compared to the FY 2010 allocation.

13 2 b. Of the funds appropriated in this subsection, \$5,836,083
 13 3 shall be used for home care aide services.

Allocates \$5,836,083 for the Home Care Aide Services Program.

DETAIL: This is a decrease of \$217,620 compared to the FY 2010 allocation.

13 4 6. ENVIRONMENTAL HAZARDS

13 5 For reducing the public's exposure to hazards in the
 13 6 environment, primarily chemical hazards, and for not more than
 13 7 the following full-time equivalent positions:
 13 8 \$ 900,352
 13 9 FTEs 4.50

General Fund appropriation to the environmental hazards programs.

DETAIL: This is no change compared to estimated net FY 2010.

13 10 Of the funds appropriated in this subsection, \$590,380 shall
 13 11 be used for childhood lead poisoning provisions.

Requires an allocation of \$590,380 for childhood lead poisoning testing.

DETAIL: This is a decrease of \$11,251 compared to the FY 2010 allocation for a general reduction.

13 12 7. INFECTIOUS DISEASES

13 13 For reducing the incidence and prevalence of communicable
13 14 diseases, and for not more than the following full-time
13 15 equivalent positions:

13 16 \$ 1,475,095

13 17 FTEs 5.00

General Fund appropriation to the infectious diseases programs.

DETAIL: This is an increase of \$7,500 and no change in FTE positions compared to estimated net FY 2010 for a general increase to infectious diseases programs.

13 18 8. PUBLIC PROTECTION

13 19 For protecting the health and safety of the public through
13 20 establishing standards and enforcing regulations, and for not
13 21 more than the following full-time equivalent positions:

13 22 \$ 3,212,987

13 23 FTEs 130.00

General Fund appropriation to the public protection programs.

DETAIL: This is no change in funding or FTE positions compared to estimated net FY 2010.

13 24 a. Of the funds appropriated in this subsection, not more
13 25 than \$471,690 shall be credited to the emergency medical
13 26 services fund created in section 135.25. Moneys in the
13 27 emergency medical services fund are appropriated to the
13 28 department to be used for the purposes of the fund.

Requires \$471,690 to be allocated to the Emergency Medical Services (EMS) Fund.

DETAIL: This is a decrease of \$77,550 compared to the FY 2010 allocation for a general reduction. The funds are used for training and equipment provided through the EMS Program.

13 29 b. Of the funds appropriated in this subsection, \$209,229
13 30 shall be used for sexual violence prevention programming
13 31 through a statewide organization representing programs serving
13 32 victims of sexual violence through the department's sexual
13 33 violence prevention program. The amount allocated in this
13 34 lettered paragraph shall not be used to supplant funding
13 35 administered for other sexual violence prevention or victims
14 1 assistance programs.

Allocates \$209,229 to provide program funding for children's sexual violence prevention.

DETAIL: This is a decrease of \$23,248 compared to the FY 2010 allocation for a general reduction.

14 2 c. Of the funds appropriated in this subsection, not more
 14 3 than \$485,520 shall be used for the state poison control
 14 4 center.

Requires an allocation up to a maximum of \$485,520 for the State
 Poison Control Center.

DETAIL: This is a decrease of \$53,947 compared to the FY 2010
 allocation for a general reduction.

14 5 9. RESOURCE MANAGEMENT
 14 6 For establishing and sustaining the overall ability of the
 14 7 department to deliver services to the public, and for not more
 14 8 than the following full-time equivalent positions:
 14 9 \$ 956,265
 14 10 FTEs 10.00

General Fund appropriation to the Department's resource
 management activities.

DETAIL: This is no change in funding or FTE positions compared to
 estimated net FY 2010.

14 11 The university of Iowa hospitals and clinics under the
 14 12 control of the state board of regents shall not receive
 14 13 indirect costs from the funds appropriated in this section.
 14 14 The university of Iowa hospitals and clinics billings to the
 14 15 department shall be on at least a quarterly basis.

Prohibits the University of Iowa Hospitals and Clinics (UIHC) from
 receiving indirect cost reimbursement from General Fund
 appropriations to the DPH. Requires the UIHC to submit billings on a
 quarterly basis for FY 2011.

14 16 DIVISION III
 14 17 DEPARTMENT OF VETERANS AFFAIRS

14 18 Sec. 3. DEPARTMENT OF VETERANS AFFAIRS. There is
 14 19 appropriated from the general fund of the state to the
 14 20 department of veterans affairs for the fiscal year beginning
 14 21 July 1, 2010, and ending June 30, 2011, the following amounts,
 14 22 or so much thereof as is necessary, to be used for the purposes
 14 23 designated:

14 24 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION
 14 25 For salaries, support, maintenance, and miscellaneous
 14 26 purposes, including the war orphans educational assistance fund
 14 27 created in section 35.8, and for not more than the following

General Fund appropriation to the Department of Veteran Affairs.

DETAIL: This is no change in funding or FTE positions compared to
 estimated net FY 2010.

14 28	full-time equivalent positions:	
14 29	.....	\$ 960,453
14 30	.....	FTEs 15.20
14 31	2. IOWA VETERANS HOME	General Fund appropriation to the Iowa Veterans Home.
14 32	For salaries, support, maintenance, and miscellaneous	
14 33	purposes:	DETAIL: This is no change compared to estimated net FY 2010.
14 34	.....	\$ 9,630,846
14 35	a. The Iowa veterans home billings involving the department	Requires the Iowa Veterans Home to submit monthly claims relating
15 1	of human services shall be submitted to the department on at	to Medicaid to the DHS.
15 2	least a monthly basis.	
15 3	b. If there is a change in the employer of employees	Requires a new employer to honor an existing collective bargaining
15 4	providing services at the Iowa veterans home under a collective	agreement at the Iowa Veterans Home.
15 5	bargaining agreement, such employees and the agreement shall	
15 6	be continued by the successor employer as though there had not	
15 7	been a change in employer.	
15 8	c. Within available resources and in conformance with	Permits the Iowa Veterans Home to provide financial assistance to
15 9	associated state and federal program eligibility requirements,	provide participation in the community reentry program within State
15 10	the Iowa veterans home may implement measures to provide	and federal eligibility requirements.
15 11	financial assistance to or on behalf of veterans or their	
15 12	spouses participating in the community reentry program.	
15 13	3. STATE EDUCATIONAL ASSISTANCE == CHILDREN OF DECEASED	General Fund appropriation for the State Educational Assistance for
15 14	VETERANS	Children of Deceased Veterans Program.
15 15	For provision of educational assistance pursuant to section	
15 16	35.9:	DETAIL: This is no change compared to estimated net FY 2010. This
15 17	.....	appropriation was impacted by the FY 2010 ATB reduction by
		decreasing the carryforward by 10.00%. Historically the appropriation
		has been \$27,000.

<p>15 18 Sec. 4. LIMITATION OF COUNTY COMMISSION OF VETERANS AFFAIRS 15 19 FUND STANDING APPROPRIATIONS. Notwithstanding the standing 15 20 appropriation in the following designated section for the 15 21 fiscal year beginning July 1, 2010, and ending June 30, 2011, 15 22 the amounts appropriated from the general fund of the state 15 23 pursuant to that section for the following designated purposes 15 24 shall not exceed the following amount: 15 25 For the county commissions of veterans affairs fund under 15 26 section 35A.16: 15 27 \$ 900,000</p>	<p>General Fund appropriation for the County Commissions of Veterans Affairs Fund.</p> <p>DETAIL: This is a decrease of \$90,000 compared to estimated net FY 2010. This is supplemented by Section 5, with an appropriation of \$90,000. Each of the 99 counties receives a \$10,000 grant for veteran-related expenditures.</p>
<p>15 28 Sec. 5. MERCHANT MARINE BONUS FUND == COUNTY GRANTS. There 15 29 is appropriated from the merchant marine bonus fund created in 15 30 section 35A.8 to the department of veterans affairs for the 15 31 fiscal year beginning July 1, 2010, and ending June 30, 2011, 15 32 the following amount, or so much thereof as is necessary, to be 15 33 used for the purposes designated: 15 34 For the county commissions of veterans affairs fund under 15 35 section 35A.16: 16 1 \$ 90,000</p>	<p>Merchant Marine Bonus Fund appropriation.</p> <p>DETAIL: This is a new appropriation for FY 2011. The Fund has \$134,000 remaining from bonuses paid to merchant marines. The funds supplement the \$900,000 General Fund appropriation for the veteran's county grants in Section 4.</p>
<p>16 2 DIVISION IV 16 3 DEPARTMENT OF HUMAN SERVICES</p>	
<p>16 4 Sec. 6. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK 16 5 GRANT. There is appropriated from the fund created in section 16 6 8.41 to the department of human services for the fiscal year 16 7 beginning July 1, 2010, and ending June 30, 2011, from moneys 16 8 received under the federal temporary assistance for needy 16 9 families (TANF) block grant pursuant to the federal Personal 16 10 Responsibility and Work Opportunity Reconciliation Act of 1996, 16 11 Pub. L. No. 104=193, and successor legislation, and from moneys 16 12 received under the emergency contingency fund for temporary 16 13 assistance for needy families state program established 16 14 pursuant to the federal American Recovery and Reinvestment Act</p>	<p>TANF Block Grant Fund appropriations for FY 2011.</p> <p>DETAIL: The federal government implemented Federal Welfare Reform on August 22, 1996. Federal Welfare Reform changed the funding for the Family Investment Program (FIP) from a matching program to a block grant of federal funds. The TANF Program was reauthorized on February 8, 2006, with work participation rates extended to separate State programs and the elimination of high performance bonuses; however, Iowa's grant remains the same at \$131,524,959 per year.</p>

16 15 of 2009, Pub. L. No. 111=5 2101, and successor legislation,
 16 16 the following amounts, or so much thereof as is necessary, to
 16 17 be used for the purposes designated:

16 18 1. To be credited to the family investment program account
 16 19 and used for assistance under the family investment program
 16 20 under chapter 239B:
 16 21 \$ 24,376,341

TANF FY 2011 Block Grant appropriation for the Family Investment Program (FIP) Account.

DETAIL: This is a decrease of \$4,208,062 compared to estimated net FY 2010. The decrease is due to additional Emergency TANF funding.

16 22 2. To be credited to the family investment program account
 16 23 and used for the job opportunities and basic skills (JOBS)
 16 24 program and implementing family investment agreements in
 16 25 accordance with chapter 239B:
 16 26 \$ 12,411,528

TANF FY 2011 Block Grant appropriation for the PROMISE JOBS Program.

DETAIL: This is a decrease of \$615,268 compared to estimated FY 2010 due to a reduction in the mileage rate from \$0.34 to \$0.30.

16 27 Notwithstanding section 8.33, not more than 5 percent of
 16 28 the moneys designated in this subsection that are allocated
 16 29 by the department for contracted services, other than
 16 30 family self=sufficiency grant services allocated under this
 16 31 subsection, that remain unencumbered or unobligated at the
 16 32 close of the fiscal year shall not revert but shall remain
 16 33 available for expenditure for the purposes designated until
 16 34 the close of the succeeding fiscal year. However, unless such
 16 35 moneys are encumbered or obligated on or before September 30,
 17 1 2011, the moneys shall revert.

CODE: Requires nonreversion of not more than 5.00% of funds allocated for contract services.

17 2 3. To be used for the family development and
 17 3 self=sufficiency grant program in accordance with section
 17 4 216A.107:
 17 5 \$ 2,898,980

TANF FY 2011 Block Grant appropriation for the Family Development and Self Sufficiency (FaDSS) Program.

DETAIL: This is an increase of \$450,000 compared to estimated FY 2010.

17 6 Notwithstanding section 8.33, moneys appropriated in this

CODE: Requires nonreversion of funds allocated for the FaDSS

<p>17 7 subsection that remain unencumbered or unobligated at the close 17 8 of the fiscal year shall not revert but shall remain available 17 9 for expenditure for the purposes designated until the close of 17 10 the succeeding fiscal year. However, unless such moneys are 17 11 encumbered or obligated on or before September 30, 2011, the 17 12 moneys shall revert.</p>	<p>Grant Program.</p>
<p>17 13 4. For field operations: 17 14 \$ 31,296,232</p>	<p>TANF FY 2011 Block Grant appropriation for Field Operations. DETAIL: This is an increase of \$9,637,096 compared to estimated FY 2010.</p>
<p>17 15 5. For general administration: 17 16 \$ 3,744,000</p>	<p>TANF FY 2011 Block Grant appropriation for General Administration. DETAIL: Maintains the current level of TANF support.</p>
<p>17 17 6. For state child care assistance: 17 18 \$ 16,382,687</p>	<p>TANF FY 2011 Block Grant appropriation for Child Care Assistance. DETAIL: This is a decrease of \$2,603,490 compared to estimated FY 2010.</p>
<p>17 19 The funds appropriated in this subsection shall be 17 20 transferred to the child care and development block grant 17 21 appropriation made by the Eighty-third General Assembly, 2010 17 22 Session, for the federal fiscal year beginning October 1, 17 23 2010, and ending September 30, 2011. Of this amount, \$200,000 17 24 shall be used for provision of educational opportunities to 17 25 registered child care home providers in order to improve 17 26 services and programs offered by this category of providers 17 27 and to increase the number of providers. The department may 17 28 contract with institutions of higher education or child care 17 29 resource and referral centers to provide the educational 17 30 opportunities. Allowable administrative costs under the 17 31 contracts shall not exceed 5 percent. The application for a 17 32 grant shall not exceed two pages in length.</p>	<p>Requires the (DHS) to transfer \$12,382,687 to the Child Care and Development Block Grand and to use \$200,000 for training of registered child care home providers. Permits the DHS to contract with colleges or child care resource centers and specifies requirements for funding the grants and the application form for the grant.</p>

17 33	7. For mental health and developmental disabilities	TANF FY 2011 Block Grant appropriation for Mental Health and
17 34	community services:	Developmental Disabilities Community Services.
17 35	..... \$ 4,894,052	DETAIL: Maintains the current level of TANF support.
18 1	8. For child and family services:	TANF FY 2011 Block Grant appropriation for Child and Family
18 2	..... \$ 32,084,430	Services.
		DETAIL: Maintains the current level of TANF support.
18 3	9. For child abuse prevention grants:	TANF FY 2011 Block Grant appropriation for Child Abuse Prevention
18 4	..... \$ 125,000	Grants.
		DETAIL: This no change compared to estimated FY 2010.
18 5	10. For pregnancy prevention grants on the condition that	TANF FY 2011 Block Grant appropriation for pregnancy prevention
18 6	family planning services are funded:	grants if family planning services are funded.
18 7	..... \$ 1,930,067	DETAIL: This is an increase of \$602,189 compared to estimated net
		FY 2010.
18 8	Pregnancy prevention grants shall be awarded to programs	Requires the recipients of pregnancy prevention grants to meet
18 9	in existence on or before July 1, 2010, if the programs are	certain requirements of comprehensiveness and demonstration of
18 10	comprehensive in scope and have demonstrated positive outcomes.	positive outcomes. Requires pregnancy prevention grants from the
18 11	Grants shall be awarded to pregnancy prevention programs	TANF to include the requirement that sexual abstinence be
18 12	which are developed after July 1, 2010, if the programs are	emphasized. Specifies that priority in awarding the grants should be
18 13	comprehensive in scope and are based on existing models that	given to programs in areas of the State that have the highest
18 14	have demonstrated positive outcomes. Grants shall comply with	percentage of unplanned adolescent pregnancies of females of
18 15	the requirements provided in 1997 Iowa Acts, chapter 208,	childbearing age within the geographic area served by the grant.
18 16	section 14, subsections 1 and 2, including the requirement that	
18 17	grant programs must emphasize sexual abstinence. Priority in	
18 18	the awarding of grants shall be given to programs that serve	
18 19	areas of the state which demonstrate the highest percentage of	
18 20	unplanned pregnancies of females of childbearing age within the	
18 21	geographic area to be served by the grant.	

18 22 11. For technology needs and other resources necessary
 18 23 to meet federal welfare reform reporting, tracking, and case
 18 24 management requirements:
 18 25 \$ 1,037,186

TANF FY 2011 Block Grant appropriation for federal welfare reform reporting, tracking, and case management technology and resource needs.

DETAIL: Maintains the current level of TANF support.

18 26 12. To be credited to the state child care assistance
 18 27 appropriation made in this section to be used for funding of
 18 28 community-based early childhood programs targeted to children
 18 29 from birth through five years of age developed by community
 18 30 empowerment areas as provided in section 28.9:
 18 31 \$ 6,350,000

TANF FY 2011 Block Grant appropriation to fund community-based programs for children from birth to age five as developed by community empowerment areas.

DETAIL: This is a decrease of \$500,000 compared to estimated FY 2010.

18 32 The department shall transfer TANF block grant funding
 18 33 appropriated and allocated in this subsection to the child care
 18 34 and development block grant appropriation in accordance with
 18 35 federal law as necessary to comply with the provisions of this
 19 1 subsection.

Requires the DHS to transfer TANF funds to the Child Care and Development Block Grant.

19 2 13. a. Notwithstanding any provision to the contrary,
 19 3 including but not limited to requirements in section 8.41 or
 19 4 provisions in 2009 or 2010 Iowa Acts regarding the receipt
 19 5 and appropriation of federal block grants, federal funds
 19 6 from the emergency contingency fund for temporary assistance
 19 7 for needy families state program established pursuant to the
 19 8 federal American Recovery and Reinvestment Act of 2009, Pub.
 19 9 L. No. 115=5 2101, received by the state during the fiscal
 19 10 year beginning July 1, 2009, and ending June 30, 2010, not
 19 11 otherwise appropriated in this section and remaining available
 19 12 as of July 1, 2010, and received by the state during the fiscal
 19 13 year beginning July 1, 2010, and ending June 30, 2011, are
 19 14 appropriated to the extent as may be necessary to be used
 19 15 in the following priority order: continuation of the grant
 19 16 addressed in paragraph "b", the family investment program for
 19 17 the fiscal year, and for state child care assistance program

CODE: Appropriates sufficient funding from the Emergency TANF funds received under the American Recovery and Reinvestment Act of 2009 (ARRA) to the DHS for the following:

- \$200,000 for continuation of the Earned Income Tax Credit (EITC) preparation assistance grant.
- To fully fund the Family Investment Program (FIP) for FY 2011. It is estimated the DHS will receive \$17,478,279 for this purpose.
- For the Child Care Assistance Program for individuals enrolled on FIP.

19 18 payments for individuals enrolled in the family investment
19 19 program who are employed. The federal funds appropriated in
19 20 this paragraph "a" shall be expended only after all other
19 21 funds appropriated in subsection 1 for the assistance under
19 22 the family investment program under chapter 239B have been
19 23 expended.

19 24 b. (1) Of the funds appropriated in paragraph "a", \$200,000
19 25 shall be used for continuation of a grant to an Iowa-based
19 26 nonprofit organization with a history of providing tax
19 27 preparation assistance to low-income lowans in order to expand
19 28 the usage of the earned income tax credit. The purpose of the
19 29 grant is to supply this assistance to underserved areas of the
19 30 state. The grant shall be provided to an organization that
19 31 has existing national foundation support for supplying such
19 32 assistance that can also secure local charitable match funding.

TANF Emergency Fund allocation of \$200,000 to provide tax preparation help for low-income lowans.

DETAIL: This is a decrease of \$19,423 compared to the FY 2010 allocation.

19 33 (2) The general assembly supports efforts by the
19 34 organization receiving funding under this lettered paragraph to
19 35 create a statewide earned income tax credit and asset-building
20 1 coalition to achieve both of the following purposes:
20 2 (a) Expanding the usage of the tax credit through new
20 3 and enhanced outreach and marketing strategies, as well as
20 4 identifying new local sites and human and financial resources.
20 5 (b) Assessing and recommending various strategies
20 6 for lowans to develop assets through savings, individual
20 7 development accounts, financial literacy, antipredatory lending
20 8 initiatives, informed home ownership, use of various forms of
20 9 support for work, and microenterprise business development
20 10 targeted to persons who are self-employed or have fewer than
20 11 five employees.

Specifies that the General Assembly supports the efforts to create a statewide earned income tax credit and asset-building coalition.

20 12 c. The department shall, on a quarterly basis, advise the
20 13 legislative services agency and department of management of
20 14 the amount of funds appropriated in this subsection that was

Requires the DHS to submit quarterly reports to the LSA and the Department of Management (DOM) regarding expenditures in this Section.

20 15 expended in the prior quarter.

20 16 d. (1) To the extent other federal funding is not available
20 17 for summer youth programs administered by the department of
20 18 workforce development and provided the match requirement is
20 19 met through the employment programs, in addition to the amount
20 20 appropriated in paragraph "a", funding is appropriated from the
20 21 same source and for the same fiscal year addressed in paragraph
20 22 "a", to the department of human services to be used for summer
20 23 youth employment programs administered by the department of
20 24 workforce development for the fiscal year beginning July 1,
20 25 2010, in accordance with the requirements of this lettered
20 26 paragraph.

Specifies that the paragraph relating to the Summer Youth Employment Program is only applicable if no other federal funding has been received.

20 27 (2) The department of human services shall collaborate
20 28 with the department of workforce development to secure
20 29 additional federal funds from the emergency contingency fund
20 30 for the temporary assistance for needy families state program
20 31 established pursuant to the federal American Recovery and
20 32 Reinvestment Act of 2009, Pub. L. No. 115=5 2101. This
20 33 collaboration shall be for the express limited purpose of
20 34 securing emergency contingency funds to subsidize wages
20 35 paid on behalf of individuals participating in the summer
21 1 youth employment program administered by the department of
21 2 workforce development. Subsidized wages shall be eligible for
21 3 reimbursement under the terms of the federal American Recovery
21 4 and Reinvestment Act of 2009, Pub. L. No. 115=5 2101, or
21 5 successor legislation, which may extend the availability of
21 6 emergency contingency funds. The collaboration between the two
21 7 agencies shall be formalized through a memorandum of agreement.

Requires the DHS to collaborate with the Iowa Department of Workforce Development (IWD) to draw additional federal funds from the Emergency Contingency TANF fund. The funds are to be used to subsidize wages paid on behalf of individuals participating in the Summer Youth Employment Program.

21 8 (3) Federal funds received as the result of this
21 9 collaboration shall be transferred to the department of
21 10 workforce development for the sole purpose of covering the
21 11 costs of wages paid on behalf of individuals participating
21 12 in the summer youth employment program administered by the

Requires funds received for the Summer Youth Employment Program to be transferred to IWD to subsidize wages paid on behalf of individuals participating in the Program.

21 13 department of workforce development. The department of
21 14 workforce development shall ensure that all expenditures
21 15 comply with applicable federal requirements and shall be
21 16 responsible for the repayment of any funds spent in error and
21 17 any corresponding penalty as well as taking corrective action
21 18 to address the error. Funds received in excess of the amount
21 19 of subsidized wages eligible for reimbursement under the terms
21 20 of the federal American Recovery and Reinvestment Act of 2009,
21 21 Pub. L. No. 115=5 2101, or successor legislation, which may
21 22 extend the availability of emergency contingency funds, shall
21 23 be returned by the department of workforce development to
21 24 the federal government following procedures developed by the
21 25 federal temporary assistance for needy families agency for that
21 26 purpose.

21 27 (4) The department of workforce development shall provide
21 28 the department of human services with the necessary information
21 29 to support the request for emergency contingency funds and to
21 30 report the expenditure of these funds once received pursuant to
21 31 federal reporting requirements. The responsibilities of both
21 32 agencies shall be specified in the memorandum of agreement.

21 33 14. Of the amounts appropriated in this section,
21 34 \$12,962,008 for the fiscal year beginning July 1, 2010, shall
21 35 be transferred to the appropriation of the federal social
22 1 services block grant made for that fiscal year.

22 2 15. The department may transfer funds allocated in this
22 3 section to the appropriations made in this Act for general
22 4 administration and field operations for resources necessary to
22 5 implement and operate the services referred to in this section
22 6 and those funded in the appropriation made in this division of
22 7 this Act for the family investment program from the general
22 8 fund of the state.

Requires the IWD to provide the DHS with any necessary information to support the request for Emergency TANF funds.

Requires \$12,962,008 of the federal TANF funds appropriated in this Section to be transferred to the federal Social Services Block Grant appropriation.

DETAIL: Maintains the current level of TANF support.

Permits the DHS to transfer funds to General Administration and Field Operations for costs associated with TANF-funded Programs and the Family Investment Program (FIP).

<p>22 9 Sec. 7. FAMILY INVESTMENT PROGRAM ACCOUNT. 22 10 1. Moneys credited to the family investment program (FIP) 22 11 account for the fiscal year beginning July 1, 2010, and 22 12 ending June 30, 2011, shall be used to provide assistance in 22 13 accordance with chapter 239B.</p>	<p>Requires funds credited to the Family Investment Program (FIP) Account for FY 2011 to be used as specified.</p>
<p>22 14 2. The department may use a portion of the moneys credited 22 15 to the FIP account under this section as necessary for 22 16 salaries, support, maintenance, and miscellaneous purposes.</p>	<p>Permits the DHS to use FIP funds for various administrative purposes.</p>
<p>22 17 3. The department may transfer funds allocated in 22 18 this section to the appropriations in this Act for general 22 19 administration and field operations for resources necessary to 22 20 implement and operate the services referred to in this section 22 21 and those funded in the appropriation made in this division of 22 22 this Act for the family investment program from the general 22 23 fund of the state.</p>	<p>Permits the DHS to transfer funds to General Administration and Field Operations for costs associated with this Section.</p>
<p>22 24 4. Moneys appropriated in this division of this Act and 22 25 credited to the FIP account for the fiscal year beginning July 22 26 1, 2010, and ending June 30, 2011, are allocated as follows:</p>	<p>Requires the TANF Block Grant funds appropriated to the FIP Account to be allocated as specified.</p>
<p>22 27 a. To be retained by the department of human services to 22 28 be used for coordinating with the department of human rights 22 29 to more effectively serve participants in the FIP program and 22 30 other shared clients and to meet federal reporting requirements 22 31 under the federal temporary assistance for needy families block 22 32 grant: 22 33 \$ 20,000</p>	<p>Allocates \$20,000 to the DHS to be used for administrative services. DETAIL: Maintains the current level of support.</p>
<p>22 34 b. To the department of human rights for staffing, 22 35 administration, and implementation of the family development 23 1 and self-sufficiency grant program in accordance with section</p>	<p>Allocates \$5,397,251 of the FY 2011 General Fund appropriation and TANF funds to the Department of Human Rights for the Family Development and Self-Sufficiency (FaDSS) Grant Program.</p>

PG LN	House File 2526	Explanation
23 2 216A.107:	23 3 \$ 5,397,251	DETAIL: This is a decrease of \$99,695 compared to the FY 2010 allocation.
23 4 (1) Of the funds allocated for the family development and 23 5 self=sufficiency grant program in this lettered paragraph, 23 6 not more than 5 percent of the funds shall be used for the 23 7 administration of the grant program.		Specifies that a maximum of 5.00% of the allocation be spent on administration of FaDSS Program grants.
23 8 (2) The department of human rights may continue to implement 23 9 the family development and self=sufficiency grant program 23 10 statewide during fiscal year 2010=2011.		Permits the Department of Human Rights to continue to implement the FaDSS Grant Program in FY 2010.
23 11 c. For the diversion subaccount of the FIP account: 23 12 \$ 1,698,400		Allocates \$1,698,400 of FY 2011 TANF funds for the FIP Diversion Subaccount.
23 13 A portion of the moneys allocated for the subaccount may 23 14 be used for field operations salaries, data management system 23 15 development, and implementation costs and support deemed 23 16 necessary by the director of human services in order to 23 17 administer the FIP diversion program.		Allows a portion of the FIP Diversion funds to be used to administer the FIP Diversion Program.
23 18 d. For the food stamp employment and training program: 23 19 \$ 68,059		Allocates \$68,059 of FY 2011 FIP funds to the Food Stamp Employment and Training Program.
23 20 (1) The department shall amend the food stamp employment and 23 21 training state plan in order to maximize to the fullest extent 23 22 permitted by federal law the use of the 50=50 match provisions 23 23 for the claiming of allowable federal matching funds from the		Requires the Department to amend the Food Stamp Employment and Training State Plan to maximize federal matching funds received.

23 24 United States department of agriculture pursuant to the federal
 23 25 food stamp employment and training program for providing
 23 26 education, employment, and training services for eligible food
 23 27 assistance program participants, including but not limited to
 23 28 related dependent care and transportation expenses.

23 29 (2) The department shall utilize additional funding
 23 30 available through Pub. L. No. 111=118, 1001 for related
 23 31 administrative costs as necessary to expand categorical
 23 32 federal food assistance program eligibility provisions to
 23 33 160 percent of the federal poverty level and eliminate the
 23 34 asset test from eligibility requirements, consistent with
 23 35 federal food assistance program requirements. The department
 24 1 shall design the expanded eligibility provisions to include
 24 2 as many food assistance households as is allowed by federal
 24 3 law. The eligibility provisions shall conform to all federal
 24 4 requirements including requirements addressing individuals who
 24 5 are incarcerated or otherwise ineligible.

Requires the DHS to expand the food assistance program eligibility to persons with income up to 160.00% of the Federal Poverty Level (FPL) and eliminate the asset test. The DHS is to conform to all federal requirements including requirements addressing individuals that are incarcerated.

24 6 e. For the JOBS program:
 24 7 \$ 20,652,993

Permits the DHS to allocate \$20,652,993 of the FY 2011 General Fund appropriation and TANF funds for the PROMISE JOBS Program.

DETAIL: This is a decrease of \$985,270 compared to the FY 2010 allocation.

24 8 5. Of the child support collections assigned under FIP,
 24 9 an amount equal to the federal share of support collections
 24 10 shall be credited to the child support recovery appropriation
 24 11 made in this division of this Act. Of the remainder of the
 24 12 assigned child support collections received by the child
 24 13 support recovery unit, a portion shall be credited to the FIP
 24 14 account, a portion may be used to increase recoveries, and a
 24 15 portion may be used to sustain cash flow in the child support
 24 16 payments account. If as a consequence of the appropriations
 24 17 and allocations made in this section the resulting amounts

Requires the federal share of child support collections recovered by the State to be credited to the Child Support Recovery Unit. The remainder of support collected is credited to the FIP account and the DHS is permitted to use a portion to increase recoveries and to sustain cash flow in the child support payments account.

24 18 are insufficient to sustain cash assistance payments and meet
 24 19 federal maintenance of effort requirements, the department
 24 20 shall seek supplemental funding. If child support collections
 24 21 assigned under FIP are greater than estimated or are otherwise
 24 22 determined not to be required for maintenance of effort, the
 24 23 state share of either amount may be transferred to or retained
 24 24 in the child support payment account.

24 25 6. The department may adopt emergency rules for the family
 24 26 investment, JOBS, food stamp, and medical assistance programs
 24 27 if necessary to comply with federal requirements.

Permits the DHS to adopt emergency administrative rules for the FIP, Food Stamp Program, and Medical Assistance Program.

24 28 Sec. 8. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
 24 29 is appropriated from the general fund of the state to the
 24 30 department of human services for the fiscal year beginning July
 24 31 1, 2010, and ending June 30, 2011, the following amount, or
 24 32 so much thereof as is necessary, to be used for the purpose
 24 33 designated:
 24 34 To be credited to the family investment program (FIP)
 24 35 account and used for family investment program assistance under
 25 1 chapter 239B:
 25 2 \$ 31,735,539

General Fund appropriation to the DHS for the FIP, to be credited to the FIP Account.

DETAIL: This is a net increase of \$602,109 and a decrease of 4.50 FTE positions compared to estimated net FY 2010. The changes include:

- A decrease of \$4,119,206 due to a net increase in Emergency TANF funding through ARRA.
- An increase of \$10,794,158 due to caseload growth.
- An increase of \$8,215,882 due to a loss of carryforward from FY 2009 to FY 2010.
- A decrease of \$13,448,490 due to additional funds from the elimination of a transfer to child care.
- An increase of \$77,907 for increased Promise Jobs participation.
- A decrease of \$853,933 from a reduction in the electronic benefits transfer (EBT) vendor contract.
- A decrease of \$64,209 due to increased use of electronic funds transfers.

The appropriation for the FIP Account also contains funding for the PROMISE JOBS and FaDSS Programs. The appropriation maintains the current FIP payment levels (maximum grants of \$361 per month for a family with two persons and \$426 for a family with three persons).

25 3 1. Of the funds appropriated in this section, \$8,241,465 is
25 4 allocated for the JOBS program.

General Fund allocation of \$8,241,465 for the PROMISE JOBS Program.

DETAIL: This is a decrease of \$312,270 compared to the FY 2010 allocation.

25 5 2. Of the funds appropriated in this section, \$2,518,271 is
25 6 allocated for the family development and self-sufficiency grant
25 7 program.

General Fund allocation of \$2,518,271 for the FaDSS Program.

DETAIL: Maintains current level of support.

25 8 3. Notwithstanding section 8.39, for the fiscal year
25 9 beginning July 1, 2010, if necessary to meet federal
25 10 maintenance of effort requirements or to transfer federal
25 11 temporary assistance for needy families block grant funding
25 12 to be used for purposes of the federal social services block
25 13 grant or to meet cash flow needs resulting from delays in
25 14 receiving federal funding or to implement, in accordance with
25 15 this division of this Act, activities currently funded with
25 16 juvenile court services, county, or community moneys and state
25 17 moneys used in combination with such moneys, the department
25 18 of human services may transfer funds within or between any
25 19 of the appropriations made in this division of this Act and
25 20 appropriations in law for the federal social services block
25 21 grant to the department for the following purposes, provided
25 22 that the combined amount of state and federal temporary
25 23 assistance for needy families block grant funding for each
25 24 appropriation remains the same before and after the transfer:
25 25 a. For the family investment program.
25 26 b. For child care assistance.
25 27 c. For child and family services.
25 28 d. For field operations.
25 29 e. For general administration.
25 30 f. MH/MR/DD/BI community services (local purchase).
25 31 This subsection shall not be construed to prohibit the use
25 32 of existing state transfer authority for other purposes. The
25 33 department shall report any transfers made pursuant to this

CODE: Specifies that the DHS has the authority to transfer TANF funds to the Social Services Block Grant as necessary to meet Maintenance of Effort requirements.

25 34 subsection to the legislative services agency.

25 35 Sec. 9. CHILD SUPPORT RECOVERY. There is appropriated
 26 1 from the general fund of the state to the department of human
 26 2 services for the fiscal year beginning July 1, 2010, and ending
 26 3 June 30, 2011, the following amount, or so much thereof as is
 26 4 necessary, to be used for the purposes designated:
 26 5 For child support recovery, including salaries, support,
 26 6 maintenance, and miscellaneous purposes, and for not more than
 26 7 the following full-time equivalent positions:
 26 8 \$ 11,877,414
 26 9 FTEs 520.00

General Fund appropriation to the DHS for the Child Support Recovery Unit.

DETAIL: This is a decrease of \$201,000 and no change in FTE positions compared to estimated net FY 2010. The changes include:

- A decrease of \$23,000 due to efficiencies from electronic payments from businesses.
- A decrease of \$228,000 to reflect a modification of handling funding from the Child Support Recovery Unit Fund.
- An increase of \$50,000 to offset loss of federal ARRA dollars.

26 10 1. The department shall expend up to \$24,329, including
 26 11 federal financial participation, for the fiscal year beginning
 26 12 July 1, 2010, for a child support public awareness campaign.
 26 13 The department and the office of the attorney general shall
 26 14 cooperate in continuation of the campaign. The public
 26 15 awareness campaign shall emphasize, through a variety of
 26 16 media activities, the importance of maximum involvement of
 26 17 both parents in the lives of their children as well as the
 26 18 importance of payment of child support obligations.

Requires the DHS to expend up to \$24,329 during FY 2011 for a child support public awareness campaign. The funding limitation includes federal funds. The campaign is to be operated in cooperation with the Office of the Attorney General and is to emphasize parental involvement and financial support.

DETAIL: This is a decrease of \$2,703 compared to the FY 2010 allocation.

26 19 2. Federal access and visitation grant moneys shall be
 26 20 issued directly to private not-for-profit agencies that provide
 26 21 services designed to increase compliance with the child access
 26 22 provisions of court orders, including but not limited to
 26 23 neutral visitation sites and mediation services.

Specifies the process for utilization of receipts from federal Access and Visitation Grants.

26 24 3. The appropriation made to the department for child
 26 25 support recovery may be used throughout the fiscal year in the
 26 26 manner necessary for purposes of cash flow management, and for
 26 27 cash flow management purposes the department may temporarily

Permits the DHS to use the appropriation as necessary and draw more than appropriated if needed to solve any cash flow problems, provided the amount appropriated is not exceeded at the end of the fiscal year.

26 28 draw more than the amount appropriated, provided the amount
26 29 appropriated is not exceeded at the close of the fiscal year.

26 30 4. With the exception of the funding amount specified,
26 31 the requirements established under 2001 Iowa Acts, chapter
26 32 191, section 3, subsection 5, paragraph "c", subparagraph (3),
26 33 shall be applicable to parental obligation pilot projects for
26 34 the fiscal year beginning July 1, 2010, and ending June 30,
26 35 2011. Notwithstanding 441 IAC 100.8, as in effect on June 30,
27 1 2009, providing for termination of rules relating to the pilot
27 2 projects the earlier of October 1, 2006, or when legislative
27 3 authority is discontinued, the rules relating to the pilot
27 4 projects, as in effect on June 30, 2009, shall remain in effect
27 5 until June 30, 2011.

Specifies that the Department is to continue to operate the Child Support Recovery Unit under the guidelines established in the 2001 Iowa Acts.

27 6 Sec. 10. HEALTH CARE TRUST FUND == MEDICAL ASSISTANCE. Any
27 7 funds remaining in the health care trust fund created in
27 8 section 453A.35A for the fiscal year beginning July 1, 2010,
27 9 and ending June 30, 2011, are appropriated to the department
27 10 of human services to supplement the medical assistance program
27 11 appropriations made in this Act, for medical assistance
27 12 reimbursement and associated costs, including program
27 13 administration and costs associated with implementation.

Appropriates the balance of the HCTF to the Medicaid Program for FY 2010 after all other appropriations from the Fund are made.

DETAIL: It is estimated that there will be \$107,615,211 available. This is an increase of \$6,964,471 compared to estimated net FY 2010.

27 14 Sec. 11. MEDICAL ASSISTANCE. There is appropriated from the
27 15 general fund of the state to the department of human services
27 16 for the fiscal year beginning July 1, 2010, and ending June 30,
27 17 2011, the following amount, or so much thereof as is necessary,
27 18 to be used for the purpose designated:

27 19 For medical assistance reimbursement and associated costs
27 20 as specifically provided in the reimbursement methodologies
27 21 in effect on June 30, 2010, except as otherwise expressly
27 22 authorized by law, including reimbursement for abortion
27 23 services which shall be available under the medical assistance
27 24 program only for those abortions which are medically necessary:

General Fund appropriation to the DHS for the Medical Assistance (Medicaid) Program.

DETAIL: This is a net decrease of \$191,174,790 compared to estimated net FY 2010. The changes include:

- An increase of \$49,085,225 for increases in utilization and enrollment.
- An increase of \$1,833,333 to replace a one-time transfer for hospital rebase from the Veterans Home.
- A decrease of \$3,829,725 for the annual adjustment to the Federal Medical Assistance Percentage (FMAP) match rate.

27 25 \$418,921,344

- A decrease of \$10,719,202 to annualize the ATB reduction.
- A decrease of \$21,393,608 due to additional funds available from the Senior Living Trust Fund.
- A decrease if \$1,801,402 to transfer funds to State Supplementary Assistance.
- A decrease of \$14,957,400 from savings related to SF 2088 (Government Reorganization and Efficiency Act).
- A decrease of \$7,964,338 due to additional funds available from the HCTF.
- A decrease of \$187,800,000 due to additional funds from the Cash Reserve Fund.
- A decrease of \$10,806,990 from a net decrease in ARRA funding.
- An increase of \$40,281,386 to match revisions to estimates by the Medicaid forecasting workgroup.
- A decrease of \$23,102,069 due to a general reduction to Medicaid.

27 26 1. Medically necessary abortions are those performed under
27 27 any of the following conditions:

27 28 a. The attending physician certifies that continuing the
27 29 pregnancy would endanger the life of the pregnant woman.

27 30 b. The attending physician certifies that the fetus is
27 31 physically deformed, mentally deficient, or afflicted with a
27 32 congenital illness.

27 33 c. The pregnancy is the result of a rape which is reported
27 34 within 45 days of the incident to a law enforcement agency or
27 35 public or private health agency which may include a family
28 1 physician.

28 2 d. The pregnancy is the result of incest which is reported
28 3 within 150 days of the incident to a law enforcement agency
28 4 or public or private health agency which may include a family
28 5 physician.

28 6 e. Any spontaneous abortion, commonly known as a
28 7 miscarriage, if not all of the products of conception are
28 8 expelled.

Specifies conditions that permit the Medical Assistance Program to reimburse providers for abortion services.

DETAIL: This is the same language that has been included for several years.

28 9 2. The department shall utilize not more than \$60,000 of

Requires the DHS to use a maximum of \$60,000 of the funds

28 10 the funds appropriated in this section to continue the AIDS/HIV
 28 11 health insurance premium payment program as established in 1992
 28 12 Iowa Acts, Second Extraordinary Session, chapter 1001, section
 28 13 409, subsection 6. Of the funds allocated in this subsection,
 28 14 not more than \$5,000 may be expended for administrative
 28 15 purposes.

appropriated for Medical Assistance to continue the AIDS/HIV Health Insurance Premium Payment as established during the Second Extraordinary Session in 1992.

DETAIL: Maintains the current level of General Fund support.

28 16 3. Of the funds appropriated in this Act to the department
 28 17 of public health for addictive disorders, \$950,000 for the
 28 18 fiscal year beginning July 1, 2010, shall be transferred to
 28 19 the department of human services for an integrated substance
 28 20 abuse managed care system. The department shall not assume
 28 21 management of the substance abuse system in place of the
 28 22 managed care contractor unless such a change in approach is
 28 23 specifically authorized in law. The departments of human
 28 24 services and public health shall work together to maintain
 28 25 the level of mental health and substance abuse services
 28 26 provided by the managed care contractor through the Iowa plan
 28 27 for behavioral health. Each department shall take the steps
 28 28 necessary to continue the federal waivers as necessary to
 28 29 maintain the level of services.

Requires \$950,000 of the Substance Abuse Grants appropriation to DPH to be transferred to the Medical Assistance Program in the DHS for continuation of the Managed Substance Abuse Treatment Program. Also, requires the DHS to assume management of the Program.

DETAIL: Maintains the current level of General Fund support. The Managed Substance Abuse Treatment Program was funded for the first time in FY 1996.

28 30 4. a. The department shall aggressively pursue options for
 28 31 providing medical assistance or other assistance to individuals
 28 32 with special needs who become ineligible to continue receiving
 28 33 services under the early and periodic screening, diagnosis, and
 28 34 treatment program under the medical assistance program due to
 28 35 becoming 21 years of age who have been approved for additional
 29 1 assistance through the department's exception to policy
 29 2 provisions, but who have health care needs in excess of the
 29 3 funding available through the exception to policy provisions.
 29 4 b. Of the funds appropriated in this section, \$100,000
 29 5 shall be used for participation in one or more pilot projects
 29 6 operated by a private provider to allow the individual or
 29 7 individuals to receive service in the community in accordance
 29 8 with principles established in *Olmstead v. L.C.*, 527 U.S. 581

Requires the DHS to aggressively pursue options for assisting special needs individuals that become ineligible for continued services under the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Program as a result of turning 21 years of age. The individuals are to have been approved for additional assistance through the DHS exception to policy process, but have health care needs exceeding available funding. This Section requires the Department to allocate \$100,000 to fund one or more pilot projects focused on providing care in the community.

DETAIL: Maintains the current level of General Fund support.

29 9 (1999), for the purpose of providing medical assistance or
29 10 other assistance to individuals with special needs who become
29 11 ineligible to continue receiving services under the early and
29 12 periodic screening, diagnosis, and treatment program under
29 13 the medical assistance program due to becoming 21 years of
29 14 age who have been approved for additional assistance through
29 15 the department's exception to policy provisions, but who have
29 16 health care needs in excess of the funding available through
29 17 the exception to the policy provisions.

29 18 5. Of the funds appropriated in this section, up to
29 19 \$3,050,082 may be transferred to the field operations
29 20 or general administration appropriations in this Act for
29 21 operational costs associated with Part D of the federal
29 22 Medicare Prescription Drug Improvement and Modernization Act
29 23 of 2003, Pub. L. No. 108=173.

Permits the DHS to transfer up to \$3,050,082 to Field Operations or General Administration for implementation costs of the new Medicare Part D prescription drug benefit and low-income subsidy application process.

29 24 6. Of the funds appropriated in this section, not more
29 25 than \$166,600 shall be used to enhance outreach efforts. The
29 26 department may transfer funds allocated in this subsection to
29 27 the appropriations in this division of this Act for general
29 28 administration, the children's health insurance program, or
29 29 medical contracts, as necessary, to implement the outreach
29 30 efforts.

Prohibits the DHS from expending more than \$166,600 for outreach for the Medicaid and hawk-i programs.

29 31 7. Of the funds appropriated in this section, up to \$442,100
29 32 may be transferred to the appropriation in this Act for medical
29 33 contracts to be used for clinical assessment services related
29 34 to remedial services in accordance with federal law.

Permits a maximum of \$442,100 of Medicaid funds to be transferred to Clinical Assessment Services.

DETAIL: Maintains the current allocation level.

29 35 8. A portion of the funds appropriated in this section
30 1 may be transferred to the appropriations in this division of
30 2 this Act for general administration, medical contracts, the
30 3 children's health insurance program, or field operations to be

Permits the DHS to use a portion of the funds appropriated to carry out the Payment Error Rate Measurement (PERM) Program. This brings the DHS into compliance with the federal Improper Payments Information Act of 2002.

30 4 used for the state match cost to comply with the payment error
 30 5 rate measurement (PERM) program for both the medical assistance
 30 6 and children's health insurance programs as developed by the
 30 7 centers for Medicare and Medicaid services of the United States
 30 8 department of health and human services to comply with the
 30 9 federal Improper Payments Information Act of 2002, Pub. L. No.
 30 10 107=300.

30 11 9. It is the intent of the general assembly that the
 30 12 department continue to implement the recommendations of
 30 13 the assuring better child health and development initiative
 30 14 II (ABCDII) clinical panel to the Iowa early and periodic
 30 15 screening, diagnostic, and treatment services healthy mental
 30 16 development collaborative board regarding changes to billing
 30 17 procedures, codes, and eligible service providers.

Specifies legislative intent that the DHS continue to implement the recommendations of the ABCD II Clinical Panel for changes to billing procedures, codes, and eligible service providers.

30 18 10. Of the funds appropriated in this section, a sufficient
 30 19 amount is allocated to supplement the incomes of residents of
 30 20 nursing facilities, intermediate care facilities for persons
 30 21 with mental illness, and intermediate care facilities for
 30 22 persons with mental retardation, with incomes of less than \$50
 30 23 in the amount necessary for the residents to receive a personal
 30 24 needs allowance of \$50 per month pursuant to section 249A.30A.

Requires the DHS to provide residents in nursing facilities, ICF/MRs, and ICF/MIs with a personal needs allowance of \$50 per month.

DETAIL: There are no changes in this provision from FY 2010.

30 25 11. Of the funds appropriated in this section, the following
 30 26 amounts shall be transferred to the appropriations made in this
 30 27 division of this Act for the state mental health institutes:
 30 28 a. Cherokee mental health institute \$ 9,098,425
 30 29 b. Clarinda mental health institute \$ 1,977,305
 30 30 c. Independence mental health institute \$ 9,045,894
 30 31 d. Mount Pleasant mental health institute \$ 5,752,587

Transfers Medicaid funds to the four Mental Health Institutes.

DETAIL: Maintains the current level of General Fund support.

30 32 12. a. Of the funds appropriated in this section,
 30 33 \$7,108,069 is allocated for the state match for a
 30 34 disproportionate share hospital payment of \$19,133,430 to

Allocates \$7,108,069 of Medicaid funds for the State match for the Disproportionate Share Hospital (DSH) payment of \$19,133,430. In addition, the UIHC is to either use Certified Public Expenditures or

<p>30 35 hospitals that meet both of the conditions specified in 31 1 subparagraphs (1) and (2). In addition, the hospitals that 31 2 meet the conditions specified shall either certify public 31 3 expenditures or transfer to the medical assistance program 31 4 an amount equal to provide the nonfederal share for a 31 5 disproportionate share hospital payment of \$7,500,000. The 31 6 hospitals that meet the conditions specified shall receive and 31 7 retain 100 percent of the total disproportionate share hospital 31 8 payment of \$26,633,430. 31 9 (1) The hospital qualifies for disproportionate share and 31 10 graduate medical education payments. 31 11 (2) The hospital is an Iowa state-owned hospital with more 31 12 than 500 beds and eight or more distinct residency specialty 31 13 or subspecialty programs recognized by the American college of 31 14 graduate medical education.</p>	<p>transfer \$7,500,000 to the Medicaid Program to provide the nonfederal share of the DSH payment. The UIHC will retain 100.0% of the DSH payment of \$26,633,430.</p>
<p>31 15 b. Distribution of the disproportionate share payments 31 16 shall be made on a monthly basis. The total amount of 31 17 disproportionate share payments including graduate medical 31 18 education, enhanced disproportionate share, and Iowa 31 19 state-owned teaching hospital payments shall not exceed the 31 20 amount of the state's allotment under Pub. L. No. 102=234. 31 21 In addition, the total amount of all disproportionate 31 22 share payments shall not exceed the hospital-specific 31 23 disproportionate share limits under Pub. L. No. 103=66. 31 24 13. The university of Iowa hospitals and clinics shall 31 25 either certify public expenditures or transfer to the medical 31 26 assistance appropriation an amount equal to provide the 31 27 nonfederal share for increased medical assistance payments for 31 28 inpatient hospital services of \$7,500,000. The university of 31 29 Iowa hospitals and clinics shall receive and retain 100 percent 31 30 of the total increase in medical assistance payments.</p>	<p>Specifies that DSH payments are to be distributed on a monthly basis and the DSH payments are not to exceed the federal limit.</p>
<p>31 31 14. Of the funds appropriated in this section, up to 31 32 \$4,601,848 may be transferred to the IowaCare account created 31 33 in section 249J.24.</p>	<p>Transfers up to \$4,601,848 of Medicaid funds to the IowaCare Program.</p>

31 34	15. Of the funds appropriated in this section, \$200,000	Allocates \$200,000 of Medicaid funds to the Iowa Chronic Care Consortium.
31 35	shall be used for the Iowa chronic care consortium pursuant to	
32 1	2003 Iowa Acts, chapter 112, section 12, as amended by 2003	
32 2	Iowa Acts, chapter 179, sections 166 and 167.	DETAIL: This is a decrease of \$50,000 compared to the FY 2009 allocation.
32 3	16. One hundred percent of the nonfederal share of payments	Allocates Medicaid funds to Area Education Agencies.
32 4	to area education agencies that are medical assistance	
32 5	providers for medical assistance=covered services provided to	
32 6	medical assistance=covered children, shall be made from the	
32 7	appropriation made in this section.	
32 8	17. Any new or renewed contract entered into by the	Specifies that any new or renewed contract with a third party
32 9	department with a third party to administer behavioral health	behavioral health administrator requires interest earned to be remitted
32 10	services under the medical assistance program shall provide	to the DHS to offset costs of the Medicaid Program.
32 11	that any interest earned on payments from the state during	
32 12	the state fiscal year shall be remitted to the department	
32 13	and treated as recoveries to offset the costs of the medical	
32 14	assistance program.	
32 15	18. The department shall continue to implement the	Requires the DHS to continue the implementation of the federal
32 16	provisions in 2007 Iowa Acts, chapter 218, section 124 and	Family Opportunity Act.
32 17	section 126, as amended by 2008 Iowa Acts, chapter 1188,	
32 18	section 55, relating to eligibility for certain persons with	DETAIL: The Family Opportunity Act is a Medicaid buy-in Program for
32 19	disabilities under the medical assistance program in accordance	children with family income of up to 300.00% of the Federal Poverty
32 20	with the federal family opportunity Act.	Level and that also meet SSI-eligibility requirements.
32 21	19. A portion of the funds appropriated in this section	Specifies that a portion of the Medicaid funding may be transferred to
32 22	may be transferred to the appropriation in this division of	Medical Contracts for administrative activities related to the Money
32 23	this Act for medical contracts to be used for administrative	Follows the Person Demonstration Project.
32 24	activities associated with the money follows the person	
32 25	demonstration project.	
32 26	20. Notwithstanding section 8.33, the portion of the	CODE: Requires nonreversion of any funds received as part of the

<p>32 27 funds appropriated in this section that is the result of the 32 28 application of the increased federal medical assistance match 32 29 percentage under the federal American Recovery and Reinvestment 32 30 Act of 2009, to the amount the state pays the federal 32 31 government as required under the federal Medicare Prescription 32 32 Drug Improvement and Modernization Act of 2003, known as 32 33 clawback payments, for the period October 1, 2008, through 32 34 December 31, 2010, that remains unobligated or unencumbered at 32 35 the close of the fiscal year, shall not revert to any fund but 33 1 shall remain available for expenditure for the purposes of the 33 2 medical assistance program until the close of the succeeding 33 3 fiscal year.</p>	<p>increased Medicare Clawback payment from the federal government through FY 2011.</p>
<p>33 4 21. The department may transfer any savings generated 33 5 due to medical assistance program cost containment efforts 33 6 initiated pursuant to 2010 Iowa Acts, Senate File 2088, if 33 7 enacted, or executive order 20, issued December 16, 2009, to 33 8 the medical contracts appropriation made in this division of 33 9 this Act to defray the increased contract costs associated with 33 10 implementing such efforts.</p>	<p>Specifies the DHS may transfer savings associated with government reorganization to Medical Contracts to offset the costs of implementing the efforts.</p>
<p>33 11 22. The department shall request a waiver from the centers 33 12 for Medicare and Medicaid services of the United States 33 13 department of health and human services to add assisted living 33 14 services to the home and community-based services waiver 33 15 for the elderly under the medical assistance program. Upon 33 16 receipt of federal approval of the waiver, the department shall 33 17 implement assisted living as a service within the home and 33 18 community-based services elderly waiver. The department shall 33 19 adopt rules to implement the approved elderly waiver assisted 33 20 living service.</p>	<p>Requires the DHS to request a waiver from the Center for Medicare and Medicaid Services to add assisted living services to the HCBS Elderly Waiver. The DHS is to adopt rules to implement this provision.</p>
<p>33 21 23. The department of human services shall convene a 33 22 workgroup with the department of inspections and appeals, 33 23 county central point of coordination administrators, affected</p>	<p>Requires the DHS to convene a workgroup to review various regulatory requirements for providers of mental health and disability services paid by Medicaid. The workgroup is to look for opportunities to streamline requirements and increase access to information. The</p>

33 24 service providers, and other appropriate interests in reviewing
 33 25 the various regulatory requirements applicable to providers of
 33 26 mental health and disability services paid under this and other
 33 27 appropriations. The review shall encompass federal, state,
 33 28 and professional requirements applicable to the providers.
 33 29 The workgroup shall identify opportunities for streamlining
 33 30 regulatory requirements, increasing public access to cost,
 33 31 quality, and outcomes information within the system, and
 33 32 increasing compliance with applicable federal health, safety,
 33 33 and accountability provisions. The workgroup shall hold two
 33 34 meetings and submit a report on or before December 15, 2010, to
 33 35 the persons designated by this Act for submission of reports.

workgroup is to submit a report of findings by December 15, 2010.

34 1 Sec. 12. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There
 34 2 is appropriated from the general fund of the state to the
 34 3 department of human services for the fiscal year beginning July
 34 4 1, 2010, and ending June 30, 2011, the following amount, or
 34 5 so much thereof as is necessary, to be used for the purpose
 34 6 designated:
 34 7 For administration of the health insurance premium payment
 34 8 program, including salaries, support, maintenance, and
 34 9 miscellaneous purposes, and for not more than the following
 34 10 full-time equivalent positions:
 34 11 \$ 457,210
 34 12 FTEs 19.00

General Fund appropriation to the DHS for the Health Insurance Premium Payment (HIPP) Program.

DETAIL: This is no change in funding and no change in FTE positions compared to estimated net FY 2010.

34 13 Sec. 13. MEDICAL CONTRACTS. There is appropriated from the
 34 14 general fund of the state to the department of human services
 34 15 for the fiscal year beginning July 1, 2010, and ending June 30,
 34 16 2011, the following amount, or so much thereof as is necessary,
 34 17 to be used for the purpose designated:
 34 18 For medical contracts, including salaries, support,
 34 19 maintenance, and miscellaneous purposes, and for not more than
 34 20 the following full-time equivalent positions:
 34 21 \$ 9,683,668
 34 22 FTEs 6.00

General Fund appropriation to the DHS for Medical Contracts.

DETAIL: This is a net decrease of \$2,602,685 and no change in FTE positions compared to estimated net FY 2010. The changes include:

- An increase of \$915,415 due to contract inflation and IT cost increases.
- A decrease \$150,000 to eliminate one-time Iowa Medicaid Enterprise procurement costs.
- An increase of \$34,348 to upgrade to HIPPA version 5010.
- A decrease of \$190,555 due to a savings from moving to

paperless methods.

- A decrease of \$1,338,630 due to additional funds available from the Pharmaceutical Settlement Account.
- A decrease of \$1,873,263 due to a transfer of State matching funds to Department of Inspections and Appeals (DIA) for inspections.

34 23 The department of inspections and appeals shall provide all
 34 24 state matching funds for survey and certification activities
 34 25 performed by the department of inspections and appeals.
 34 26 The department of human services is solely responsible for
 34 27 distributing the federal matching funds for such activities.

Requires the DIA to provide all State matching funds for survey and certification activities.

34 28 Sec. 14. STATE SUPPLEMENTARY ASSISTANCE.
 34 29 1. There is appropriated from the general fund of the
 34 30 state to the department of human services for the fiscal year
 34 31 beginning July 1, 2010, and ending June 30, 2011, the following
 34 32 amount, or so much thereof as is necessary, to be used for the
 34 33 purpose designated:
 34 34 For the state supplementary assistance program:
 34 35 \$ 18,259,235

General Fund appropriation to the DHS for State Supplementary Assistance.

DETAIL: This is an increase of \$1,801,402 compared to estimated net FY 2010 due to a transfer in funds from Medicaid.

35 1 2. The department shall increase the personal needs
 35 2 allowance for residents of residential care facilities by the
 35 3 same percentage and at the same time as federal supplemental
 35 4 security income and federal social security benefits are
 35 5 increased due to a recognized increase in the cost of living.
 35 6 The department may adopt emergency rules to implement this
 35 7 subsection.

Requires the DHS to increase the personal needs allowance of residential care facilities residents at the same rate and time as federal Supplemental Security Income (SSI) and Social Security benefits are increased. Permits the DHS to adopt emergency rules for implementation.

35 8 3. If during the fiscal year beginning July 1, 2010,
 35 9 the department projects that state supplementary assistance
 35 10 expenditures for a calendar year will not meet the federal

Permits the DHS to adjust rates for State Supplementary Assistance to meet federal Maintenance of Effort requirements. Permits the DHS to adopt emergency rules for implementation.

35 11 pass=through requirement specified in Tit. XVI of the federal
 35 12 Social Security Act, section 1618, as codified in 42 U.S.C.
 35 13 1382g, the department may take actions including but not
 35 14 limited to increasing the personal needs allowance for
 35 15 residential care facility residents and making programmatic
 35 16 adjustments or upward adjustments of the residential care
 35 17 facility or in=home health=related care reimbursement rates
 35 18 prescribed in this division of this Act to ensure that federal
 35 19 requirements are met. In addition, the department may make
 35 20 other programmatic and rate adjustments necessary to remain
 35 21 within the amount appropriated in this section while ensuring
 35 22 compliance with federal requirements. The department may adopt
 35 23 emergency rules to implement the provisions of this subsection.

35 24 Sec. 15. CHILDREN'S HEALTH INSURANCE PROGRAM.
 35 25 1. There is appropriated from the general fund of the
 35 26 state to the department of human services for the fiscal year
 35 27 beginning July 1, 2010, and ending June 30, 2011, the following
 35 28 amount, or so much thereof as is necessary, to be used for the
 35 29 purpose designated:
 35 30 For maintenance of the healthy and well kids in Iowa (hawk=i)
 35 31 program pursuant to chapter 514I, including supplemental dental
 35 32 services, for receipt of federal financial participation under
 35 33 Tit. XXI of the federal Social Security Act, which creates the
 35 34 children's health insurance program:
 35 35 \$ 23,637,040

36 1 2. Of the funds appropriated in this section, \$128,950 is
 36 2 allocated for continuation of the contract for advertising and
 36 3 outreach with the department of public health and \$90,050 is
 36 4 allocated for other advertising and outreach.

36 5 3. If the funds appropriated in this section are
 36 6 insufficient to cover the costs of both full coverage services
 36 7 and supplemental dental services, priority in expenditure of

General Fund appropriation to the DHS for the Children's Health Insurance Program, also known as the Healthy and Well Kids in Iowa (hawk-i) Program.

DETAIL: This is a net increase of \$10,470,193 compared to estimated net FY 2010. The changes include:

- An increase of \$4,600,000 to replace one-time hawk-i Trust Fund carryforward from FY 2009 to FY 2010.
- An increase of \$4,910,265 due to enrollment growth in both health and dental coverage.
- An increase of \$959,928 to match workgroup forecasting estimates.

Allocates \$128,950 to continue an outreach contract with the DPH and allocates up to \$90,050 for additional advertising and outreach.

Requires the health insurance portion of hawk-i to be fully funded before money is spent on the supplemental dental coverage.

36 8 funds shall be given to covering the costs of full coverage
36 9 services.

36 10 Sec. 16. CHILD CARE ASSISTANCE. There is appropriated
36 11 from the general fund of the state to the department of human
36 12 services for the fiscal year beginning July 1, 2010, and ending
36 13 June 30, 2011, the following amount, or so much thereof as is
36 14 necessary, to be used for the purpose designated:
36 15 For child care programs:
36 16 \$ 32,325,964

General Fund appropriation to the DHS for the Child Care Assistance Programs.

DETAIL: This is a net decrease of \$221,500 compared to estimated net FY 2010. The General Fund changes include:

- A decrease of \$1,768,941 due to caseload growth that is lower than projected for FY 2011.
- An increase of \$12,959,715 to replace one-time FY 2009 carryforward that was used in FY 2010.
- A decrease of \$8,881,827 due to the availability of one-time carryforward from FY 2010 that can be used for FY 2011.
- An increase of \$13,448,490 due to the elimination of direct TANF funding to child care assistance.
- A decrease of \$15,755,256 due to the availability of federal ARRA funding.
- An increase of \$589,819 due to the increase in child care caseloads in the Promise Jobs Program.
- A decrease of \$592,000 for child care wraparound grants to maintain the FY 2010 service level and redirects funding to child care assistance.
- An increase of \$221,500 to partially restore the ATB reductions from FY 2010.
- A decrease of \$350,000 to eliminate funding for the Polk County grant to child care center services for children with various special needs.
- A decrease of \$93,000 to eliminate funding for the Polk County grant for children residing in the Oakridge Neighborhood in the city of Des Moines.

36 17 1. Of the funds appropriated in this section, \$30,956,537
36 18 shall be used for state child care assistance in accordance
36 19 with section 237A.13. It is the intent of the general assembly
36 20 to appropriate sufficient funding for the state child care
36 21 assistance program for the fiscal year beginning July 1, 2010,

Allocates \$30,956,537 to provide child care assistance for low-income employed lowans. Specifies it is the intent of the General Assembly to appropriate sufficient funding to the Program in FY 2011 to avoid the DHS beginning a waiting list for services.

36 22 in order to avoid establishment of waiting list requirements
36 23 by the department in the preceding fiscal year in anticipation
36 24 that enhanced funding under the federal American Recovery and
36 25 Reinvestment Act of 2009 will not be replaced for the fiscal
36 26 year beginning July 1, 2010.

DETAIL: This is a decrease of \$3,461,217 compared to the FY 2010 allocation to continue the ATB reduction from FY 2010 in FY 2011.

36 27 2. Nothing in this section shall be construed or is
36 28 intended as or shall imply a grant of entitlement for services
36 29 to persons who are eligible for assistance due to an income
36 30 level consistent with the waiting list requirements of section
36 31 237A.13. Any state obligation to provide services pursuant to
36 32 this section is limited to the extent of the funds appropriated
36 33 in this section.

Specifies that assistance from the Child Care Assistance Program is not an entitlement and the State's obligation to provide services is limited to the funds available.

36 34 3. Of the funds appropriated in this section, \$432,453 is
36 35 allocated for the statewide program for child care resource
37 1 and referral services under section 237A.26. A list of the
37 2 registered and licensed child care facilities operating in the
37 3 area served by a child care resource and referral service shall
37 4 be made available to the families receiving state child care
37 5 assistance in that area.

Allocates \$432,453 for the Statewide Child Care Resource and Referral Program. Requires a list of the registered and licensed child care facilities to be made available by Child Care Resource and Referral Programs to families receiving assistance under the Child Care Assistance Program.

DETAIL: This is a decrease of \$48,000 compared to the FY 2010 allocation to continue the ATB reduction from FY 2010 in FY 2011.

37 6 4. Of the funds appropriated in this section, \$936,974
37 7 is allocated for child care quality improvement initiatives
37 8 including but not limited to the voluntary quality rating
37 9 system in accordance with section 237A.30.

Allocates \$936,974 for the Quality Rating System (QRS).

DETAIL: This is a decrease of \$599,207 compared to the FY 2010 allocation to continue the ATB reduction from FY 2010 in FY 2011.

37 10 5. The department may use any of the funds appropriated
37 11 in this section as a match to obtain federal funds for use in
37 12 expanding child care assistance and related programs. For
37 13 the purpose of expenditures of state and federal child care
37 14 funding, funds shall be considered obligated at the time
37 15 expenditures are projected or are allocated to the department's

Permits funds appropriated for child care to be used as matching funds for federal grants. Specifies that funds are obligated when expenditures are projected or allocated to the DHS regions.

DETAIL: This provision was also in effect for FY 2010.

37 16 service areas. Projections shall be based on current and
37 17 projected caseload growth, current and projected provider
37 18 rates, staffing requirements for eligibility determination
37 19 and management of program requirements including data systems
37 20 management, staffing requirements for administration of the
37 21 program, contractual and grant obligations and any transfers
37 22 to other state agencies, and obligations for decategorization
37 23 or innovation projects.

37 24 6. A portion of the state match for the federal child care
37 25 and development block grant shall be provided as necessary to
37 26 meet federal matching funds requirements through the state
37 27 general fund appropriation made for child development grants
37 28 and other programs for at-risk children in section 279.51.

Requires a portion of the State match for the federal Child Care and Development Block Grant to be provided from the State appropriation for child development grants and other programs for at-risk children.

37 29 7. If a uniform reduction ordered by the governor under
37 30 section 8.31 or other operation of law, transfer, or federal
37 31 funding reduction reduces the appropriation made in this
37 32 section for the fiscal year, the percentage reduction in the
37 33 amount paid out to or on behalf of the families participating
37 34 in the state child care assistance program shall be equal to or
37 35 less than the percentage reduction made for any other purpose
38 1 payable from the appropriation made in this section and the
38 2 federal funding relating to it. If there is an unanticipated
38 3 increase in federal funding provided for state child care
38 4 assistance, the entire amount of the increase shall be used for
38 5 state child care assistance payments. If the appropriations
38 6 made for purposes of the state child care assistance program
38 7 for the fiscal year are determined to be insufficient, it is
38 8 the intent of the general assembly to appropriate sufficient
38 9 funding for the fiscal year in order to avoid establishment of
38 10 waiting list requirements.

Requires the DHS to apply any reductions to the child care assistance appropriation, either State or federal, that result in a reduction to subsidy payments to families, in amounts equal to or less than the percentage of the reduction. Also requires any unanticipated increase in federal funding to be used only for the Child Care Assistance Subsidy Program. Specifies that it is the intent of the General Assembly to provide sufficient funding for the Program for FY 2011 to avoid the establishment of a waiting list.

38 11 8. Notwithstanding section 8.33, moneys appropriated in
38 12 this section or received from the federal appropriations made

CODE: Requires nonreversion of FY 2010 Child Care Assistance Program funds.

38 13 for the purposes of this section that remain unencumbered or
 38 14 unobligated at the close of the fiscal year shall not revert
 38 15 to any fund but shall remain available for expenditure for the
 38 16 purposes designated until the close of the succeeding fiscal
 38 17 year.

38 18 Sec. 17. JUVENILE INSTITUTIONS. There is appropriated
 38 19 from the general fund of the state to the department of human
 38 20 services for the fiscal year beginning July 1, 2010, and ending
 38 21 June 30, 2011, the following amounts, or so much thereof as is
 38 22 necessary, to be used for the purposes designated:

38 23 1. For operation of the Iowa juvenile home at Toledo and for
 38 24 salaries, support, maintenance, and miscellaneous purposes, and
 38 25 for not more than the following full-time equivalent positions:
 38 26 \$ 6,977,599
 38 27 FTEs 125.00

General Fund appropriation to the DHS for the Juvenile Home at Toledo.

DETAIL: This is a net increase of \$898,316 and no change in FTE positions compared to estimated net FY 2010. The General Fund changes include:

- An increase of \$110,000 due to a transfer from the State Training School at Eldora.
- A decrease of \$51,684 due to savings identified by the Public Works Efficiency Report for consolidating administrative functions for State institutions.
- An increase of \$840,000 to offset the loss of ARRA funding.

38 28 2. For operation of the state training school at Eldora and
 38 29 for salaries, support, maintenance, and miscellaneous purposes,
 38 30 and for not more than the following full-time equivalent
 38 31 positions:
 38 32 \$ 10,851,062
 38 33 FTEs 202.70

General Fund appropriation to the DHS for the State Training School at Eldora.

DETAIL: This is an increase of \$1,205,054 and no change in FTE positions compared to estimated net FY 2010. The General Fund changes include:

- A decrease of \$110,000 due to a transfer to the Iowa Juvenile Home at Toledo.

- A decrease of \$84,946 due to savings identified by the Public Works Efficiency Report for consolidating administrative functions for State institutions.
- An increase of \$1,400,000 to offset the loss of ARRA funding.

38 34 3. A portion of the moneys appropriated in this section
 38 35 shall be used by the state training school and by the Iowa
 39 1 juvenile home for grants for adolescent pregnancy prevention
 39 2 activities at the institutions in the fiscal year beginning
 39 3 July 1, 2010.

Requires a portion of the funds appropriated for the two juvenile institutions to be used for pregnancy prevention in FY 2011.

DETAIL: This provision was also in effect for FY 2010.

39 4 Sec. 18. EDUCATIONAL EXPENSES AT INSTITUTIONS. There
 39 5 is appropriated from the general fund of the state to the
 39 6 department of human services for the fiscal year beginning July
 39 7 1, 2010, and ending June 30, 2011, the following amount, or
 39 8 so much thereof as is necessary, to be used for the purposes
 39 9 designated:
 39 10 For distribution to licensed classroom teachers at
 39 11 institutions under the control of the department of human
 39 12 services based upon the average student yearly enrollment at
 39 13 each institution as determined by the department of human
 39 14 services:
 39 15 \$ 103,950

General Fund appropriation to the DHS for licensed classroom teachers in State institutions.

DETAIL: Maintains the current level of funding.

39 16 Sec. 19. CHILD AND FAMILY SERVICES.
 39 17 1. There is appropriated from the general fund of the
 39 18 state to the department of human services for the fiscal year
 39 19 beginning July 1, 2010, and ending June 30, 2011, the following
 39 20 amount, or so much thereof as is necessary, to be used for the
 39 21 purpose designated:
 39 22 For child and family services:
 39 23 \$ 79,593,023

General Fund appropriation to the DHS for Child and Family Services.

DETAIL: This is a net decrease of \$1,939,283 compared to estimated net FY 2010. The General Fund changes include:

- An increase of \$1,283,699 to restore federal ARRA funding.
- A decrease of \$46,512 to reflect updated estimates to federal Title IV-E funding based on current eligibility rates and the projected FY 2011 FMAP rate.
- A decrease of \$1,387,581 due to available ARRA funding from the

enhanced FMAP for foster care that is scheduled to expire in December of 2010.

- An increase of \$1,700,606 for restoration of the ATB reductions in FY 2010.
- A decrease of \$2,656,995 due to annualized savings realized by continuing certain ATB reductions from FY 2010 in FY 2011.
- A decrease of \$240,000 due to savings identified by the Public Works Efficiency Report to increase federal Title IV-E claims for reimbursement for Juvenile Court Services.
- A decrease of \$30,000 due to savings identified by the Public Works Efficiency Report to increase federal Title IV-E funds relating to case management services for children moving to a licensed foster family home or group care from an unlicensed facility.
- A decrease of \$500,000 to reduce State funding for unused guaranteed shelter care beds.
- A decrease of \$62,500 to eliminate funding for a multi-dimensional foster care treatment level pilot program in Polk County.

39 24 2. In order to address a reduction of \$5,200,000 from the
 39 25 amount allocated under the appropriation made for the purposes
 39 26 of this section in prior years for purposes of juvenile
 39 27 delinquent graduated sanction services, up to \$5,200,000 of the
 39 28 amount of federal temporary assistance for needy families block
 39 29 grant funding appropriated in this division of this Act for
 39 30 child and family services shall be made available for purposes
 39 31 of juvenile delinquent graduated sanction services.

Allocates \$5,200,000 of TANF funds for delinquency programs.

DETAIL: Maintains the current allocation level.

39 32 3. The department may transfer funds appropriated in this
 39 33 section as necessary to pay the nonfederal costs of services
 39 34 reimbursed under the medical assistance program, state child
 39 35 care assistance program, or the family investment program which
 40 1 are provided to children who would otherwise receive services
 40 2 paid under the appropriation in this section. The department

Permits the DHS to transfer funds appropriated for Child and Family Services to Medicaid, the FIP, General Administration, or Field Operations to pay for costs associated with child welfare services in these areas.

40 3 may transfer funds appropriated in this section to the
40 4 appropriations made in this division of this Act for general
40 5 administration and for field operations for resources necessary
40 6 to implement and operate the services funded in this section.

40 7 4. a. Of the funds appropriated in this section, up to
40 8 \$29,233,006 is allocated as the statewide expenditure target
40 9 under section 232.143 for group foster care maintenance and
40 10 services. If the department projects that such expenditures
40 11 for the fiscal year will be less than the target amount
40 12 allocated in this lettered paragraph, the department may
40 13 reallocate the excess to provide additional funding for shelter
40 14 care or the child welfare emergency services addressed with the
40 15 allocation for shelter care.

Allocates up to \$29,233,006 for group care services and maintenance costs.

DETAIL: This is a decrease of \$3,579,813 compared to the FY 2010 allocation set in HF 820 (FY 2010 Federal Funds Appropriations Act).

40 16 b. If at any time after September 30, 2010, annualization
40 17 of a service area's current expenditures indicates a service
40 18 area is at risk of exceeding its group foster care expenditure
40 19 target under section 232.143 by more than 5 percent, the
40 20 department and juvenile court services shall examine all
40 21 group foster care placements in that service area in order to
40 22 identify those which might be appropriate for termination.
40 23 In addition, any aftercare services believed to be needed
40 24 for the children whose placements may be terminated shall be
40 25 identified. The department and juvenile court services shall
40 26 initiate action to set dispositional review hearings for the
40 27 placements identified. In such a dispositional review hearing,
40 28 the juvenile court shall determine whether needed aftercare
40 29 services are available and whether termination of the placement
40 30 is in the best interest of the child and the community.

Requires the group foster care expenditure target to be reviewed under certain conditions and requires review hearings when appropriate.

40 31 5. In accordance with the provisions of section 232.188,
40 32 the department shall continue the child welfare and juvenile
40 33 justice funding initiative during fiscal year 2010=2011. Of
40 34 the funds appropriated in this section, \$1,717,753 is allocated

Allocates \$1,717,753 for decategorization services.

DETAIL: Maintains the current level of General Fund support.

40 35 specifically for expenditure for fiscal year 2010=2011 through
41 1 the decategorization service funding pools and governance
41 2 boards established pursuant to section 232.188.

41 3 6. A portion of the funds appropriated in this section
41 4 may be used for emergency family assistance to provide other
41 5 resources required for a family participating in a family
41 6 preservation or reunification project or successor project to
41 7 stay together or to be reunified.

Permits a portion of the Child and Family Services appropriation to be used for emergency family assistance under specified conditions.

41 8 7. a. Notwithstanding section 234.35 or any other provision
41 9 of law to the contrary, state funding for shelter care shall be
41 10 limited to \$7,894,147. The department may continue or amend
41 11 shelter care provider contracts to include the child welfare
41 12 emergency services for children that were implemented pursuant
41 13 to 2008 Iowa Acts, chapter 1187, section 16, subsection 7.

CODE: Limits State funding for shelter care to \$7,894,147. Permits the DHS to continue or amend provider contracts to include child welfare emergency services.

DETAIL: This is an increase of \$207,687 compared to the FY 2010 allocation.

41 14 b. The child welfare advisory committee created by the
41 15 council on human services pursuant to section 217.3A, if
41 16 enacted by 2010 Iowa Acts, Senate File 2088, section 391, or
41 17 other appropriate existing body, shall develop recommendations
41 18 to identify the appropriate capacity for child welfare
41 19 emergency services for implementation during the fiscal year
41 20 beginning July 1, 2011. The data being collected regarding
41 21 child welfare emergency services shall be utilized in
41 22 developing the recommendations. The recommendations shall be
41 23 submitted on or before December 15, 2010, to the department and
41 24 the persons designated by this Act to receive reports.

Requires the Child Welfare Advisory Committee to develop recommendations relating to implementation of child welfare emergency services. Requires the recommendations to be submitted to the Chairpersons and Ranking Members of the Health and Human Services Appropriations Subcommittee, Legislative Caucus Staffs, and the LSA by December 15, 2010.

41 25 8. Except for federal funds provided by the federal American
41 26 Recovery and Reinvestment Act of 2009, federal funds received
41 27 by the state during the fiscal year beginning July 1, 2010,
41 28 as the result of the expenditure of state funds appropriated
41 29 during a previous state fiscal year for a service or activity
41 30 funded under this section are appropriated to the department

CODE: Requires federal funds received in FY 2011 for the expenditure of State funds in a previous fiscal year to be used for child welfare services. Requires nonreversion of funds through FY 2012.

41 31 to be used as additional funding for services and purposes
 41 32 provided for under this section. Notwithstanding section 8.33,
 41 33 moneys received in accordance with this subsection that remain
 41 34 unencumbered or unobligated at the close of the fiscal year
 41 35 shall not revert to any fund but shall remain available for the
 42 1 purposes designated until the close of the succeeding fiscal
 42 2 year.

42 3 9. Of the funds appropriated in this section, at least
 42 4 \$3,696,285 shall be used for protective child care assistance.

Requires \$3,696,285 to be used for protective child care assistance.

DETAIL: This is an increase of \$231,429 compared to the FY 2010 allocation.

42 5 10. a. Of the funds appropriated in this section, up to
 42 6 \$2,062,488 is allocated for the payment of the expenses of
 42 7 court=ordered services provided to juveniles who are under the
 42 8 supervision of juvenile court services, which expenses are a
 42 9 charge upon the state pursuant to section 232.141, subsection
 42 10 4. Of the amount allocated in this lettered paragraph, up to
 42 11 \$1,556,287 shall be made available to provide school=based
 42 12 supervision of children adjudicated under chapter 232, of which
 42 13 not more than \$15,000 may be used for the purpose of training.
 42 14 A portion of the cost of each school=based liaison officer
 42 15 shall be paid by the school district or other funding source as
 42 16 approved by the chief juvenile court officer.
 42 17 b. Of the funds appropriated in this section, up to \$748,985
 42 18 is allocated for the payment of the expenses of court=ordered
 42 19 services provided to children who are under the supervision
 42 20 of the department, which expenses are a charge upon the state
 42 21 pursuant to section 232.141, subsection 4.

Provides the following allocations related to court-ordered services for juveniles:

- Allocates up to \$2,062,488 for court-ordered services provided to children that are under the supervision of juvenile court services. This is a decrease of \$194,789 compared to the FY 2010 allocation.
- Allocates \$1,556,287 for school-based supervision of delinquent children, limits training funds to \$15,000, and requires a portion of the cost for school-based liaisons to be paid by school districts. Maintains the current level of General Fund support.
- Allocates \$748,985 for court-ordered services provided to children that are under the supervision of the DHS. This is a decrease of \$70,737 compared to the FY 2010 allocation.

42 22 c. Notwithstanding section 232.141 or any other provision
 42 23 of law to the contrary, the amounts allocated in this
 42 24 subsection shall be distributed to the judicial districts
 42 25 as determined by the state court administrator and to the
 42 26 department's service areas as determined by the administrator

CODE: Requires allocations to the DHS districts to be made according to a formula determined by the State Court Administrator by June 15, 2010.

42 27 of the department's division of child and family services. The
 42 28 state court administrator and the division administrator shall
 42 29 make the determination of the distribution amounts on or before
 42 30 June 15, 2010.

42 31 d. Notwithstanding chapter 232 or any other provision of
 42 32 law to the contrary, a district or juvenile court shall not
 42 33 order any service which is a charge upon the state pursuant
 42 34 to section 232.141 if there are insufficient court-ordered
 42 35 services funds available in the district court or departmental
 43 1 service area distribution amounts to pay for the service. The
 43 2 chief juvenile court officer and the departmental service area
 43 3 manager shall encourage use of the funds allocated in this
 43 4 subsection such that there are sufficient funds to pay for
 43 5 all court-related services during the entire year. The chief
 43 6 juvenile court officers and departmental service area managers
 43 7 shall attempt to anticipate potential surpluses and shortfalls
 43 8 in the distribution amounts and shall cooperatively request the
 43 9 state court administrator or division administrator to transfer
 43 10 funds between the judicial districts' or departmental service
 43 11 areas' distribution amounts as prudent.

CODE: Prohibits a court from ordering any service that is a charge to the State if there are insufficient funds to reimburse the service. Requires the Chief Juvenile Court Officer to use the funds in a manner that will cover the entire fiscal year and permits funds to be transferred between districts.

43 12 e. Notwithstanding any provision of law to the contrary,
 43 13 a district or juvenile court shall not order a county to pay
 43 14 for any service provided to a juvenile pursuant to an order
 43 15 entered under chapter 232 which is a charge upon the state
 43 16 under section 232.141, subsection 4.

CODE: Prohibits a district or juvenile court from ordering a county to pay for a service provided to a juvenile that is a charge to the State.

43 17 f. Of the funds allocated in this subsection, not more than
 43 18 \$83,000 may be used by the judicial branch for administration
 43 19 of the requirements under this subsection.

Prohibits expenditure of more than \$83,000 by the Judicial Branch for administration related to court-ordered services.

DETAIL: This is a decrease of \$17,000 compared to the FY 2010 maximum allowance.

43 20 g. Of the funds allocated in this subsection, \$17,000

Allocates \$17,000 for the DHS to support the Interstate Commission

43 21 shall be used by the department of human services to support
43 22 the interstate commission for juveniles in accordance with
43 23 the interstate compact for juveniles as provided in section
43 24 232.173, as enacted by this Act.

for Juveniles in accordance with the Interstate Compact for Juveniles as provided for in Division VIII of this Act.

DETAIL: This is a new allocation for FY 2011.

43 25 11. Of the funds appropriated in this section, \$4,522,602 is
43 26 allocated for juvenile delinquent graduated sanctions services.
43 27 Any state funds saved as a result of efforts by juvenile court
43 28 services to earn federal Tit. IV=E match for juvenile court
43 29 services administration may be used for the juvenile delinquent
43 30 graduated sanctions services.

Allocates \$4,522,602 for juvenile delinquent graduated sanctions services. Permits any State funds saved as a result of increasing federal Title IV-E claims for Juvenile Court Services, as indicated by the Public Works Efficiency Report, to be used for graduated sanctions services.

DETAIL: This is a new allocation for FY 2011.

43 31 12. Of the funds appropriated in this section, \$988,285
43 32 shall be transferred to the department of public health to
43 33 be used for the child protection center grant program in
43 34 accordance with section 135.118.

Requires an allocation of \$988,285 to be transferred to the DPH for a Child Protection Center Grant Program.

DETAIL: This is a decrease of \$16,881 compared to the FY 2010 allocation for a general reduction.

43 35 13. If the department receives federal approval to
44 1 implement a waiver under Tit. IV=E of the federal Social
44 2 Security Act to enable providers to serve children who remain
44 3 in the children's families and communities, for purposes of
44 4 eligibility under the medical assistance program, children who
44 5 participate in the waiver shall be considered to be placed in
44 6 foster care.

Requires children that receive in-home or community-based services under a federal Title IV-E waiver to be considered as placed in foster care in order to remain eligible for Medicaid, if the DHS receives federal approval to implement the waiver.

44 7 14. Of the funds appropriated in this section, \$2,875,281 is
44 8 allocated for the preparation for adult living program pursuant
44 9 to section 234.46.

Allocates \$2,875,281 for the Preparation for Adult Living Services (PALS) Program.

DETAIL: This is an increase of \$180,025 compared to the FY 2010 allocation.

44 10 15. Of the funds appropriated in this section, \$520,150
 44 11 shall be used for juvenile drug courts. The amount allocated
 44 12 in this subsection shall be distributed as follows:

44 13 To the judicial branch for salaries to assist with the
 44 14 operation of juvenile drug court programs operated in the
 44 15 following jurisdictions:

44 16 a. Marshall county:	
44 17	\$ 62,708
44 18 b. Woodbury county:	
44 19	\$ 125,682
44 20 c. Polk county:	
44 21	\$ 195,892
44 22 d. The third judicial district:	
44 23	\$ 67,934
44 24 e. The eighth judicial district:	
44 25	\$ 67,934

Allocates a total of \$520,150 for Judicial Branch staff costs relating to juvenile drug courts.

DETAIL: This is an increase of \$34,825 for staffing costs compared to the FY 2010 allocation.

44 26 16. Of the funds appropriated in this section, \$227,306
 44 27 shall be used for the public purpose of providing a grant to
 44 28 a nonprofit human services organization providing services to
 44 29 individuals and families in multiple locations in southwest
 44 30 Iowa and Nebraska for support of a project providing immediate,
 44 31 sensitive support and forensic interviews, medical exams, needs
 44 32 assessments, and referrals for victims of child abuse and their
 44 33 nonoffending family members.

Requires an allocation of \$227,306 for Project Harmony.

DETAIL: This is an increase of \$3,018 compared to the FY 2010 allocation.

44 34 17. Of the funds appropriated in this section, \$125,590
 44 35 is allocated for the elevate approach of providing a support
 45 1 network to children placed in foster care.

Requires an allocation of \$125,590 to provide support for chapters for the ELEVATE support group for foster care children.

DETAIL: This is an increase of \$1,667 compared to the FY 2010 allocation.

45 2 18. Of the funds appropriated in this section, \$202,000 is

Allocates \$202,000 for an initiative to address child sexual abuse.

<p>45 3 allocated for use pursuant to section 235A.1 for continuation 45 4 of the initiative to address child sexual abuse implemented 45 5 pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection 45 6 21.</p>	<p>DETAIL: This is a decrease of \$25,987 compared to the FY 2010 allocation for a general reduction.</p>
<p>45 7 19. Of the funds appropriated in this section, \$630,240 is 45 8 allocated for the community partnership for child protection 45 9 sites.</p>	<p>Allocates \$630,240 for the child welfare Community Partnership for Child Protection sites. DETAIL: This is an increase of \$39,460 compared to the FY 2010 allocation.</p>
<p>45 10 20. Of the funds appropriated in this section, \$371,250 45 11 is allocated for the department's minority youth and family 45 12 projects under the redesign of the child welfare system.</p>	<p>Allocates \$371,250 for minority youth and family projects included in child welfare redesign. DETAIL: This is an increase of \$16,214 compared to the FY 2010 allocation.</p>
<p>45 13 21. Of the funds appropriated in this section, \$925,306 45 14 is allocated for funding of the state match for the federal 45 15 substance abuse and mental health services administration 45 16 (SAMHSA) system of care grant.</p>	<p>Allocates \$925,306 for the State match for the federal Substance Abuse and Mental Health Services Administration system of care grant. DETAIL: This is an increase of \$644,089 compared to the FY 2010 allocation.</p>
<p>45 17 Sec. 20. ADOPTION SUBSIDY. 45 18 1. There is appropriated from the general fund of the 45 19 state to the department of human services for the fiscal year 45 20 beginning July 1, 2010, and ending June 30, 2011, the following 45 21 amount, or so much thereof as is necessary, to be used for the 45 22 purpose designated: 45 23 For adoption subsidy payments and services: 45 24 \$ 31,856,896</p>	<p>General Fund appropriation to the DHS for the Adoption Subsidy Program. DETAIL: This is a net increase of \$461,589 compared to estimated net FY 2010. The General Fund changes include:</p> <ul style="list-style-type: none"> • An increase of \$1,566,628 to restore federal ARRA funding. • A decrease of \$122,070 to reflect updated estimates to federal Title IV-E funding based on current eligibility rates and the projected FY 2011 FMAP rate. • A decrease of \$313,627 due to caseload growth that is less than projected for FY 2011.

- A decrease of \$1,130,931 to continue the ATB provider rate reduction from FY 2010 to FY 2011.
- An increase of \$2,807,389 due to a transfer of funding from Child and Family Services.
- A decrease of \$145,800 due to savings from capping legal fee reimbursements at \$500 for expenses related to finalizing adoptions.
- A decrease of \$2,200,000 due to available carryforward from FY 2010 that can be used in FY 2011.

45 25 2. The department may transfer funds appropriated in this
45 26 section to the appropriation made in this Act for general
45 27 administration for costs paid from the appropriation relating
45 28 to adoption subsidy.

Permits the DHS to transfer funds for adoption recruitment and services.

45 29 3. Except for federal funds provided by the federal American
45 30 Recovery and Reinvestment Act of 2009, federal funds received
45 31 by the state during the fiscal year beginning July 1, 2010, as
45 32 the result of the expenditure of state funds during a previous
45 33 state fiscal year for a service or activity funded under this
45 34 section are appropriated to the department to be used as
45 35 additional funding for the services and activities funded under
46 1 this section. Notwithstanding section 8.33, moneys received
46 2 in accordance with this subsection that remain unencumbered or
46 3 unobligated at the close of the fiscal year shall not revert
46 4 to any fund but shall remain available for expenditure for the
46 5 purposes designated until the close of the succeeding fiscal
46 6 year.

CODE: Requires federal funds received in FY 2011 for the expenditure of State funds in a previous fiscal year to be used for Adoption Subsidy. Requires nonreversion of funds in this Subsection until the close of FY 2012.

46 7 Sec. 21. JUVENILE DETENTION HOME FUND. Moneys deposited
46 8 in the juvenile detention home fund created in section 232.142
46 9 during the fiscal year beginning July 1, 2010, and ending June
46 10 30, 2011, are appropriated to the department of human services
46 11 for the fiscal year beginning July 1, 2010, and ending June 30,

CODE: Requires funds deposited in the Juvenile Detention Fund to be distributed to the Juvenile Detention Centers.

DETAIL: The fines deposited in the Fund will be approximately \$3,700,000 in FY 2010. Fines in the Fund will be allocated to the

46 12 2011, for distribution of an amount equal to a percentage of
 46 13 the costs of the establishment, improvement, operation, and
 46 14 maintenance of county or multicounty juvenile detention homes
 46 15 in the fiscal year beginning July 1, 2009. Moneys appropriated
 46 16 for distribution in accordance with this section shall be
 46 17 allocated among eligible detention homes, prorated on the basis
 46 18 of an eligible detention home's proportion of the costs of all
 46 19 eligible detention homes in the fiscal year beginning July
 46 20 1, 2009. The percentage figure shall be determined by the
 46 21 department based on the amount available for distribution for
 46 22 the fund. Notwithstanding section 232.142, subsection 3, the
 46 23 financial aid payable by the state under that provision for the
 46 24 fiscal year beginning July 1, 2010, shall be limited to the
 46 25 amount appropriated for the purposes of this section.

detention centers based the on FY 2011 projected budgets to be used for operations.

46 26 Sec. 22. FAMILY SUPPORT SUBSIDY PROGRAM.
 46 27 1. There is appropriated from the general fund of the
 46 28 state to the department of human services for the fiscal year
 46 29 beginning July 1, 2010, and ending June 30, 2011, the following
 46 30 amount, or so much thereof as is necessary, to be used for the
 46 31 purpose designated:
 46 32 For the family support subsidy program:
 46 33 \$ 1,167,998

General Fund appropriation for the Family Support Program.

DETAIL: This is a decrease of \$355,000 compared to estimated net FY 2010 due to savings realized from SF 2088 (Government Reorganization and Efficiency Act) that prohibits the DHS from accepting any new enrollments into the Program beginning in FY 2011.

46 34 2. The department shall use at least \$289,444 of the moneys
 46 35 appropriated in this section for the family support center
 47 1 component of the comprehensive family support program under
 47 2 section 225C.47. Not more than \$25,000 of the amount allocated
 47 3 in this subsection shall be used for administrative costs.

Requires an allocation of \$289,444 from the Family Support Subsidy appropriation to continue the Children-at-Home Program in current counties. Also, permits the DHS to expand the Program to additional counties if funds are available, and limits administrative funding to \$25,000.

DETAIL: This is a decrease of \$96,031 compared to the FY 2010 allocation.

47 4 3. If at any time during the fiscal year, the amount of
 47 5 funding available for the family support subsidy program

Requires the Department to revise funding available to participants in the Family Support Subsidy Program if available funds are less than

47 6 is reduced from the amount initially used to establish the
 47 7 figure for the number of family members for whom a subsidy
 47 8 is to be provided at any one time during the fiscal year,
 47 9 notwithstanding section 225C.38, subsection 2, the department
 47 10 shall revise the figure as necessary to conform to the amount
 47 11 of funding available.

anticipated.

47 12 Sec. 23. CONNER DECREE. There is appropriated from the
 47 13 general fund of the state to the department of human services
 47 14 for the fiscal year beginning July 1, 2010, and ending June 30,
 47 15 2011, the following amount, or so much thereof as is necessary,
 47 16 to be used for the purpose designated:
 47 17 For building community capacity through the coordination
 47 18 and provision of training opportunities in accordance with the
 47 19 consent decree of Conner v. Branstad, No. 4=86=CV=30871(S.D.
 47 20 Iowa, July 14, 1994):
 47 21 \$ 33,622

General Fund appropriation to the DHS for Conner Decree training requirements.

DETAIL: This is no change compared to estimated net FY 2010. The funds are used for training purposes to comply with the Conner v. Branstad court decision mandating placement of persons in the least restrictive setting.

47 22 Sec. 24. MENTAL HEALTH INSTITUTES.
 47 23 1. There is appropriated from the general fund of the
 47 24 state to the department of human services for the fiscal year
 47 25 beginning July 1, 2010, and ending June 30, 2011, the following
 47 26 amounts, or so much thereof as is necessary, to be used for the
 47 27 purposes designated:

47 28 a. For the state mental health institute at Cherokee for
 47 29 salaries, support, maintenance, and miscellaneous purposes, and
 47 30 for not more than the following full-time equivalent positions:
 47 31 \$ 5,221,979
 47 32 FTEs 205.06

General Fund appropriation to the Mental Health Institute at Cherokee.

DETAIL: This is a net increase of \$329,511 and 0.06 FTE position compared to estimated net FY 2010. The changes include:

- A decrease of \$95,489 due to a savings from consolidating administrative functions of all DHS institutions.
- An increase of \$425,000 to offset ARRA funding losses.

47 33 b. For the state mental health institute at Clarinda for

General Fund appropriation to the Mental Health Institute at Clarinda.

47 34 salaries, support, maintenance, and miscellaneous purposes, and
 47 35 for not more than the following full-time equivalent positions:
 48 1 \$ 6,139,698
 48 2 FTEs 114.95

DETAIL: This is a net increase of \$535,097 and no change in FTE positions compared to estimated net FY 2010. The changes include:

- A decrease of \$49,903 due to a savings from consolidating administrative functions of all DHS institutions.
- An increase of \$585,000 to offset ARRA funding losses.

48 3 c. For the state mental health institute at Independence for
 48 4 salaries, support, maintenance, and miscellaneous purposes, and
 48 5 for not more than the following full-time equivalent positions:
 48 6 \$ 9,590,653
 48 7 FTEs 287.85

General Fund appropriation to the Mental Health Institute at Independence.

DETAIL: This is a net increase of \$1,037,443 and no change in FTE positions compared to estimated net FY 2010. The changes include:

- A decrease of \$127,557 due to a savings from consolidating administrative functions of all DHS institutions.
- An increase of \$1,165,000 to offset ARRA funding losses.

48 8 d. For the state mental health institute at Mount Pleasant
 48 9 for salaries, support, maintenance, and miscellaneous purposes,
 48 10 and for not more than the following full-time equivalent
 48 11 positions:
 48 12 \$ 1,613,175
 48 13 FTEs 116.44

General Fund appropriation to the Mental Health Institute at Mount Pleasant.

DETAIL: This is a net decrease of \$1,488 and no change in FTE positions compared to estimated net FY 2010. The changes include:

- A decrease of \$51,488 due to a savings from consolidating administrative functions of all DHS institutions.
- An increase of \$50,000 to offset ARRA funding losses.

48 14 2. The department, as part of efforts to develop and
 48 15 implement the comprehensive mental health and disability
 48 16 services plan as provided in section 225C.6B, shall review
 48 17 services provided by or offered at the state mental health
 48 18 institutes and may modify such services to further the plan
 48 19 and provide cost-effective and necessary services. As part
 48 20 of the review, the department shall consult with stakeholders

Requires the Department to review services provided by the State MHIs and modify services to provide cost-effective and necessary services. As part of the review, requires the DHS to look at subacute mental health care options and 16-bed units that meet Medicaid requirements. The DHS is also to increase student participation in the Institutions.

48 21 concerning developing subacute mental health care options at
 48 22 the institutes. In addition, the department shall consider the
 48 23 feasibility of developing treatment facilities of sixteen beds
 48 24 or fewer that would be eligible for federal Medicaid program
 48 25 match; identify provisions to increase the participation of
 48 26 students of medical, dental, psychiatry, psychology, social
 48 27 work, and other health care and behavioral health professions
 48 28 in clinical practice training at the institutions administered
 48 29 by the department; and develop methods for the department
 48 30 and the judicial branch to facilitate regular meetings and
 48 31 other communication between representatives of the criminal
 48 32 justice system, service providers, county central point of
 48 33 coordination administrators, other pertinent state agencies,
 48 34 and other stakeholders to improve the processes for involuntary
 48 35 commitment for chronic substance abuse under chapter 125 and
 49 1 serious mental illness under chapter 229.

49 2 Sec. 25. STATE RESOURCE CENTERS.

49 3 1. There is appropriated from the general fund of the
 49 4 state to the department of human services for the fiscal year
 49 5 beginning July 1, 2010, and ending June 30, 2011, the following
 49 6 amounts, or so much thereof as is necessary, to be used for the
 49 7 purposes designated:

49 8 a. For the state resource center at Glenwood for salaries,
 49 9 support, maintenance, and miscellaneous purposes:
 49 10 \$ 14,982,839

General Fund appropriation to the State Resource Center at
 Glenwood.

DETAIL: This is a decrease of \$825,599 and an increase of 14.67
 FTE positions compared to estimated net FY 2010. The changes
 include:

- A decrease of \$506,224 due to a savings from consolidating
 administrative functions of all DHS institutions.
- A decrease of \$114,849 due to an annual FMAP adjustment.
- A decrease of \$204,526 due to available ARRA dollars.

The FTE positions are not capped in the Bill.

49 11 b. For the state resource center at Woodward for salaries,
 49 12 support, maintenance, and miscellaneous purposes:
 49 13 \$ 9,312,271

General Fund appropriation to the State Resource Center at Woodward.

DETAIL: This is a decrease of \$474,009 and an increase of 60.31 FTE positions compared to estimated net FY 2010. The changes include:

- A decrease of \$391,185 due to a savings from consolidating administrative functions of all DHS institutions.
- A decrease of \$82,824 due to an annual FMAP adjustment.

The FTE positions are not capped in the Bill.

49 14 2. The department may continue to bill for state resource
 49 15 center services utilizing a scope of services approach used for
 49 16 private providers of ICFMR services, in a manner which does not
 49 17 shift costs between the medical assistance program, counties,
 49 18 or other sources of funding for the state resource centers.

Permits the DHS to continue billing practices that do not include cost shifting.

49 19 3. The state resource centers may expand the time-limited
 49 20 assessment and respite services during the fiscal year.

Permits the State Resource Centers to expand time-limited assessment and respite services.

DETAIL: Time-limited assessments include analysis of patients' conditions and development of therapy plans to assist families in caring for individuals with mental retardation or developmental disabilities. Respite services provide care for special needs individuals for a limited duration to provide families with a temporary reprieve from caretaking responsibilities.

49 21 4. If the department's administration and the department
 49 22 of management concur with a finding by a state resource
 49 23 center's superintendent that projected revenues can reasonably
 49 24 be expected to pay the salary and support costs for a new
 49 25 employee position, or that such costs for adding a particular
 49 26 number of new positions for the fiscal year would be less

Specifies that FTE positions may be added at the two State Resource Centers if projected revenues are sufficient to pay the salary and support costs of the additional positions.

49 27 than the overtime costs if new positions would not be added,
 49 28 the superintendent may add the new position or positions. If
 49 29 the vacant positions available to a resource center do not
 49 30 include the position classification desired to be filled, the
 49 31 state resource center's superintendent may reclassify any
 49 32 vacant position as necessary to fill the desired position. The
 49 33 superintendents of the state resource centers may, by mutual
 49 34 agreement, pool vacant positions and position classifications
 49 35 during the course of the fiscal year in order to assist one
 50 1 another in filling necessary positions.

50 2 5. If existing capacity limitations are reached in
 50 3 operating units, a waiting list is in effect for a service or
 50 4 a special need for which a payment source or other funding
 50 5 is available for the service or to address the special need,
 50 6 and facilities for the service or to address the special need
 50 7 can be provided within the available payment source or other
 50 8 funding, the superintendent of a state resource center may
 50 9 authorize opening not more than two units or other facilities
 50 10 and begin implementing the service or addressing the special
 50 11 need during fiscal year 2010=2011.

Permits a State Resource Center to open certain facilities if a service waiting list exists and funding is available.

50 12 Sec. 26. MI/MR/DD STATE CASES.
 50 13 1. There is appropriated from the general fund of the
 50 14 state to the department of human services for the fiscal year
 50 15 beginning July 1, 2010, and ending June 30, 2011, the following
 50 16 amount, or so much thereof as is necessary, to be used for the
 50 17 purpose designated:
 50 18 For distribution to counties for state case services
 50 19 for persons with mental illness, mental retardation, and
 50 20 developmental disabilities in accordance with section 331.440:
 50 21 \$ 10,295,207

General Fund appropriation to the DHS for State Cases.

DETAIL: This is no change compared to estimated net FY 2010.

50 22 2. For the fiscal year beginning July 1, 2010, and ending
 50 23 June 30, 2011, \$200,000 is allocated for state case services

Requires \$200,000 of the Community Mental Health Services Block Grant funds from FFY 2009, FFY 2010, or FFY 2011 to be used for

<p>50 24 from the amounts appropriated from the fund created in section 50 25 8.41 to the department of human services from the funds 50 26 received from the federal government under 42 U.S.C. ch. 6A, 50 27 subch. XVII, relating to the community mental health center 50 28 block grant, for the federal fiscal years beginning October 50 29 1, 2008, and ending September 30, 2009, beginning October 1, 50 30 2009, and ending September 30, 2010, and beginning October 1, 50 31 2010, and ending September 30, 2011. The allocation made in 50 32 this subsection shall be made prior to any other distribution 50 33 allocation of the appropriated federal funds.</p>	<p>the State Cases costs.</p>
<p>50 34 3. Notwithstanding section 8.33, moneys appropriated in 50 35 this section that remain unencumbered or unobligated at the 51 1 close of the fiscal year shall not revert but shall remain 51 2 available for expenditure for the purposes designated until the 51 3 close of the succeeding fiscal year.</p>	<p>CODE: Requires nonreversion of funds appropriated for State Cases.</p>
<p>51 4 Sec. 27. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES == 51 5 COMMUNITY SERVICES FUND. There is appropriated from 51 6 the general fund of the state to the mental health and 51 7 developmental disabilities community services fund created in 51 8 section 225C.7 for the fiscal year beginning July 1, 2010, and 51 9 ending June 30, 2011, the following amount, or so much thereof 51 10 as is necessary, to be used for the purpose designated: 51 11 For mental health and developmental disabilities community 51 12 services in accordance with this division of this Act: 51 13 \$ 14,211,100</p>	<p>General Fund appropriation for the Mental Health Community Services Fund. DETAIL: This is no change compared to estimated net FY 2010.</p>
<p>51 14 1. Of the funds appropriated in this section, \$14,187,556 51 15 shall be allocated to counties for funding of community-based 51 16 mental health and developmental disabilities services. The 51 17 moneys shall be allocated to a county as follows:</p>	<p>Allocates \$14,187,556 from the Community Services appropriation to counties based on a formula considering the county's population and federal poverty guidelines.</p>
<p>51 18 a. Fifty percent based upon the county's proportion of the 51 19 state's population of persons with an annual income which is</p>	<p>Requires the funds to be used for services to persons with mental illness, mental retardation, developmental disabilities, and brain</p>

<p>51 20 equal to or less than the poverty guideline established by the 51 21 federal office of management and budget. 51 22 b. Fifty percent based upon the county's proportion of the 51 23 state's general population. 51 24 2. a. A county shall utilize the funding the county 51 25 receives pursuant to subsection 1 for services provided to 51 26 persons with a disability, as defined in section 225C.2. 51 27 However, no more than 50 percent of the funding shall be used 51 28 for services provided to any one of the service populations. 51 29 b. A county shall use at least 50 percent of the funding the 51 30 county receives under subsection 1 for contemporary services 51 31 provided to persons with a disability, as described in rules 51 32 adopted by the department.</p>	<p>injuries. Specifies that no more than 50.00% may be used for any one of these populations. Requires counties to use at least 50.00% of the funding received on contemporary services.</p>
<p>51 33 3. Of the funds appropriated in this section, \$23,544 51 34 shall be used to support the Iowa compass program providing 51 35 computerized information and referral services for lowans with 52 1 disabilities and their families.</p>	<p>Allocates \$23,544 to support the Iowa Compass Program. The Program provides computerized information and referral services for lowans with developmental disabilities and their families.</p>
<p>52 2 4. a. Funding appropriated for purposes of the federal 52 3 social services block grant is allocated for distribution 52 4 to counties for local purchase of services for persons with 52 5 mental illness or mental retardation or other developmental 52 6 disability.</p>	<p>DETAIL: This is a decrease of \$2,616 compared to the FY 2010 allocation.</p> <p>Allocates federal funds appropriated from the Social Services Block Grant for distribution to counties for local purchase of services for persons with mental illness, mental retardation, and developmental disabilities.</p>
<p>52 7 b. The funds allocated in this subsection shall be expended 52 8 by counties in accordance with the county's county management 52 9 plan approved by the board of supervisors. A county without 52 10 an approved county management plan shall not receive allocated 52 11 funds until the county's management plan is approved.</p>	<p>Requires counties to expend Social Services Block Grant funds according to approved county management plans. Prohibits a county from receiving an allocation of Social Services Block Grant funds until the county's plan is approved.</p>
<p>52 12 c. The funds provided by this subsection shall be allocated 52 13 to each county as follows:</p>	<p>Requires the funds provided in this Subsection to be allocated to each county according to a specified formula.</p>

52 14 (1) Fifty percent based upon the county's proportion of the
52 15 state's population of persons with an annual income which is
52 16 equal to or less than the poverty guideline established by the
52 17 federal office of management and budget.

DETAIL: The formula remains unchanged from the FY 1997 formula.

52 18 (2) Fifty percent based upon the amount provided to the
52 19 county for local purchase of services in the preceding fiscal
52 20 year.

52 21 5. A county is eligible for funds under this section if the
52 22 county qualifies for a state payment as described in section
52 23 331.439.

Specifies that a county is eligible for State funding through the Community Mental Health Services Fund if it meets the requirements for receiving Property Tax Relief funds and Allowed Growth funds.

52 24 6. The most recent population estimates issued by the United
52 25 States bureau of the census shall be applied for the population
52 26 factors utilized in this section.

Requires the Department to utilize the most recent population estimates for the distribution of these funds.

52 27 7. The governor's developmental disabilities council is
52 28 requested to facilitate a workgroup of stakeholders to review
52 29 the status of residential care facilities in the state and
52 30 the services provided. The membership of the workgroup may
52 31 include but is not limited to representatives of county central
52 32 point of coordination administrators, the departments of aging,
52 33 human services, and inspections and appeals, the office of
52 34 the citizens' aide and other legislative agencies, and the
52 35 judicial branch. The issues considered by the workgroup may
53 1 include identifying the characteristics of clients served such
53 2 as age, disability, reason for admission and level of care
53 3 provided; the reasons why such facilities have been closing
53 4 or downsizing and where clients were placed; the types and
53 5 usage of alternatives to the facilities; the types of services
53 6 provided to clients such as Medicaid waiver, rehabilitation,
53 7 mental health, and aging services; workforce employed by the
53 8 facilities; client access to health care; financing; and
53 9 practices used for court-ordered placements. The workgroup
53 10 shall report, providing findings and recommendations, to the

Requests the Governor's Developmental Disabilities Council to facilitate a stakeholders workgroup to review Residential Care Facilities in the State and the services provided. The workgroup is required to submit a report to the Governor and persons designated in this Act by December 15, 2010.

53 11 governor and persons designated by this Act for submission of
53 12 reports on or before December 15, 2010.

53 13 Sec. 28. SEXUALLY VIOLENT PREDATORS.

53 14 1. There is appropriated from the general fund of the
53 15 state to the department of human services for the fiscal year
53 16 beginning July 1, 2010, and ending June 30, 2011, the following
53 17 amount, or so much thereof as is necessary, to be used for the
53 18 purpose designated:

53 19 For costs associated with the commitment and treatment of
53 20 sexually violent predators in the unit located at the state
53 21 mental health institute at Cherokee, including costs of legal
53 22 services and other associated costs, including salaries,
53 23 support, maintenance, and miscellaneous purposes, and for not
53 24 more than the following full-time equivalent positions:

53 25 \$ 6,632,660
53 26 FTEs 105.50

53 27 2. Unless specifically prohibited by law, if the amount
53 28 charged provides for recoupment of at least the entire amount
53 29 of direct and indirect costs, the department of human services
53 30 may contract with other states to provide care and treatment
53 31 of persons placed by the other states at the unit for sexually
53 32 violent predators at Cherokee. The moneys received under
53 33 such a contract shall be considered to be repayment receipts
53 34 and used for the purposes of the appropriation made in this
53 35 section.

54 1 Sec. 29. FIELD OPERATIONS. There is appropriated from the
54 2 general fund of the state to the department of human services
54 3 for the fiscal year beginning July 1, 2010, and ending June 30,
54 4 2011, the following amount, or so much thereof as is necessary,
54 5 to be used for the purposes designated:
54 6 For field operations, including salaries, support,
54 7 maintenance, and miscellaneous purposes, and for not more than

General Fund appropriation to the DHS for the Sexual Predator
Commitment Program.

DETAIL: This is a net increase of \$458,476 and no change in FTE
positions compared to estimated net FY 2010. The changes include:

- A decrease of \$41,524 due to a savings from consolidating
administrative functions of all DHS institutions.
- An increase of \$500,000 to offset the loss of ARRA funding.

Permits the Unit for Commitment of Sexually Violent Predators to
accept out-of-state clients when the entire cost is reimbursed.

General Fund appropriation to the DHS for Field Operations staff and
support.

DETAIL: This is a net decrease of \$3,521,924 and no change in FTE
positions compared to estimated net FY 2010. The changes include:

- A decrease of \$7,100,000 to shift additional funding to TANF.
- An increase of \$3,578,076 to offset the loss of ARRA funding.

<p>54 8 the following full-time equivalent positions:</p> <p>54 9 \$ 53,207,624</p> <p>54 10 FTEs 2,000.13</p>	<p>In addition to the General Fund appropriation, Field Operations is receiving an increase of \$9,637,096 from TANF and \$2,340,000 from the Underground Storage Tank Fund.</p>
<p>54 11 Priority in filling full-time equivalent positions shall be</p> <p>54 12 given to those positions related to child protection services</p> <p>54 13 and eligibility determination for low-income families.</p>	<p>Requires priority to be given to child protection services and eligibility determinations when filling FTE positions.</p> <p>DETAIL: This requirement was in place for FY 2010 for child protection services. The eligibility determination requirement was new for FY 2009.</p>
<p>54 14 Sec. 30. GENERAL ADMINISTRATION. There is appropriated</p> <p>54 15 from the general fund of the state to the department of human</p> <p>54 16 services for the fiscal year beginning July 1, 2010, and ending</p> <p>54 17 June 30, 2011, the following amount, or so much thereof as is</p> <p>54 18 necessary, to be used for the purpose designated:</p> <p>54 19 For general administration, including salaries, support,</p> <p>54 20 maintenance, and miscellaneous purposes, and for not more than</p> <p>54 21 the following full-time equivalent positions:</p> <p>54 22 \$ 15,352,271</p> <p>54 23 FTEs 354.33</p>	<p>General Fund appropriation to the DHS for General Administration.</p> <p>DETAIL: This is an increase of \$1,625,000 and no change in FTE positions compared to estimated net FY 2010 to offset the loss of ARRA funding.</p>
<p>54 24 1. Of the funds appropriated in this section, \$43,700</p> <p>54 25 allocated for the prevention of disabilities policy council</p> <p>54 26 established in section 225B.3.</p>	<p>Allocates \$43,700 to the Prevention of Disabilities Policy Council.</p> <p>DETAIL: This is a decrease of \$4,856 compared to the FY 2010 allocation.</p>
<p>54 27 2. The department shall report at least monthly to the</p> <p>54 28 legislative services agency concerning the department's</p> <p>54 29 operational and program expenditures.</p>	<p>Requires the DHS to submit monthly expenditure reports to the LSA.</p> <p>DETAIL: This was also a requirement for FY 2010.</p>
<p>54 30 Sec. 31. CHILDREN'S MENTAL HEALTH AND CHILD WELFARE</p> <p>54 31 SERVICES.</p>	

54 32 1. It is the intent of the general assembly to improve
54 33 coordination and integration of mental health services and
54 34 outcomes for children, as well as alignment of the services
54 35 and outcomes with the child welfare system. The department
55 1 of human services, in collaboration with providers, shall
55 2 develop a plan for transitioning administration of the remedial
55 3 services program from fee=for=service approach to the Iowa
55 4 plan, behavioral health managed care plan. The transition
55 5 plan shall address specific strategies for improving service
55 6 coordination for children and adults; establish vendor
55 7 performance standards; provide a process for ongoing monitoring
55 8 of quality of care, performance, and quality improvement
55 9 technical assistance for providers; identify methods and
55 10 standards for credentialing remedial providers; and provide
55 11 implementation timeframes.

Requires the DHS to develop a plan to transition the Remedial Services Program from fee-for-service to the Iowa Plan managed health plan.

55 12 2. The department shall establish a transition committee
55 13 that includes representatives from departmental staff for
55 14 Medicaid, child welfare, field, and mental health services,
55 15 the director of the Iowa plan, the executive director of the
55 16 coalition of family and children's services in Iowa, three
55 17 remedial services providers designated by the executive
55 18 director of the coalition, and a remedial services provider who
55 19 is not a member of the provider organization. The committee
55 20 shall develop the plan and manage the transition, if the plan
55 21 is implemented. The plan shall be developed by December 31,
55 22 2010. The department may proceed with implementing the plan
55 23 over the six month period following December 31, 2010, if the
55 24 department determines that the plan meets the legislative
55 25 intent identified in subsection 1.

Requires the DHS to establish a transition committee of stakeholders to complete a plan by December 31, 2010, and to implement a plan by June 31, 2011, to transition remedial care from fee-for-service to a managed care plan.

55 26 Sec. 32. VOLUNTEERS. There is appropriated from the general
55 27 fund of the state to the department of human services for the
55 28 fiscal year beginning July 1, 2010, and ending June 30, 2011,
55 29 the following amount, or so much thereof as is necessary, to be
55 30 used for the purpose designated:

General Fund appropriation to the DHS for the development and coordination of the Volunteer Services Program.

DETAIL: This is no change compared to estimated net FY 2010.

55 31 For development and coordination of volunteer services:
 55 32 \$ 84,660

55 33 Sec. 33. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
 55 34 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER
 THE
 55 35 DEPARTMENT OF HUMAN SERVICES.

56 1 1. a. (1) For the fiscal year beginning July 1, 2010,
 56 2 the total state funding amount for the nursing facility budget
 56 3 shall not exceed \$153,126,081.
 56 4 (2) The department, in cooperation with nursing facility
 56 5 representatives, shall review projections for state funding
 56 6 expenditures for reimbursement of nursing facilities on a
 56 7 quarterly basis and the department shall determine if an
 56 8 adjustment to the medical assistance reimbursement rate is
 56 9 necessary in order to provide reimbursement within the state
 56 10 funding amount. Any temporary enhanced federal financial
 56 11 participation that may become available to the Iowa medical
 56 12 assistance program during the fiscal year shall not be used
 56 13 in projecting the nursing facility budget. Notwithstanding
 56 14 2001 Iowa Acts, chapter 192, section 4, subsection 2, paragraph
 56 15 "c", and subsection 3, paragraph "a", subparagraph (2),
 56 16 if the state funding expenditures for the nursing facility
 56 17 budget for the fiscal year beginning July 1, 2010, are
 56 18 projected to exceed the amount specified in subparagraph (1),
 56 19 the department shall adjust the reimbursement for nursing
 56 20 facilities reimbursed under the case-mix reimbursement system
 56 21 to maintain expenditures of the nursing facility budget
 56 22 within the specified amount. The department shall revise such
 56 23 reimbursement as necessary to adjust the annual accountability
 56 24 measures payment in accordance with 2001 Iowa Acts, chapter
 56 25 192, section 4, subsection 4, as amended by 2008 Iowa Acts,
 56 26 chapter 1187, section 33, and as amended by 2009 Iowa Acts,
 56 27 chapter 182, section 33, to implement a pay-for-performance
 56 28 payment.

Caps nursing facility reimbursements at \$153,126,081 and requires the DHS to adjust the inflation factor in the case-mix reimbursement rate if expenditures exceed the cap.

56 29 (3) For the fiscal year beginning July 1, 2010, special
56 30 population nursing facilities shall be reimbursed in accordance
56 31 with the methodology in effect on November 30, 2009.

Requires methodology for calculating reimbursement for special population nursing facilities to remain the same as the methodology in effect November 30, 2009.

56 32 b. For the fiscal year beginning July 1, 2010, the
56 33 department shall reimburse pharmacy dispensing fees using a
56 34 single rate of \$4.34 per prescription or the pharmacy's usual
56 35 and customary fee, whichever is lower.

Requires a reimbursement rate of \$4.34 per prescription for pharmacist services using a single dispensing fee or the usual and customary fee, whichever is lower.

DETAIL: This is a decrease of \$0.23 compared to the FY 2010 reimbursement rate.

57 1 c. (1) For the fiscal year beginning July 1, 2010,
57 2 reimbursement rates for outpatient hospital services shall
57 3 remain at the rates in effect on June 30, 2010.

Requires the rate of reimbursement for outpatient services to remain the same as the FY 2010 reimbursement rate.

57 4 (2) For the fiscal year beginning July 1, 2010,
57 5 reimbursement rates for inpatient hospital services shall
57 6 remain at the rates in effect on June 30, 2010.

Requires the rate of reimbursement for inpatient services to remain the same as the FY 2010 reimbursement rate.

57 7 (3) For the fiscal year beginning July 1, 2010, the graduate
57 8 medical education and disproportionate share hospital fund
57 9 shall remain at the amount in effect on June 30, 2010.

Requires the rate of reimbursement for graduate medical education and disproportionate share hospital fund to remain the same as the FY 2010 reimbursement rate.

57 10 (4) In order to ensure the efficient use of limited state
57 11 funds in procuring health care services for low-income lowans,
57 12 funds appropriated in this Act for hospital services shall
57 13 not be used for activities which would be excluded from a
57 14 determination of reasonable costs under the federal Medicare
57 15 program pursuant to 42 U.S.C. 1395X(v)(1)(N).

Requires funds appropriated for hospital activities to be used for activities pursuant to the federal Medicare program.

57 16 d. For the fiscal year beginning July 1, 2010, reimbursement
57 17 rates for rural health clinics, hospices, and acute mental
57 18 hospitals shall be increased in accordance with increases under

Requires rural health clinics, hospice services, and acute mental hospitals to be reimbursed at the rate established under the federal Medicare Program for FY 2011.

57 19 the federal Medicare program or as supported by their Medicare
57 20 audited costs.

57 21 e. For the fiscal year beginning July 1, 2010, independent
57 22 laboratories and rehabilitation agencies shall be reimbursed
57 23 using the same methodology in effect on June 30, 2010.

Requires reimbursement methodology for independent laboratories and rehabilitation agencies to remain the same as the methodology in effect June 30, 2010.

57 24 f. For the fiscal year beginning July 1, 2010, reimbursement
57 25 rates for home health agencies shall remain at the rates in
57 26 effect on June 30, 2010, not to exceed a home health agency's
57 27 actual allowable cost.

Requires rates to home health agencies to remain at the rate in effect June 30, 2010.

57 28 g. For the fiscal year beginning July 1, 2010, federally
57 29 qualified health centers shall receive cost-based reimbursement
57 30 for 100 percent of the reasonable costs for the provision of
57 31 services to recipients of medical assistance.

Requires the DHS to reimburse federally qualified health centers for 100.00% of the reasonable costs for provision of services to Medical Assistance Program recipients.

57 32 h. For the fiscal year beginning July 1, 2010, the
57 33 reimbursement rates for dental services shall remain at the
57 34 rates in effect on June 30, 2010.

Requires the FY 2010 reimbursement rates for dental services to remain at the rate in effect June 30, 2010.

57 35 i. For the fiscal year beginning July 1, 2010, state-owned
58 1 psychiatric medical institutions for children shall receive
58 2 cost-based reimbursement for 100 percent of the actual and
58 3 allowable costs for the provision of services to recipients of
58 4 medical assistance. For nonstate-owned psychiatric medical
58 5 institutions for children, reimbursement shall be determined in
58 6 accordance with section 249A.31 subject to the rate limitations
58 7 specified in executive order number 19 issued October 8, 2009.

Reimburses State-owned PMIC's at 100.0% of allowable cost and reimburses nonState-owned PMIC's in accordance with Code Section 249A.31, subject to rate limitations specified by the ATB reduction.

DETAIL: The reduction by the Governor's Executive Order still applies.

58 8 j. For the fiscal year beginning July 1, 2010, unless
58 9 otherwise specified in this Act, all noninstitutional medical
58 10 assistance provider reimbursement rates shall remain at the

Requires the FY 2011 reimbursement rates for all non-institutional Medical Assistance providers, with specified exceptions, to remain at FY 2010 rates.

58 11 rates in effect on June 30, 2010, except for area education
58 12 agencies, local education agencies, infant and toddler services
58 13 providers, targeted case management, and those providers
58 14 whose rates are required to be determined pursuant to section
58 15 249A.20.

58 16 k. Notwithstanding any provision to the contrary, for the
58 17 fiscal year beginning July 1, 2010, the reimbursement rate for
58 18 anesthesiologists shall remain at the rate in effect on June
58 19 30, 2010.

CODE: Requires the FY 2011 reimbursement rates for anesthesiologists to remain at the rate in effect June 30, 2010.

58 20 l. Notwithstanding section 249A.20, for the fiscal year
58 21 beginning July 1, 2010, the average reimbursement rate for
58 22 health care providers eligible for use of the federal Medicare
58 23 resource-based relative value scale reimbursement methodology
58 24 under that section shall remain at the rate in effect on June
58 25 30, 2010; however, this rate shall not exceed the maximum level
58 26 authorized by the federal government.

CODE: Requires the FY 2011 rates for health care providers eligible for the average rate reimbursement to remain at the rate in effect June 30, 2010.

58 27 m. For the fiscal year beginning July 1, 2010, the
58 28 reimbursement rate for residential care facilities shall not
58 29 be less than the minimum payment level as established by the
58 30 federal government to meet the federally mandated maintenance
58 31 of effort requirement. The flat reimbursement rate for
58 32 facilities electing not to file annual cost reports shall not
58 33 be less than the minimum payment level as established by the
58 34 federal government to meet the federally mandated maintenance
58 35 of effort requirement.

Requires the reimbursement rates for residential care facilities to be no less than the minimum payment level required to meet the federal Maintenance of Effort requirement.

59 1 n. For the fiscal year beginning July 1, 2010, inpatient
59 2 mental health services provided at hospitals shall remain at
59 3 the rates in effect on June 30, 2010, subject to Medicaid
59 4 program upper payment limit rules; community mental health
59 5 centers and providers of mental health services to county
59 6 residents pursuant to a waiver approved under section 225C.7,

Requires the FY 2011 reimbursement rate for inpatient mental health services to remain at the same rate in effect on June 30, 2010, and community mental health centers to be reimbursed at 100.00% of costs.

59 7 subsection 3, shall be reimbursed at 100 percent of the
59 8 reasonable costs for the provision of services to recipients of
59 9 medical assistance; and psychiatrists shall be reimbursed at
59 10 the medical assistance program fee for service rate.

59 11 o. For the fiscal year beginning July 1, 2010, the
59 12 reimbursement rate for consumer-directed attendant care shall
59 13 remain at the rates in effect on June 30, 2010.

Requires the FY 2011 reimbursement rates for Consumer-Directed Attendant Care to remain at the rate in effect June 30, 2010.

59 14 p. For the fiscal year beginning July 1, 2010, the
59 15 reimbursement rate for providers of family planning services
59 16 that are eligible to receive a 90 percent federal match shall
59 17 remain at the rates in effect on January 31, 2010.

Requires the FY 2011 reimbursement rates for Family Planning Services to remain at the rate in effect January 31, 2010.

59 18 q. Unless otherwise provided in this section, the
59 19 department shall continue the reduction in payments to medical
59 20 assistance program providers for the fiscal year beginning
59 21 July 1, 2010, and ending June 30, 2011, in the percentage
59 22 amount applicable to the respective provider as specified under
59 23 Executive Order 19.

Specifies that unless otherwise provided, the reduction of payments due to the FY 2010 ATB reduction will continue to apply in FY 2011.

59 24 2. For the fiscal year beginning July 1, 2010, the
59 25 reimbursement rate for providers reimbursed under the
59 26 in-home-related care program shall not be less than the minimum
59 27 payment level as established by the federal government to meet
59 28 the federally mandated maintenance of effort requirement.

Establishes the maximum FY 2011 reimbursement rate for in-home health-related care providers at the minimum payment level established by the federal government.

59 29 3. Unless otherwise directed in this section, when the
59 30 department's reimbursement methodology for any provider
59 31 reimbursed in accordance with this section includes an
59 32 inflation factor, this factor shall not exceed the amount
59 33 by which the consumer price index for all urban consumers
59 34 increased during the calendar year ending December 31, 2002.

Specifies that when the required reimbursement methodology for providers under this Section includes an inflation factor, the factor cannot exceed the increase in the Consumer Price Index (CPI) for Urban Consumers for the calendar year ending December 31, 2002.

59 35 4. For the fiscal year beginning July 1, 2010,
60 1 notwithstanding section 234.38, the foster family basic daily
60 2 maintenance rate, the maximum adoption subsidy rate, and the
60 3 maximum supervised apartment living foster care rate, and the
60 4 preparation for adult living program maintenance rate for
60 5 children ages 0 through 5 years shall be \$15.54, the rate for
60 6 children ages 6 through 11 years shall be \$16.16, the rate for
60 7 children ages 12 through 15 years shall be \$17.69, and the
60 8 rate for children and young adults ages 16 and older shall be
60 9 \$18.87.

CODE: Provides the daily family foster care rates and the maximum adoption subsidy rates for children by age range for FY 2011.

DETAIL: The FY 2011 rates are decreased by approximately 5.00% compared to the FY 2010 rates to continue the ATB reductions from FY 2010 to FY 2011. Permits the reimbursement to be less than the statutory requirement of 65.00% of the United States Department of Agriculture cost to raise a child. The provision is for FY 2011 only.

60 10 5. For the fiscal year beginning July 1, 2010, the maximum
60 11 reimbursement rates for social services providers reimbursed
60 12 under a purchase of social services contract shall remain at
60 13 the rates in effect on June 30, 2010, or the provider's actual
60 14 and allowable cost plus inflation for each service, whichever
60 15 is less. However, the rates may be adjusted under any of the
60 16 following circumstances:
60 17 a. If a new service was added after June 30, 2010, the
60 18 initial reimbursement rate for the service shall be based upon
60 19 actual and allowable costs.
60 20 b. If a social service provider loses a source of income
60 21 used to determine the reimbursement rate for the provider,
60 22 the provider's reimbursement rate may be adjusted to reflect
60 23 the loss of income, provided that the lost income was used to
60 24 support actual and allowable costs of a service purchased under
60 25 a purchase of service contract.

Requires the maximum reimbursement rates for social service providers, including the Resource Family Recruitment and Retention Contractor, to be the same rate as provided in FY 2010, and provides for circumstances when the rates may be adjusted.

60 26 6. For the fiscal year beginning July 1, 2010, the
60 27 reimbursement rates for family-centered service providers,
60 28 family foster care service providers, group foster care service
60 29 providers, and the resource family recruitment and retention
60 30 contractor shall remain at the rates in effect on June 30,
60 31 2010.

Maintains foster care reimbursement rates for specified providers in FY 2011 at the same level as FY 2010.

60 32 7. The group foster care reimbursement rates paid for

Requires the group foster care reimbursement rates paid for

60 33 placement of children out of state shall be calculated
 60 34 according to the same rate-setting principles as those used for
 60 35 in-state providers, unless the director of human services or
 61 1 the director's designee determines that appropriate care cannot
 61 2 be provided within the state. The payment of the daily rate
 61 3 shall be based on the number of days in the calendar month in
 61 4 which service is provided.

placement of children out-of-state to be calculated according to the same rate-setting principles as those used for in-state providers, unless the Director of the DHS determines that appropriate care cannot be provided in the State. Also, requires payment of the daily rate to be based on the number of days in the calendar month this service is provided.

61 5 8. For the fiscal year beginning July 1, 2010, remedial
 61 6 service providers shall receive the same level of reimbursement
 61 7 under the same methodology in effect on June 30, 2010.

Requires the FY 2011 child welfare remedial service providers to be reimbursed under the FY 2010 methodology.

61 8 9. a. For the fiscal year beginning July 1, 2010,
 61 9 the combined service and maintenance components of the
 61 10 reimbursement rate paid for shelter care services and
 61 11 alternative child welfare emergency services purchased under
 61 12 a contract shall be based on the financial and statistical
 61 13 report submitted to the department. The maximum reimbursement
 61 14 rate shall be \$92.36 per day. The department shall reimburse
 61 15 a shelter care provider at the provider's actual and
 61 16 allowable unit cost, plus inflation, not to exceed the maximum
 61 17 reimbursement rate.

Requires the FY 2011 combined service and maintenance components of the reimbursement rate paid to shelter care providers to be based on the cost report submitted to the DHS. Also, requires a maximum reimbursement rate of \$92.36 per day, and requires the DHS to reimburse shelter care providers at the actual and allowable unit cost, plus inflation, not to exceed the maximum reimbursement rate.

DETAIL: This maintains the rate received in FY 2010.

61 18 b. Notwithstanding section 232.141, subsection 8, for the
 61 19 fiscal year beginning July 1, 2010, the amount of the statewide
 61 20 average of the actual and allowable rates for reimbursement of
 61 21 juvenile shelter care homes that is utilized for the limitation
 61 22 on recovery of unpaid costs shall remain at the amount in
 61 23 effect for this purpose in the preceding fiscal year.

CODE: Maintains the limit of the statewide average reimbursement rates paid to shelter care providers that was received in FY 2010. This impacts the amount of charges that are reimbursed.

61 24 10. For the fiscal year beginning July 1, 2010, the
 61 25 department shall calculate reimbursement rates for intermediate
 61 26 care facilities for persons with mental retardation at the
 61 27 80th percentile. Beginning July 1, 2010, the rate calculation
 61 28 methodology shall utilize the consumer price index inflation

Requires the DHS to calculate reimbursement rates for intermediate care facilities for persons with mental retardation (ICF/MRs) at the 80th percentile for FY 2011.

61 29 factor applicable to the fiscal year beginning July 1, 2010.

61 30 11. For the fiscal year beginning July 1, 2010, for child
61 31 care providers reimbursed under the state child care assistance
61 32 program, the department shall set provider reimbursement
61 33 rates based on the rate reimbursement survey completed in
61 34 December 2004. Effective July 1, 2010, the child care provider
61 35 reimbursement rates shall remain at the rates in effect on June
62 1 30, 2010. The department shall set rates in a manner so as
62 2 to provide incentives for a nonregistered provider to become
62 3 registered by applying the increase only to registered and
62 4 licensed providers.

Requires the DHS to set FY 2011 provider reimbursement rates for child care providers based on the rate reimbursement survey completed in December 2004. Requires rates to be set in a manner that will provide incentives for non-registered providers to become registered.

62 5 12. For the fiscal year beginning July 1, 2010,
62 6 reimbursements for providers reimbursed by the department of
62 7 human services may be modified if appropriated funding is
62 8 allocated for that purpose from the senior living trust fund
62 9 created in section 249H.4.

Specifies that FY 2011 reimbursements for providers reimbursed by the DHS may be modified if appropriated funding is allocated for that purpose from the Senior Living Trust Fund.

62 10 13. The department may adopt emergency rules to implement
62 11 this section.

Permits the DHS to adopt emergency rules to implement these reimbursements.

62 12 Sec. 34. EMERGENCY RULES.

62 13 1. If specifically authorized by a provision of this
62 14 division of this Act, the department of human services or the
62 15 mental health, mental retardation, developmental disabilities,
62 16 and brain injury commission may adopt administrative rules
62 17 under section 17A.4, subsection 3, and section 17A.5,
62 18 subsection 2, paragraph "b", to implement the provisions and
62 19 the rules shall become effective immediately upon filing or
62 20 on a later effective date specified in the rules, unless the
62 21 effective date is delayed by the administrative rules review
62 22 committee. Any rules adopted in accordance with this section
62 23 shall not take effect before the rules are reviewed by the
62 24 administrative rules review committee. The delay authority

Permits the DHS and the Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission to adopt emergency rules when authorized.

62 25 provided to the administrative rules review committee under
62 26 section 17A.4, subsection 7, and section 17A.8, subsection 9,
62 27 shall be applicable to a delay imposed under this section,
62 28 notwithstanding a provision in those sections making them
62 29 inapplicable to section 17A.5, subsection 2, paragraph "b".
62 30 Any rules adopted in accordance with the provisions of this
62 31 section shall also be published as notice of intended action
62 32 as provided in section 17A.4.

62 33 2. If during the fiscal year beginning July 1, 2010, the
62 34 department of human services is adopting rules in accordance
62 35 with this section or as otherwise directed or authorized by
63 1 state law, and the rules will result in an expenditure increase
63 2 beyond the amount anticipated in the budget process or if the
63 3 expenditure was not addressed in the budget process for the
63 4 fiscal year, the department shall notify the persons designated
63 5 by this division of this Act for submission of reports,
63 6 the chairpersons and ranking members of the committees on
63 7 appropriations, and the department of management concerning the
63 8 rules and the expenditure increase. The notification shall be
63 9 provided at least 30 calendar days prior to the date notice of
63 10 the rules is submitted to the administrative rules coordinator
63 11 and the administrative code editor.

63 12 Sec. 35. REPORTS. Any reports or information required to be
63 13 compiled and submitted under this Act shall be submitted to the
63 14 chairpersons and ranking members of the joint appropriations
63 15 subcommittee on health and human services, the legislative
63 16 services agency, and the legislative caucus staffs on or
63 17 before the dates specified for submission of the reports or
63 18 information.

63 19 Sec. 36. EFFECTIVE DATE. The following provisions of this
63 20 division of this Act, being deemed of immediate importance,
63 21 take effect upon enactment:

Requires the DHS to report to the Chairpersons and Ranking Members of the Appropriation Committees, the LSA, and the DOM at least 30 days prior to submitting rules that will have a fiscal impact that was not addressed in the budget process.

Requires any reports required by this Bill to be submitted to the Chairpersons and Ranking Members of the Health and Human Services Appropriations Subcommittee, Legislative Caucus Staffs, and the LSA.

The provision requiring representatives of the DHS and juvenile court services to collaborate regarding group foster care expenditures is effective on enactment.

63 22 The provision under the appropriation for child and family
 63 23 services, relating to requirements of section 232.143 for
 63 24 representatives of the department of human services and
 63 25 juvenile court services to establish a plan for continuing
 63 26 group foster care expenditures for fiscal year 2010=2011.

63 27 DIVISION V
 63 28 SENIOR LIVING TRUST FUND,
 63 29 PHARMACEUTICAL SETTLEMENT ACCOUNT,
 63 30 IOWACARE ACCOUNT, HEALTH CARE
 63 31 TRANSFORMATION ACCOUNT, MEDICAID FRAUD ACCOUNT, QUALITY
 63 32 ASSURANCE TRUST FUND, AND UNDERGROUND STORAGE TANK FUND

63 33 Sec. 37. DEPARTMENT ON AGING. There is appropriated from
 63 34 the senior living trust fund created in section 249H.4 to the
 63 35 department on aging for the fiscal year beginning July 1, 2010,
 64 1 and ending June 30, 2011, the following amount, or so much
 64 2 thereof as is necessary, to be used for the purpose designated:
 64 3 For the development and implementation of a comprehensive
 64 4 senior living program, including case management and
 64 5 including program administration and costs associated with
 64 6 implementation:
 64 7 \$ 8,486,698

Senior Living Trust Fund appropriation to the Department on Aging.

DETAIL: Maintains the current level of funding.

64 8 1. a. Of the funds appropriated in this section, \$1,010,000
 64 9 shall be transferred to the department of human services in
 64 10 equal amounts on a quarterly basis for reimbursement of case
 64 11 management services provided under the medical assistance
 64 12 elderly waiver.

Requires \$1,010,000 to be transferred to the DHS, in equal amounts on a quarterly basis, for reimbursement under the Medicaid Elderly Waiver.

DETAIL: Maintains the current allocation and transfer levels.

64 13 b. The department of human services shall review
 64 14 projections for state funding expenditures for reimbursement
 64 15 of case management services under the medical assistance
 64 16 elderly waiver on a quarterly basis and shall determine if an
 64 17 adjustment to the medical assistance reimbursement rates are

Requires the DHS to review expenditures for reimbursement of case management services under the Medicaid Elderly Waiver on a quarterly basis and adjust to provide reimbursements within the appropriation.

64 18 necessary to provide reimbursement within the state funding
64 19 amounts budgeted under the appropriations made for the fiscal
64 20 year for the medical assistance program. Any temporary
64 21 enhanced federal financial participation that may become
64 22 available for the medical assistance program during the fiscal
64 23 year shall not be used in projecting the medical assistance
64 24 elderly waiver case management budget. The department of human
64 25 services shall revise such reimbursement rates as necessary to
64 26 maintain expenditures for medical assistance elderly waiver
64 27 case management services within the state funding amounts
64 28 budgeted under the appropriations made for the fiscal year for
64 29 the medical assistance program.

64 30 2. Notwithstanding section 249H.7, the department on aging
64 31 shall distribute funds appropriated in this section in a
64 32 manner that will supplement and maximize federal funds under
64 33 the federal Older Americans Act and shall not use the amount
64 34 distributed for any administrative purposes of either the
64 35 department on aging or the area agencies on aging.

CODE: Requires the Department on Aging to maximize federal funds under the federal Older Americans Act, and prohibits these funds from being used for administration.

65 1 3. Of the funds appropriated in this section, \$60,000
65 2 shall be used to provide dementia-specific education to
65 3 direct care workers and other providers of long-term care
65 4 to enhance existing or scheduled efforts through the Iowa
65 5 caregivers association, the Alzheimer's association, and other
65 6 organizations identified as appropriate by the department.

Allocates \$60,000 for dementia-specific education for direct care workers.

DETAIL: Maintains the current allocation level.

65 7 4. Of the funds appropriated in this section, \$51,000 shall
65 8 be used to provide funding for the legal hotline for older
65 9 Iowans.

Allocates \$51,000 to the Department on Aging to be used for a legal hotline for older Iowans.

DETAIL: This is a new allocation for FY 2011.

65 10 5. Of the funds appropriated in this section, up to \$193,000
65 11 shall be used to provide state matching funds for the senior
65 12 community services employment program.

Allocates up to \$193,000 to the Department on Aging to be used for the Senior Community Services Employment Program.

DETAIL: This is a new allocation for FY 2011.

65 13 Sec. 38. IOWA FINANCE AUTHORITY. There is appropriated
 65 14 from the senior living trust fund created in section 249H.4 to
 65 15 the Iowa finance authority for the fiscal year beginning July
 65 16 1, 2010, and ending June 30, 2011, the following amount, or
 65 17 so much thereof as is necessary, to be used for the purposes
 65 18 designated:
 65 19 For the rent subsidy program, to provide reimbursement for
 65 20 rent expenses to eligible persons:
 65 21 \$ 700,000

Senior Living Trust Fund appropriation to the Iowa Finance Authority (IFA) for the Rent Subsidy Program.

DETAIL: Maintains the current level of Senior Living Trust Fund support.

65 22 Participation in the rent subsidy program shall be limited
 65 23 to only those persons who meet the requirements for the nursing
 65 24 facility level of care for home and community-based services
 65 25 waiver services as in effect on July 1, 2010, and to those
 65 26 individuals who are eligible for the federal money follows the
 65 27 person grant program under the medical assistance program. Of
 65 28 the funds appropriated in this section, not more than \$35,000
 65 29 may be used for administrative costs.

Requires participation in the Rent Subsidy Program to be limited to individuals at risk of nursing home placement and those eligible under the federal Money Follows the Person Grant Program. Permits the IFA to use up to \$35,000 for administrative costs.

65 30 Sec. 39. DEPARTMENT OF HUMAN SERVICES. Any funds remaining
 65 31 in the senior living trust fund created in section 249H.4
 65 32 following the appropriations from the senior living trust
 65 33 fund made in this division of this Act to the department on
 65 34 aging, the department of inspections and appeals, and the Iowa
 65 35 finance authority, for the fiscal year beginning July 1, 2010,
 66 1 and ending June 30, 2011, are appropriated to the department
 66 2 of human services to supplement the medical assistance
 66 3 program appropriations made in this Act, including program
 66 4 administration and costs associated with implementation. In
 66 5 order to carry out the purposes of this section, the department
 66 6 may transfer funds appropriated in this section to supplement
 66 7 other appropriations made to the department of human services.

Appropriates the balance of the SLTF to the Medicaid Program for FY 2011 after all other appropriations from the Fund are made.

DETAIL: It is estimated that there will be \$39,080,435 available. This is an increase of \$21,393,608 compared to estimated net FY 2010.

66 8 Sec. 40. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
 66 9 appropriated from the pharmaceutical settlement account created
 66 10 in section 249A.33 to the department of human services for the
 66 11 fiscal year beginning July 1, 2010, and ending June 30, 2011,
 66 12 the following amount, or so much thereof as is necessary, to be
 66 13 used for the purpose designated:
 66 14 Notwithstanding any provision of law to the contrary, to
 66 15 supplement the appropriations made for medical contracts under
 66 16 the medical assistance program:
 66 17 \$ 4,027,613

CODE: Pharmaceutical Settlement Account appropriation to the DHS for medical contracts in Medicaid.

DETAIL: This is an increase of \$2,703,780 compared to estimated net FY 2010.

66 18 Sec. 41. APPROPRIATIONS FROM IOWACARE ACCOUNT.

66 19 1. There is appropriated from the IowaCare account
 66 20 created in section 249J.24 to the state board of regents for
 66 21 distribution to the university of Iowa hospitals and clinics
 66 22 for the fiscal year beginning July 1, 2010, and ending June 30,
 66 23 2011, the following amount, or so much thereof as is necessary,
 66 24 to be used for the purposes designated:
 66 25 For salaries, support, maintenance, equipment, and
 66 26 miscellaneous purposes, for the provision of medical and
 66 27 surgical treatment of indigent patients, for provision of
 66 28 services to members of the expansion population pursuant to
 66 29 chapter 249J, and for medical education:
 66 30 \$ 27,284,584

IowaCare Account appropriation to the University of Iowa Hospitals and Clinics (UIHC).

DETAIL: Maintains the current level of IowaCare Account support. IowaCare is an indigent care program for uninsured adults with incomes up to 200.00% of the Federal Poverty Level. It was created during the 2005 Legislative Session in response to the elimination of federal Intergovernmental Transfers (IGTs). The appropriation was first funded in FY 2006. A portion of the funds are to be used for graduate medical education.

66 31 a. Funds appropriated in this subsection shall not be used
 66 32 to perform abortions except medically necessary abortions, and
 66 33 shall not be used to operate the early termination of pregnancy
 66 34 clinic except for the performance of medically necessary
 66 35 abortions. For the purpose of this subsection, an abortion is
 67 1 the purposeful interruption of pregnancy with the intention
 67 2 other than to produce a live-born infant or to remove a dead
 67 3 fetus, and a medically necessary abortion is one performed
 67 4 under one of the following conditions:

Specifies the conditions that permit the Medical Assistance Program to reimburse providers for abortion services.

DETAIL: The rules regarding abortion that apply to the Medical Assistance Program also apply to IowaCare.

67 5 (1) The attending physician certifies that continuing the
67 6 pregnancy would endanger the life of the pregnant woman.

67 7 (2) The attending physician certifies that the fetus is
67 8 physically deformed, mentally deficient, or afflicted with a
67 9 congenital illness.

67 10 (3) The pregnancy is the result of a rape which is reported
67 11 within 45 days of the incident to a law enforcement agency or
67 12 public or private health agency which may include a family
67 13 physician.

67 14 (4) The pregnancy is the result of incest which is reported
67 15 within 150 days of the incident to a law enforcement agency
67 16 or public or private health agency which may include a family
67 17 physician.

67 18 (5) The abortion is a spontaneous abortion, commonly known
67 19 as a miscarriage, wherein not all of the products of conception
67 20 are expelled.

67 21 b. Notwithstanding any provision of law to the contrary,
67 22 the amount appropriated in this subsection shall be distributed
67 23 based on claims submitted, adjudicated, and paid by the Iowa
67 24 Medicaid enterprise.

CODE: Specifies the amount appropriated is to be distributed based on claims submitted, adjudicated, and paid by the Iowa Medicaid Enterprise.

67 25 c. Contingent upon implementation of 2010 Iowa Acts, Senate
67 26 File 2356, the university of Iowa hospitals and clinics shall
67 27 certify public expenditures in an amount equal to provide
67 28 the nonfederal share on total expenditures not to exceed
67 29 \$20,000,000.

Specifies the UIHC is to use Certified Public Expenditures as the nonfederal share to match for a total amount of \$20,000,000.

67 30 2. There is appropriated from the IowaCare account
67 31 created in section 249J.24 to the state board of regents for
67 32 distribution to the university of Iowa hospitals and clinics
67 33 for the fiscal year beginning July 1, 2010, and ending June 30,
67 34 2011, the following amount, or so much thereof as is necessary,
67 35 to be used for the purposes designated:

68 1 For salaries, support, maintenance, equipment, and

IowaCare Account appropriation of an additional \$49,020,131 to the State Board of Regents to be distributed to the University of Iowa Hospitals and Clinics (UIHC).

DETAIL: This is an increase of \$2,000,000 compared to estimated net FY 2010. The increase is for increased enrollment and utilization of the IowaCare Program.

68 2 miscellaneous purposes, for the provision of medical and
 68 3 surgical treatment of indigent patients, for provision of
 68 4 services to members of the expansion population pursuant to
 68 5 chapter 249J, and for medical education:
 68 6 \$ 49,020,031

68 7 Notwithstanding any provision of law to the contrary, the
 68 8 amount appropriated in this subsection shall be distributed
 68 9 based on claims submitted, adjudicated, and paid by the Iowa
 68 10 Medicaid enterprise.

CODE: Specifies the amount appropriated is to be distributed based on claims submitted, adjudicated, and paid by the Iowa Medicaid Enterprise.

68 11 3. Contingent upon enactment of 2010 Iowa Acts, Senate
 68 12 File 2356, there is appropriated from the IowaCare account
 68 13 created in section 249J.24, to the state board of regents for
 68 14 distribution to university of Iowa physicians for the fiscal
 68 15 year beginning July 1, 2010, and ending June 30, 2011, the
 68 16 following amount, or so much thereof as is necessary to be used
 68 17 for the purposes designated:
 68 18 For salaries, support, maintenance, equipment, and
 68 19 miscellaneous purposes for the provision of medical and
 68 20 surgical treatment of indigent patients, for provision of
 68 21 services to members of the expansion population pursuant to
 68 22 chapter 249J, and for medical education:
 68 23 \$ 12,000,000

Contingent appropriation to the UIHC from the IowaCare Account for salaries and support of the IowaCare Program for FY 2011. This appropriation is contingent on enactment of SF 2356 (FY 2011 Health Care Reform Bill).

DETAIL: This is a new appropriation for FY 2011.

68 24 Notwithstanding any provision of law to the contrary, the
 68 25 amount appropriated in this subsection shall be distributed
 68 26 based on claims submitted, adjudicated, and paid by the Iowa
 68 27 Medicaid enterprise. Once the entire amount appropriated in
 68 28 this subsection has been distributed, claims shall continue to
 68 29 be submitted and adjudicated by the Iowa Medicaid enterprise;
 68 30 however, no payment shall be made based upon such claims.

CODE: Requires all appropriations in this Subsection to be distributed based on claims adjudicated and paid by the Iowa Medicaid Enterprise (IME). Funds distributed in this subsection are limited to the appropriation provided.

68 31 4. There is appropriated from the IowaCare account created
 68 32 in section 249J.24 to the department of human services for the

IowaCare Account appropriation to Polk County Broadlawns Medical Center.

68 33 fiscal year beginning July 1, 2010, and ending June 30, 2011,
 68 34 the following amount, or so much thereof as is necessary, to be
 68 35 used for the purposes designated:

69 1 For distribution to a publicly owned acute care teaching
 69 2 hospital located in a county with a population over 350,000 for
 69 3 the provision of medical and surgical treatment of indigent
 69 4 patients, for provision of services to members of the expansion
 69 5 population pursuant to chapter 249J, and for medical education:
 69 6 \$ 51,000,000
 69 7 a. Notwithstanding any provision of law to the contrary,
 69 8 the amount appropriated in this subsection shall be distributed
 69 9 based on claims submitted, adjudicated, and paid by the Iowa
 69 10 Medicaid enterprise plus a monthly disproportionate share
 69 11 hospital payment. Any amount appropriated in this subsection
 69 12 in excess of \$48,000,000 shall be distributed only if the sum
 69 13 of the expansion population claims adjudicated and paid by the
 69 14 Iowa Medicaid enterprise plus the estimated disproportionate
 69 15 share hospital payments exceeds \$48,000,000. The amount paid
 69 16 in excess of \$48,000,000 shall not adjust the original monthly
 69 17 payment amount but shall be distributed monthly based on actual
 69 18 claims adjudicated and paid by the Iowa Medicaid enterprise
 69 19 plus the estimated disproportionate share hospital amount. Any
 69 20 amount appropriated in this subsection in excess of \$48,000,000
 69 21 shall be allocated only if federal funds are available to match
 69 22 the amount allocated.

69 23 b. Notwithstanding the total amount of proceeds distributed
 69 24 pursuant to section 249J.24, subsection 6, paragraph "a",
 69 25 unnumbered paragraph 1, for the fiscal year beginning July
 69 26 1, 2010, and ending June 30, 2011, the county treasurer of a
 69 27 county with a population of over 350,000 in which a publicly
 69 28 owned acute care teaching hospital is located shall distribute
 69 29 the proceeds collected pursuant to section 347.7 in a total
 69 30 amount of \$38,000,000, which would otherwise be distributed to
 69 31 the county hospital, to the treasurer of state for deposit in
 69 32 the IowaCare account.

69 33 c. (1) Notwithstanding the amount collected and
 69 34 distributed for deposit in the IowaCare account pursuant to
 69 35 section 249J.24, subsection 6, paragraph "a", subparagraph

DETAIL: This is an increase of \$5,000,000 compared to estimated net FY 2010. Broadlawns transfers \$38,000,000 of Polk County property tax proceeds to the State to draw down the federal match that funds the IowaCare Program.

70 1 (1), the first \$19,000,000 in proceeds collected pursuant to
 70 2 section 347.7 between July 1, 2010, and December 31, 2010,
 70 3 shall be distributed to the treasurer of state for deposit in
 70 4 the lowaCare account and collections during this time period in
 70 5 excess of \$19,000,000 shall be distributed to the acute care
 70 6 teaching hospital identified in this subsection.
 70 7 (2) Notwithstanding the amount collected and distributed
 70 8 for deposit in the lowaCare account pursuant to section
 70 9 249J.24, subsection 6, paragraph "a", subparagraph (2),
 70 10 the first \$19,000,000 in collections pursuant to section
 70 11 347.7 between January 1, 2011, and June 30, 2011, shall be
 70 12 distributed to the treasurer of state for deposit in the
 70 13 lowaCare account and collections during this time period in
 70 14 excess of \$19,000,000 shall be distributed to the acute care
 70 15 teaching hospital identified in this subsection.

70 16 5. Contingent upon enactment of 2010 Iowa Acts, Senate File
 70 17 2356, there is appropriated from the lowaCare account created
 70 18 in section 249J.24 to the department of human services for the
 70 19 fiscal year beginning July 1, 2010, and ending June 30, 2011,
 70 20 the following amount, or so much thereof as is necessary to be
 70 21 used for the purpose designated:
 70 22 For payment to the regional provider network specified by
 70 23 the department pursuant to 2010 Iowa Acts, Senate File 2356,
 70 24 section 2, amending section 249J.7, if enacted, for provision
 70 25 of covered services to members of the expansion population
 70 26 pursuant to chapter 249J:
 70 27 \$ 6,000,000

Contingent appropriation for a regional provider network from the lowaCare Account for FY 2011. This appropriation is contingent on enactment of SF 2356 (FY 2011 Health Care Reform Bill).

DETAIL: This is a new appropriation for FY 2011.

70 28 Notwithstanding any provision of law to the contrary, the
 70 29 amount appropriated in this subsection shall be distributed
 70 30 based on claims submitted, adjudicated, and paid by the Iowa
 70 31 Medicaid enterprise. Once the entire amount appropriated in
 70 32 this subsection has been distributed, claims shall continue to
 70 33 be submitted and adjudicated by the Iowa Medicaid enterprise;
 70 34 however, no payment shall be made based upon such claims.

CODE: Specifies the amount appropriated is to be distributed based on claims submitted, adjudicated, and paid by the Iowa Medicaid Enterprise. Claims are to be submitted even after all funds have been distributed so the DHS may collect data on the demand and types of services provided.

<p>70 35 6. Contingent upon enactment of 2010 Iowa Acts, Senate File 71 1 2356, there is appropriated from the IowaCare account created 71 2 in section 249J.24 to the department of human services for the 71 3 fiscal year beginning July 1, 2010, and ending June 30, 2011, 71 4 the following amount, or so much thereof as is necessary to be 71 5 used for the purposes designated: 71 6 For payment to nonparticipating providers for covered 71 7 services provided in accordance with section 249J.24A: 71 8 \$ 2,000,000</p>	<p>Contingent appropriation for reimbursement of nonparticipating providers from the IowaCare Account for FY 2011. This appropriation is contingent on enactment of SF 2356 (FY 2011 Health Care Reform Bill).</p> <p>DETAIL: This is a new appropriation for FY 2011.</p>
<p>71 9 Sec. 42. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE 71 10 TRANSFORMATION == DEPARTMENT OF HUMAN SERVICES. 71 11 Notwithstanding any provision to the contrary, there is 71 12 appropriated from the account for health care transformation 71 13 created in section 249J.23 to the department of human services 71 14 for the fiscal year beginning July 1, 2010, and ending June 71 15 30, 2011, the following amounts, or so much thereof as is 71 16 necessary, to be used for the purposes designated:</p>	<p>Appropriations from the Health Care Transformation Account (HCTA).</p> <p>DETAIL: The HCTA was created as part of the agreement with the federal Centers for Medicare and Medicaid Services (CMS) to discontinue Iowa's IGTs during the 2005 Legislative Session. It is intended to fund the reforms specified in HF 841 (IowaCare and Medicaid Reform Act) enacted during the 2005 Legislative Session.</p>
<p>71 17 1. For the costs of medical examinations for the expansion 71 18 population pursuant to section 249J.6: 71 19 \$ 556,800</p>	<p>Appropriation from the HCTA for medical examinations and personal improvement plans for IowaCare enrollees.</p> <p>DETAIL: Maintains the current level of HCTA support.</p>
<p>71 20 2. For the provision of an IowaCare nurse helpline for the 71 21 expansion population as provided in section 249J.6: 71 22 \$ 100,000</p>	<p>Appropriation from the HCTA for a medical information hotline for IowaCare enrollees.</p> <p>DETAIL: Maintains the current level of HCTA support.</p>
<p>71 23 3. For other health promotion partnership activities 71 24 pursuant to section 249J.14: 71 25 \$ 600,000</p>	<p>Appropriation from the HCTA for other health partnership activities related to IowaCare.</p> <p>DETAIL: Maintains the current level of HCTA support.</p>
<p>71 26 4. For the costs related to audits, performance</p>	<p>Appropriation from the HCTA for costs related to audits, performance</p>

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71 27	evaluations, and studies required pursuant to chapter 249J:	evaluations, and studies related to IowaCare.
71 28	..... \$ 125,000	DETAIL: Maintains the current level of HCTA support.
71 29	5. For administrative costs associated with chapter 249J:	Appropriation from the HCTA for IowaCare administrative costs.
71 30	..... \$ 1,132,412	DETAIL: Maintains the current level of HCTA support.
71 31	6. For planning and development, in cooperation with the	Appropriation from the HCTA to the DHS and the DPH to provide a
71 32	department of public health, of a phased-in program to provide	dental home for children program.
71 33	a dental home for children in accordance with section 249J.14:	
71 34	..... \$ 1,000,000	DETAIL: Maintains the current level of HCTA support.
71 35	7. For continuation of the establishment of the tuition	Appropriation from the HCTA for tuition assistance for individuals
72 1	assistance for individuals serving individuals with	serving individuals with disabilities pilot program.
72 2	disabilities pilot program, as enacted in 2008 Iowa Acts,	
72 3	chapter 1187, section 130:	DETAIL: Maintains the current level of HCTA support.
72 4	..... \$ 50,000	
72 5	8. For medical contracts:	Appropriation from the HCTA for Medical Contracts.
72 6	..... \$ 1,300,000	DETAIL: Maintains the current level of HCTA support.
72 7	9. For payment to the publicly owned acute care teaching	Appropriation from the HCTA for the Polk County Broadlawns Medical
72 8	hospital located in a county with a population of over 350,000	Center for the IowaCare Program. Requires distribution of the funds
72 9	that is a participating provider pursuant to chapter 249J:	on a monthly basis.
72 10	..... \$ 290,000	DETAIL: Maintains the current level of HCTA support.
72 11	Disbursements under this subsection shall be made monthly.	Requires the DHS to make 12 monthly payments to Polk County
72 12	The hospital shall submit a report following the close of the	Broadlawns Medical Center for the appropriation. Requires an FY
72 13	fiscal year regarding use of the funds appropriated in this	2011 report from the Medical Center.
72 14	subsection to the persons specified in this Act to receive	

72 15 reports.

72 16 Notwithstanding section 8.39, subsection 1, without the
 72 17 prior written consent and approval of the governor and the
 72 18 director of the department of management, the director of human
 72 19 services may transfer funds among the appropriations made in
 72 20 this section as necessary to carry out the purposes of the
 72 21 account for health care transformation. The department shall
 72 22 report any transfers made pursuant to this section to the
 72 23 legislative services agency.

CODE: Permits the DHS to transfer funds to provide activities in this Section without the approval of the Governor or the Director of the DOM, but requires the DHS to report any transfers to the LSA.

72 24 Sec. 43. MEDICAID FRAUD ACCOUNT == DEPARTMENT OF
 72 25 INSPECTIONS AND APPEALS. There is appropriated from the
 72 26 Medicaid fraud account created in section 249A.7 to the
 72 27 department of inspections and appeals for the fiscal year
 72 28 beginning July 1, 2010, and ending June 30, 2011, the following
 72 29 amount or so much thereof as is necessary, to be used for the
 72 30 purposes designated:
 72 31 For the inspection and certification of assisted living
 72 32 programs and adult day care services, including program
 72 33 administration and costs associated with implementation:
 72 34 \$ 1,339,527

Medicaid Fraud Account appropriation to the DIA for inspections and certification of assisted living facilities and adult day care services.

DETAIL: This is a new appropriation for FY 2011. This appropriation was previously funded by the Senior Living Trust Fund (SLTF).

72 35 Sec. 44. QUALITY ASSURANCE TRUST FUND == DEPARTMENT OF HUMAN
 73 1 SERVICES. Notwithstanding any provision to the contrary and
 73 2 subject to the availability of funds, there is appropriated
 73 3 from the quality assurance trust fund created in section
 73 4 249L.4 to the department of human services for the fiscal year
 73 5 beginning July 1, 2010, and ending June 30, 2011, the following
 73 6 amounts, or so much thereof as is necessary for the purposes
 73 7 designated:
 73 8 To supplement the appropriation made in this Act from the
 73 9 general fund of the state to the department of human services
 73 10 for medical assistance:
 73 11 \$ 8,500,000

Appropriation from the Quality Assurance Trust Fund to supplement Nursing Facilities under the Medicaid Program.

DETAIL: This is a new appropriation for FY 2011.

73 12 1. Funds appropriated in this section shall be used for
 73 13 nursing facility reimbursement under the medical assistance
 73 14 program in accordance with the nursing facility reimbursement
 73 15 provisions of division IV of this Act, to continue application
 73 16 of the administrative rules changes relating to nursing
 73 17 facility reimbursement and payment procedures made pursuant to
 73 18 2010 Iowa Acts, Senate File 2366, if enacted, for the fiscal
 73 19 year beginning July 1, 2010, and ending June 30, 2011, and
 73 20 to restore the 5 percent reduction made in nursing facility
 73 21 reimbursement in accordance with executive order number 19
 73 22 issued October 8, 2009.

Specifies that funds in this Section are to be used in accordance with nursing facility provisions in Division IV of this Bill. The funds are to be used to restore the 5.00% ATB rate reduction and restore changes made to bed hold and occupancy rates. All provisions in Division IV enhanced federal financial participation apply to this Section.

73 23 2. The costs associated with the implementation of this
 73 24 section shall be funded exclusively through moneys appropriated
 73 25 from the quality assurance trust fund, and shall result in
 73 26 budget neutrality to the general fund of the state for the
 73 27 fiscal year beginning July 1, 2010, and ending June 30, 2011.

Specifies that the cost associated with implementing this Section is to be funded exclusively by the Quality Assurance Trust Fund and must be budget neutral to the General Fund.

73 28 Sec. 45. IOWA COMPREHENSIVE PETROLEUM UNDERGROUND
 STORAGE

73 29 TANK FUND. There is appropriated from the Iowa comprehensive
 73 30 petroleum underground storage tank fund created in section
 73 31 455G.3 to the following designated departments for the fiscal
 73 32 year beginning July 1, 2010, and ending June 30, 2011, the
 73 33 following amounts, or so much thereof as is necessary, to be
 73 34 used for the purposes designated, notwithstanding section
 73 35 455G.3, subsection 1:

74 1 1. To the department of public health for:
 74 2 a. Addictive disorders:
 74 3 \$ 500,000
 74 4 The funds appropriated in this paragraph shall be used for
 74 5 substance abuse treatment and prevention.

Appropriation from the Iowa Comprehensive Petroleum Underground Storage Tank (UST) Fund for substance abuse treatment and prevention.

DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.

74 6 b. Chronic conditions:

Appropriation from the UST for Chronic Conditions to be distributed to

74 7 \$ 35,000	the amounts listed below.
74 8 (1) Of the funds appropriated in this paragraph, \$20,000 74 9 shall be used for grants to individual patients who have 74 10 phenylketonuria (PKU) to assist with the costs of necessary 74 11 special foods.	Allocates \$20,000 to PKU assistance. DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.
74 12 (2) Of the funds appropriated in this paragraph \$15,000 74 13 shall be used for child health specialty clinics.	Allocates \$15,000 for Child Health Specialty Clinics. DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.
74 14 c. Public protection: 74 15 \$ 100,000 74 16 Of the funds appropriated in this paragraph, \$100,000 shall 74 17 be used for the state poison control center.	Appropriation from the UST Fund for the State Poison Control Center. DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.
74 18 2. To the department of human services for: 74 19 a. Child and family services: 74 20 \$ 925,000	Appropriation from the UST Fund for Child and Family Service to be distributed to the amounts listed below. DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.
74 21 (1) Of the funds appropriated in this paragraph, \$600,000 74 22 shall be used for the purposes of juvenile delinquent graduated 74 23 sanction services.	Allocates \$600,000 to juvenile delinquent graduated sanction services. DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.
74 24 (2) Of the funds appropriated in this paragraph, \$200,000 74 25 shall be allocated to a county with a population of more than	Allocation to be transferred to Polk County for child care center services for children with various special needs

<p>74 26 300,000 to be used for continuation of a grant to support 74 27 child care center services provided to children with mental, 74 28 physical, or emotional challenges in order for the children to 74 29 remain in a home or family setting.</p>	<p>DETAIL: This is a new allocation for FY 2011.</p>
<p>74 30 (3) Of the funds appropriated in this paragraph, \$25,000 74 31 shall be used for the public purpose of providing a grant to 74 32 a child welfare services provider headquartered in a county 74 33 with a population between 189,000 and 196,000 in the latest 74 34 preceding certified federal census that provides multiple 74 35 services including but not limited to a psychiatric medical 75 1 institution for children, shelter, residential treatment, after 75 2 school programs, school-based programming, and an Asperger's 75 3 syndrome program, to be used for support services for children 75 4 with autism spectrum disorder and their families.</p>	<p>Allocation to Four Oaks for various autism spectrum disorders services. DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.</p>
<p>75 5 (4) Of the funds appropriated in this section, \$100,000 75 6 shall be used for a one-time grant to support startup costs for 75 7 a child protection center to be operated in a hospital in a 75 8 county in northeast Iowa with a population between 120,000 and 75 9 135,000. Population numbers used in this subsection are from 75 10 the latest preceding certified federal census.</p>	<p>Allocation for the Child Protection Center in Waterloo. DETAIL: This is a new allocation for FY 2011.</p>
<p>75 11 b. Family support subsidy: 75 12 \$ 100,000 75 13 The funds appropriated in this paragraph shall be used for 75 14 the family support center component of the comprehensive family 75 15 support program under section 225C.47.</p>	<p>Appropriation from the UST Fund for the Child at Home Program. DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation</p>
<p>75 16 c. Child support recovery: 75 17 \$ 250,000</p>	<p>Appropriation from the UST Fund for the CSRU. DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.</p>
<p>75 18 d. Juvenile institutions:</p>	<p>Appropriation from the UST Fund to State Juvenile Institutions to be</p>

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75 19	\$ 600,000	distributed in the amounts listed below. DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.
75 20 (1) Of the funds appropriated in this paragraph, \$200,000 75 21 shall be used for operation of the Iowa juvenile home at 75 22 Toledo.		Allocates \$200,000 to the Iowa Juvenile Homes at Toledo. DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.
75 23 (2) Of the funds appropriated in this paragraph, \$400,000 75 24 shall be used for operation of the state training school at 75 25 Eldora.		Allocates \$400,000 to the State Training School at Eldora. DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.
75 26 e. Mental health institutes: 75 27	\$ 350,000	Appropriation from the UST Fund to the State Mental Health Institutes to be distributed in the amounts listed below. DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.
75 28 (1) Of the funds appropriated in this paragraph, \$100,000 75 29 shall be used for the state mental health institute at 75 30 Cherokee.		Allocation for the Cherokee MHI. DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.
75 31 (2) Of the funds appropriated in this paragraph, \$100,000 75 32 shall be used for the state mental health institute at 75 33 Clarinda.		Allocation for the Clarinda MHI. DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.
75 34 (3) Of the funds appropriated in this paragraph, \$100,000 75 35 shall be used for the state mental health institute at 76 1 Independence.		Allocation for the Independence MHI. DETAIL: This is a new allocation for FY 2011 to supplement the

<p>76 2 (4) Of the funds appropriated in this paragraph, \$50,000 76 3 shall be used for the state mental health institute at Mount 76 4 Pleasant.</p>	<p>General Fund appropriation. Allocation for the Mount Pleasant MHI. DETAIL: This is a new allocation for FY 2011 to supplement the General Fund appropriation.</p>
<p>76 5 f. MI/MR/DD state cases: 76 6 \$ 1,000,000</p>	<p>Appropriation from the UST Fund for MI/MR/DD State Cases Program. DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.</p>
<p>76 7 g. Sexually violent predators: 76 8 \$ 800,000</p>	<p>Appropriation from the UST Fund for the Civil Commitment Unit of Sex Offenders at Cherokee. DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.</p>
<p>76 9 h. Field operations: 76 10 \$ 2,340,000</p>	<p>Appropriation from the UST Fund for Field Operations. DETAIL: This is a new appropriation for FY 2011 to supplement the General Fund appropriation.</p>
<p>76 11 Sec. 46. MEDICAL ASSISTANCE PROGRAM == NONREVERSION FOR 76 12 FY 2011=2012. Notwithstanding any section 8.33, if moneys 76 13 appropriated for purposes of the medical assistance program for 76 14 the fiscal year beginning July 1, 2010, and ending June 30, 76 15 2011, from the general fund of the state, the senior living 76 16 trust fund, and the health care trust fund, are in excess of 76 17 actual expenditures for the medical assistance program and 76 18 remain unencumbered or unobligated at the close of the fiscal 76 19 year, the excess moneys shall not revert but shall remain 76 20 available for expenditure for the purposes of the medical 76 21 assistance program until the close of the succeeding fiscal</p>	<p>CODE: Requires nonreversion of funds from the Medicaid Program to the Senior Living Trust Fund. Instead the funds would remain within the appropriation to be used in the succeeding fiscal year. DETAIL: The federal ARRA has a provision prohibiting the transfer of Medicaid stimulus dollars to a reserve or rainy day fund. This language complies with those regulations.</p>

76 22 year.

76 23 DIVISION VI
 76 24 MH/MR/DD SERVICES
 76 25 ALLOWED GROWTH FUNDING
 76 26 FY 2010=2011

76 27 Sec. 47. 2009 Iowa Acts, chapter 179, section 1, is amended
 76 28 to read as follows:
 76 29 SECTION 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND
 76 30 DEVELOPMENTAL DISABILITIES ALLOWED GROWTH APPROPRIATION AND
 76 31 ALLOCATIONS == FISCAL YEAR 2010=2011.

CODE: Amends the FY 2011 original Mental Health Allowed Growth appropriation to reflect continued funding at the FY 2010 estimated net appropriation level.

76 32 4. There is appropriated from the general fund of the
 76 33 state to the department of human services for the fiscal year
 76 34 beginning July 1, 2010, and ending June 30, 2011, the following
 76 35 amount, or so much thereof as is necessary, to be used for the
 77 1 purpose designated:

77 2 For distribution to counties of the county mental health,
 77 3 mental retardation, and developmental disabilities allowed
 77 4 growth factor adjustment for fiscal year 2010=2011 as provided
 77 5 in this section in lieu of the allowed growth factor provisions
 77 6 of section 331.438, subsection 2, and section 331.439,
 77 7 subsection 3, and chapter 426B :

77 8 \$ 62,157,491
 77 9 48,697,893

77 10 ~~2. The amount appropriated in this section shall be~~
 77 11 ~~allocated as provided in a later enactment of the general~~
 77 12 ~~assembly.~~

77 13 Sec. 48. 2009 Iowa Acts, chapter 179, section 1, as
 77 14 amended by this division of this Act, is amended by adding the
 77 15 following new subsections:

CODE: Requires distribution of \$12,000,000 of the Mental Health Allowed Growth funding to eligible counties that comply with the following:

77 16 NEW SUBSECTION . 1. Of the amount appropriated in this
 77 17 section, \$12,000,000 shall be distributed as provided in this
 77 18 subsection.
 77 19 a. To be eligible to receive a distribution under this

- Levy at least 90.00% of the maximum levy.
- Levy at least \$2.00 per \$1,000 of the taxable assessed property value.

77 20 subsection, a county must meet the following requirements:
 77 21 (1) The county is levying for the maximum amount allowed
 77 22 for the county's mental health, mental retardation, and
 77 23 developmental disabilities services fund under section 331.424A
 77 24 for taxes due and payable in the fiscal year beginning July 1,
 77 25 2010, or the county is levying for at least 90 percent of the
 77 26 maximum amount allowed for the county's services fund and that
 77 27 levy rate is more than \$2 per \$1,000 of the assessed value of
 77 28 all taxable property in the county.
 77 29 (2) In the fiscal year beginning July 1, 2008, the
 77 30 county's mental health, mental retardation, and developmental
 77 31 disabilities services fund ending balance under generally
 77 32 accepted accounting principles was equal to or less than 15
 77 33 percent of the county's actual gross expenditures for that
 77 34 fiscal year.
 77 35 b. A county's allocation of the amount appropriated in
 78 1 this subsection shall be determined based upon the county's
 78 2 proportion of the general population of the counties eligible
 78 3 to receive an allocation under this subsection. The most
 78 4 recent population estimates issued by the United States bureau
 78 5 of the census shall be applied in determining population for
 78 6 the purposes of this paragraph.
 78 7 c. The allocations made pursuant to this subsection
 78 8 are subject to the distribution provisions and withholding
 78 9 requirements established in this section for the county mental
 78 10 health, mental retardation, and developmental disabilities
 78 11 allowed growth factor adjustment for the fiscal year beginning
 78 12 July 1, 2010.

- Maintain a Mental Health Services Fund balance for FY 2009 of 15.00% or less.

78 13 NEW SUBSECTION . 2. The following amount of the funding
 78 14 appropriated in this section is the allowed growth factor
 78 15 adjustment for fiscal year 2010=2011, and shall be credited to
 78 16 the allowed growth funding pool created in the property tax
 78 17 relief fund and for distribution in accordance with section
 78 18 426B.5, subsection 1:
 78 19 \$ 36,551,143

CODE: Sets the expenditure target allocation for the Allowed Growth funding pool for FY 2011.

78 20 NEW SUBSECTION . 3. The following formula amounts shall be
 78 21 utilized only to calculate preliminary distribution amounts for
 78 22 the allowed growth factor adjustment for fiscal year 2010=2011
 78 23 under this section by applying the indicated formula provisions
 78 24 to the formula amounts and producing a preliminary distribution
 78 25 total for each county:

78 26 a. For calculation of a distribution amount for eligible
 78 27 counties from the allowed growth funding pool created in the
 78 28 property tax relief fund in accordance with the requirements in
 78 29 section 426B.5, subsection 1:

78 30 \$ 49,626,596

78 31 b. For calculation of a distribution amount for counties
 78 32 from the mental health and developmental disabilities (MH/DD)
 78 33 community services fund in accordance with the formula provided
 78 34 in the appropriation made for the MH/DD community services fund
 78 35 for the fiscal year beginning July 1, 2010:

79 1 \$ 14,187,556

79 2 NEW SUBSECTION . 4. a. After applying the applicable
 79 3 statutory distribution formulas to the amounts indicated in
 79 4 subsection 3 for purposes of producing preliminary distribution
 79 5 totals, the department of human services shall apply a
 79 6 withholding factor to adjust an eligible individual county's
 79 7 preliminary distribution total. In order to be eligible for
 79 8 a distribution under this section, a county must be levying
 79 9 90 percent or more of the maximum amount allowed for the
 79 10 county's mental health, mental retardation, and developmental
 79 11 disabilities services fund under section 331.424A for taxes due
 79 12 and payable in the fiscal year for which the distribution is
 79 13 payable.

79 14 b. An ending balance percentage for each county shall
 79 15 be determined by expressing the county's ending balance on a
 79 16 modified accrual basis under generally accepted accounting
 79 17 principles for the fiscal year beginning July 1, 2008, in the
 79 18 county's mental health, mental retardation, and developmental
 79 19 disabilities services fund created under section 331.424A, as a
 79 20 percentage of the county's gross expenditures from that fund
 79 21 for that fiscal year. If a county borrowed moneys for purposes

CODE: Provides the annual distribution of the FY 2011 Mental Health Allowed Growth appropriation. Reflects appropriations from multiple sources with a single distribution. Requires \$49,626,596 to be distributed to counties that levy at least 70.00% for the MH/MR/DD Services Fund and have limited Fund balances. Fund balances for the distribution formula are those from FY 2009. Those counties that have an ending Fund balance of between 10.00% and 25.00% will experience a reduction of \$13,075,453 as a withholding target. Counties may also return a portion of their funds to the State in order to be eligible for Growth dollars and those dollars would be put back into the Growth Formula the following fiscal year. Funding received as part of ARRA in this Section is to be disregarded when calculating the distribution of funding.

79 22 of providing services from the county's services fund on or
79 23 before July 1, 2008, and the county's services fund ending
79 24 balance for that fiscal year includes the loan proceeds or an
79 25 amount designated in the county budget to service the loan for
79 26 the borrowed moneys, those amounts shall not be considered
79 27 to be part of the county's ending balance for purposes of
79 28 calculating an ending balance percentage under this subsection.
79 29 c. For purposes of calculating withholding factors and for
79 30 ending balance amounts used for other purposes under law, the
79 31 county ending balances shall be adjusted, using forms developed
79 32 for this purpose by the county finance committee, to disregard
79 33 the temporary funding increase provided to the counties for
79 34 the fiscal year through the federal American Recovery and
79 35 Reinvestment Act of 2009, Pub. L. No. 111=5. In addition,
80 1 a county may adjust the ending balance amount by rebating to
80 2 the department all or a portion of the allowed growth and
80 3 MH/DD services fund moneys the county received for the fiscal
80 4 year beginning July 1, 2009, in accordance with 2008 Iowa
80 5 Acts, chapter 1191, as amended by 2009 Iowa Acts, chapter 182,
80 6 section 55, or from any other services fund moneys available
80 7 to the county. The rebate must be remitted to the department
80 8 on or before June 1, 2010, in order to be counted. The amount
80 9 rebated by a county shall be subtracted dollar=for=dollar
80 10 from the county's ending balance amount for the fiscal year
80 11 beginning July 1, 2008, for purposes of calculating the
80 12 withholding factor and for other ending balance purposes for
80 13 the fiscal year beginning July 1, 2010. The rebates received
80 14 by the department shall be credited to the property tax relief
80 15 fund and distributed as additional funding for the fiscal
80 16 year beginning July 1, 2010, in accordance with the formula
80 17 provisions in this section.
80 18 d. The withholding factor for a county shall be the
80 19 following applicable percent:
80 20 (1) For an ending balance percentage of less than 5
80 21 percent, a withholding factor of 0 percent. In addition,
80 22 a county that is subject to this lettered paragraph shall
80 23 receive an inflation adjustment equal to 3 percent of the gross
80 24 expenditures reported for the county's services fund for the

80 25 fiscal year.
80 26 (2) For an ending balance percentage of 5 percent or more
80 27 but less than 10 percent, a withholding factor of 0 percent.
80 28 In addition, a county that is subject to this lettered
80 29 paragraph shall receive an inflation adjustment equal to 2
80 30 percent of the gross expenditures reported for the county's
80 31 services fund for the fiscal year.
80 32 (3) For an ending balance percentage of 10 percent or more
80 33 but less than 25 percent, a withholding factor of 25 percent.
80 34 However, for a county that is subject to this subparagraph, the
80 35 amount withheld shall be limited to the amount by which the
81 1 county's ending balance was in excess of the ending balance
81 2 percentage of 10 percent.
81 3 (4) For an ending balance percentage of 25 percent or more,
81 4 a withholding percentage of 100 percent.
81 5 NEW SUBSECTION . 5. The total withholding amounts applied
81 6 pursuant to subsection 4 shall be equal to a withholding target
81 7 amount of \$13,075,453. If the department of human services
81 8 determines that the amount to be withheld in accordance with
81 9 subsection 5 is not equal to the target withholding amount,
81 10 the department shall adjust the withholding factors listed in
81 11 subsection 5 as necessary to achieve the target withholding
81 12 amount. However, in making such adjustments to the withholding
81 13 factors, the department shall strive to minimize changes to
81 14 the withholding factors for those ending balance percentage
81 15 ranges that are lower than others and shall not adjust the
81 16 zero withholding factor or the inflation adjustment percentage
81 17 specified in subsection 4, paragraph "a".

81 18 DIVISION VII
81 19 PRIOR APPROPRIATIONS AND
81 20 RELATED CHANGES
81 21 LEAD TRAINING AND
81 22 CERTIFICATION PROGRAMS

81 23 Sec. 49. Section 135.105A, subsection 5, Code Supplement

CODE: Permits the DPH to utilize fees retained from the Lead

<p>81 24 2009, is amended to read as follows: 81 25 5. The department shall adopt rules regarding minimum 81 26 requirements for lead inspector, lead abater, and lead=safe 81 27 renovator training programs, certification, work practice 81 28 standards, and suspension and revocation requirements, and 81 29 shall implement the training and certification programs. The 81 30 department shall seek federal funding and shall establish fees 81 31 in amounts sufficient to defray the cost of the programs. 81 32 <u>The fees shall be used for any of the department's duties</u> 81 33 <u>under this division, including but not limited to the costs</u> 81 34 <u>of full-time equivalent positions for program services and</u> 81 35 <u>investigations.</u> Fees received shall be considered repayment 82 1 receipts as defined in section 8.2.</p>	<p>Training and Certification Program for FTE positions.</p>
<p>82 2 CERTIFIED RETIREMENT COMMUNITIES</p>	
<p>82 3 Sec. 50. Section 231.24, subsection 9, Code Supplement 82 4 2009, is amended to read as follows: 82 5 9. Program administration deferral. If in the fiscal 82 6 year beginning July 1, 2009, the department on aging's 82 7 appropriations or authorized full-time equivalent positions are 82 8 reduced, the <u>The</u> department may defer the implementation of 82 9 the certified retirement communities program until such time 82 10 as the department has the resources to administer the program, 82 11 <u>as determined by the director</u> .</p>	<p>CODE: Permits the Department on Aging to implement the Certified Retirement Communities Program when resources are available as determined by the Director.</p>
<p>82 12 AREA AGENCY ON AGING 82 13 BOARD TRAINING</p>	
<p>82 14 Sec. 51. Section 231.33, subsection 19, Code Supplement 82 15 2009, is amended by striking the subsection.</p>	<p>CODE: Eliminates the requirement for the State to train Area Agency on Aging Boards. The funding for this was eliminated in FY 2010.</p>
<p>82 16 DEMENTIA TRAINING</p>	
<p>82 17 Sec. 52. 2008 Iowa Acts, chapter 1140, section 3, is amended</p>	<p>CODE: Allows the Department on Aging to implement the Dementia</p>

82 18 to read as follows:
 82 19 SEC. 3. IMPLEMENTATION == CONTINGENCY . The department
 82 20 ~~of elder affairs on aging~~ shall implement ~~on or before July~~
 82 21 ~~1, 2010~~, the initial provisions for expanding and improving
 82 22 training and education of those who regularly deal with persons
 82 23 with Alzheimer's disease and similar forms of irreversible
 82 24 dementia and for providing funding for public awareness efforts
 82 25 and educational efforts in accordance with section 231.62,
 82 26 as enacted by this Act , contingent upon the availability of
 82 27 funding as determined by the director .

Training Program when resources are available as determined by the Director.

82 28 REGIONAL SERVICE NETWORK
 82 29 PILOT PROJECT

82 30 Sec. 53. 2008 Iowa Acts, chapter 1187, section 59,
 82 31 subsection 9, paragraph a, is amended to read as follows:
 82 32 a. The department of human services may implement a pilot
 82 33 project for a regional service network established for mental
 82 34 health, mental retardation, and developmental disabilities
 82 35 services paid from the services funds under section 331.424A.
 83 1 The initial term of the pilot project is limited to the
 83 2 ~~two-year~~ period beginning July 1, 2008, and ending June 30,
 83 3 ~~2010~~ 2011 .

Extends the multiple county pilot projects in north central Iowa.

DETAIL: This will be the third year for the Pilot Projects.

83 4 VIETNAM CONFLICT VETERANS
 83 5 BONUS FUND

83 6 Sec. 54. 2008 Iowa Acts, chapter 1187, section 68, as
 83 7 amended by 2009 Iowa Acts, chapter 182, section 82, is amended
 83 8 to read as follows:
 83 9 Notwithstanding section 8.33, moneys appropriated in this
 83 10 section that remain unencumbered or unobligated at the close of
 83 11 the fiscal year shall not revert but shall remain available for
 83 12 expenditure for the purposes designated until the close of the

CODE: Requires nonreversion of remaining funds from the previous appropriation for the Vietnam Veteran Bonus through FY 2011.

83 13 fiscal year beginning July 1, ~~2009~~ 2010 .

83 14 INJURED VETERANS GRANT PROGRAM

83 15 Sec. 55. 2008 Iowa Acts, chapter 1187, section 69, as
 83 16 amended by 2009 Iowa Acts, chapter 182, section 83, is amended
 83 17 to read as follows:
 83 18 Notwithstanding section 8.33, moneys appropriated in this
 83 19 subsection that remain unencumbered or unobligated at the close
 83 20 of the fiscal year shall not revert but shall remain available
 83 21 for expenditure for the purposes designated until the close of
 83 22 the fiscal year beginning July 1, ~~2009~~ 2010 .

CODE: Requires nonreversion of remaining funds from the previous appropriation for the Injured Veteran Grant Program through FY 2011.

83 23 HEALTH CARE COVERAGE
 83 24 EXPANSION

83 25 Sec. 56. 2008 Iowa Acts, chapter 1188, section 16, as
 83 26 amended by 2009 Iowa Acts, chapter 182, section 84, is amended
 83 27 to read as follows:
 83 28 SEC. 16. MEDICAL ASSISTANCE, HAWK=I, AND HAWK=I EXPANSION
 83 29 PROGRAMS == COVERING CHILDREN == APPROPRIATION. There
 83 30 is appropriated from the general fund of the state to the
 83 31 department of human services for the designated fiscal years,
 83 32 the following amounts, or so much thereof as is necessary, for
 83 33 the purpose designated:
 83 34 To cover children as provided in this Act under the medical
 83 35 assistance, hawk=i, and hawk=i expansion programs and outreach
 84 1 under the current structure of the programs:
 84 2 FY 2008=2009 \$ 4,800,000
 84 3 FY 2009=2010 \$ 4,207,001
 84 4 FY 2010=2011 \$ 24,800,000
 84 5 10,049,532

CODE: Decreases the enacted FY 2011 appropriation to cover children under the Medical Assistance and hawk-i Programs by \$14,750,468.

DETAIL: This is a decrease of \$6,263,231 compared to estimated net FY 2010.

84 6 PATIENT DECISION

84 7 MAKING == PILOT PROJECT

84 8 Sec. 57. 2008 Iowa Acts, chapter 1188, section 36,
84 9 subsections 1 and 2, are amended to read as follows:
84 10 1. The department of public health shall establish a
84 11 ~~two-year~~ community coalition for patient treatment wishes
84 12 across the health care continuum pilot project, beginning July
84 13 1, 2008, and ending June 30, ~~2010~~ 2012, in a county with a
84 14 population of between ~~forty~~ one hundred seventy-five thousand
84 15 and ~~one~~ two hundred twenty-five thousand and in one contiguous
84 16 rural county. The pilot project shall utilize the process
84 17 based upon the national physicians orders for life sustaining
84 18 treatment program initiative, including use of a standardized
84 19 physician order for scope of treatment form. The process
84 20 shall require validation of the physician order for scope of
84 21 treatment form by the signature of an individual other than
84 22 the patient or the patient's legal representative who is not
84 23 an employee of the patient's physician. The pilot project may
84 24 include applicability to chronically ill, frail, and elderly or
84 25 terminally ill individuals in hospitals licensed pursuant to
84 26 chapter 135B, nursing facilities or residential care facilities
84 27 licensed pursuant to chapter 135C, or hospice programs as
84 28 defined in section 135J.1.

84 29 2. The department of public health shall convene an
84 30 advisory council, consisting of representatives of entities
84 31 with interest in the pilot project, including but not
84 32 limited to the Iowa hospital association, the Iowa medical
84 33 society, organizations representing health care facilities,
84 34 representatives of health care providers, and the Iowa trial
84 35 lawyers association, to develop recommendations for expanding
85 1 the pilot project statewide. The advisory council shall report
85 2 its findings and recommendations, including recommendations
85 3 for legislation, to the governor and the general assembly by
85 4 January 1, ~~2010~~ 2012.

CODE: Amends the requirement in HF 2539 (Health Care Omnibus Act of 2008) that the DPH establish a two-year community coalition for patient treatment wishes across the health care continuum pilot project in Cedar Rapids by extending the project for an additional year through FY 2012.

CODE: Amends the reporting requirement in HF 2539 (Health Care Omnibus Act of 2008) for the advisory council for the health care continuum pilot project in Cedar Rapids by extending the deadline for two additional years to January 1, 2012.

85 5 MEDICAID PROGRAMS == PROCESS
85 6 REQUIREMENTS

85 7 Sec. 58. 2009 Iowa Acts, chapter 118, section 38, subsection
85 8 3, is amended by striking the subsection.

CODE: Eliminates certain mailing requirements for the Iowa Medicaid Program.

DETAIL: The language required to extend the period for annual renewal by medical assistance members by mailing the renewal form to the member on the first day of the month prior to the month of renewal. The change would have cost the program an additional \$2.0 million for FY 2011.

85 9 GENERAL FUND ADDICTIVE DISORDERS == TOBACCO USE PREVENTION
AND
85 10 CONTROL INITIATIVE

85 11 Sec. 59. 2009 Iowa Acts, chapter 182, section 2, subsection
85 12 1, paragraph a, is amended by adding the following new
85 13 subparagraph:
85 14 NEW SUBPARAGRAPH . (3) Notwithstanding section 8.33, moneys
85 15 allocated in this paragraph "a" that remain unencumbered or
85 16 unobligated at the close of the fiscal year shall not revert
85 17 but shall remain available for expenditure for the purposes
85 18 designated until the close of the succeeding fiscal year.

CODE: Requires nonreversion of the FY 2010 General Fund addictive disorders allocation to the tobacco use, prevention and control initiative through FY 2011. The Bill caps the amount of total carryforward from multiple sources to \$500,000.

DETAIL: This Section is effective on enactment.

85 19 IOWA VETERANS HOME

85 20 Sec. 60. 2009 Iowa Acts, chapter 182, section 3, subsection
85 21 2, is amended by adding the following new paragraph:
85 22 NEW PARAGRAPH . d. The funds appropriated in this subsection
85 23 to the Iowa veterans home that remain available for expenditure
85 24 for the succeeding fiscal year pursuant to section 35D.18,
85 25 subsection 5, shall be distributed to be used in the succeeding
85 26 fiscal year in accordance with this lettered paragraph. The

CODE: Permits the Veterans Home to retain the first \$500,000 of FY 2010 carryforward funds. Requires the DOM to transfer \$1,000,000 of the FY 2010 carryforward funds to the DHS for field operations for FY 2011. Requires the Veterans Home to retain remaining carryforward funding.

85 27 first \$500,000 shall remain available to be used for the
85 28 purposes of the Iowa veterans home. On or before October 15,
85 29 2010, the department of management shall transfer not more than
85 30 \$1,000,000 to the appropriation to the department of human
85 31 services for field operations. Any remaining funding shall be
85 32 used for purposes of the Iowa veterans home.

85 33 TEMPORARY ASSISTANCE FOR NEEDY
85 34 FAMILIES BLOCK GRANT

85 35 Sec. 61. 2009 Iowa Acts, chapter 182, section 5, is amended
86 1 by adding the following new subsection:
86 2 NEW SUBSECTION . 15. Notwithstanding section 8.33, moneys
86 3 appropriated in this section that remain unencumbered or
86 4 unobligated at the close of the fiscal year shall not revert
86 5 but shall remain available for expenditure for the family
86 6 investment program until the close of the succeeding fiscal
86 7 year.

CODE: Requires nonreversion of any FY 2010 TANF appropriations through FY 2011.

86 8 BEHAVIORAL HEALTH SERVICES
86 9 ACCOUNT == MEDICAL ASSISTANCE

86 10 Sec. 62. 2009 Iowa Acts, chapter 182, section 9, subsection
86 11 16, paragraph b, is amended to read as follows:
86 12 b. The department shall continue to maintain a separate
86 13 account within the medical assistance budget for the deposit
86 14 of all funds remitted pursuant to a contract with a third
86 15 party to administer behavioral health services under the
86 16 medical assistance program established pursuant to 2008 Iowa
86 17 Acts, chapter 1187, section 9, subsection 20. Notwithstanding
86 18 section 8.33, other than funds remaining from the appropriation
86 19 allocations made for implementation of the emergency mental
86 20 health crisis services and system, for implementation of the
86 21 mental health services system for children and youth, and

CODE: Requires nonreversion of funding for the Children's Mental Health and Adult Mental Health Emergency Pilot Projects from the Behavioral Health Services Account. Any additional funds from the Account are to be used for the Medicaid Program.

86 22 for training of child welfare services providers in 2008
 86 23 Iowa Acts, chapter 1187, section 9, subsection 20, paragraph
 86 24 "c", subparagraphs (1), (2), and (6), as authorized in 2009
 86 25 Iowa Acts, chapter 182, section 72, funds remaining in the
 86 26 account that remain unencumbered or unobligated at the end of
 86 27 any the fiscal year shall not revert but shall remain available
 86 28 in succeeding fiscal years and shall be used only in accordance
 86 29 with appropriations from the account for health and human
 86 30 services-related purposes are appropriated to the department to
 86 31 be used for the medical assistance program .

86 32 STATE SUPPLEMENTARY
 86 33 ASSISTANCE PROGRAM

86 34 Sec. 63. 2009 Iowa Acts, chapter 182, section 12, is amended
 86 35 by adding the following new subsection:
 87 1 NEW SUBSECTION . 4. Notwithstanding section 8.33, moneys
 87 2 appropriated in this section that remain unencumbered or
 87 3 unobligated at the close of the fiscal year shall remain
 87 4 available for expenditure for the purposes designated until the
 87 5 close of the succeeding fiscal year.

CODE: Requires nonreversion of FY 2010 State Supplementary Assistance appropriations through FY 2011.

87 6 NEIGHBORHOOD AFFORDABLE
 87 7 HOUSING == CHILD DEVELOPMENT
 87 8 PROGRAM

87 9 Sec. 64. 2009 Iowa Acts, chapter 182, section 14, subsection
 87 10 9, is amended by adding the following new unnumbered paragraph:
 87 11 NEW UNNUMBERED PARAGRAPH Notwithstanding section 8.33,
 87 12 moneys allocated in this subsection that remain unencumbered or
 87 13 unobligated at the close of the fiscal year shall not revert
 87 14 but shall remain available for expenditure for the purposes
 87 15 designated until expended.

CODE: Requires nonreversion of unexpended one-time funding from FY 2010 for child development programming for children in the Oakridge Neighborhood in the city of Des Moines in Polk County through FY 2011.

87 16 IOWACARE

87 17 Sec. 65. 2009 Iowa Acts, chapter 182, section 48, subsection
87 18 3, unnumbered paragraph 2 and paragraph "a", are amended to
87 19 read as follows:

87 20 For distribution to a publicly owned acute care teaching
87 21 hospital located in a county with a population over 350,000 for
87 22 the provision of medical and surgical treatment of indigent
87 23 patients, for provision of services to members of the expansion
87 24 population pursuant to chapter 249J, and for medical education:
87 25 \$ 46,000,000

87 26 47,000,000

87 27 a. Notwithstanding any provision of law to the contrary, the
87 28 amount appropriated in this subsection shall be allocated in
87 29 twelve equal monthly payments as provided in section 249J.24.
87 30 Any amount appropriated in this subsection in excess of
87 31 ~~\$41,000,000~~ \$45,000,000 shall be distributed only if the sum
87 32 of the expansion population claims adjudicated and paid by the
87 33 Iowa Medicaid enterprise plus the estimated disproportionate
87 34 share hospital payments exceeds \$45,000,000. The amount paid
87 35 in excess of \$45,000,000 shall not adjust the original monthly
88 1 payment amount but shall be distributed monthly based on actual
88 2 claims adjudicated and paid by the Iowa Medicaid enterprise
88 3 plus the estimated disproportionate share hospital amount. Any
88 4 amount appropriated in this subsection in excess of \$45,000,000
88 5 shall be allocated only if federal funds are available to match
88 6 the amount allocated.

88 7 HEALTH CARE TRUST FUND ADDICTIVE DISORDERS == TOBACCO USE
88 8 PREVENTION AND CONTROL INITIATIVE

88 9 Sec. 66. 2009 Iowa Acts, chapter 182, section 60, subsection
88 10 1, paragraph b, is amended by adding the following new
88 11 unnumbered paragraph:
88 12 NEW UNNUMBERED PARAGRAPH Notwithstanding section 8.33,
88 13 moneys allocated in this paragraph "b" that remain unencumbered
88 14 or unobligated at the close of the fiscal year shall not revert
88 15 but shall remain available for expenditure for the purposes

CODE: Increases the FY 2010 IowaCare Account appropriation by \$1,000,000 for a total of \$47,000,000 to Broadlawns Medical Center. In addition, Broadlawns is guaranteed at least \$45,000,000 as part of an agreement that provides \$38,000,000 in Polk County property tax dollars to draw down federal financial participation. Any payment in excess of \$45,000,000 is to be distributed based on actual claims.

CODE: Requires nonreversion of the FY 2010 HCTF addictive disorders allocation to the tobacco use, prevention and control initiative through FY 2011. The Bill caps the amount of total carryforward from multiple sources to \$500,000.

DETAIL: This Section is effective on enactment.

88 16 designated until the close of the succeeding fiscal year.

88 17 ADDICTIVE DISORDERS == NONREVERSION

88 18 Sec. 67. ADDICTIVE DISORDERS NONREVERSION DIRECTIVE. The
88 19 authority provided in this division of this Act for
88 20 nonreversion of the appropriations for addictive disorders
88 21 allocated for the tobacco use prevention and control
88 22 initiative, as referenced in this section, is limited to
88 23 \$500,000 and shall be realized by applying the authority to
88 24 such appropriations in the following order until the limitation
88 25 amount is reached:
88 26 1. The allocation made from the general fund of the state
88 27 in 2009 Iowa Acts, chapter 182, section 60, subsection 1,
88 28 paragraph "b".
88 29 2. The allocation made from the health care trust fund in
88 30 2009 Iowa Acts, chapter 182, section 2, subsection 1, paragraph
88 31 "a".

Specifies the order of priority for carrying forward the remaining FY 2010 Addictive Disorders funds to the tobacco use, prevention, and control initiative to FY 2011 totaling \$500,000. This includes first from the General Fund and second from the HCTF.

DETAIL: This Section is effective on enactment.

88 32 Sec. 68. 2009 Iowa Acts, chapter 182, section 5A, as enacted
88 33 by 2010 Iowa Acts, Senate File 2151, section 2, is amended by
88 34 adding the following new subsection:
88 35 4. a. (1) To the extent other federal funding is not
89 1 available for summer youth programs administered by the
89 2 department of workforce development and provided the match
89 3 requirement is met through the employment programs, in
89 4 addition to the amount appropriated in subsection 1, funding is
89 5 appropriated from the same source and for the same fiscal year
89 6 addressed in subsection 1, to the department of human services
89 7 to be used for summer youth employment programs administered
89 8 by the department of workforce development for the fiscal year
89 9 beginning July 1, 2009, in accordance with the requirements of
89 10 this lettered paragraph.
89 11 (2) The department of human services shall collaborate
89 12 with the department of workforce development to secure
89 13 additional federal funds from the emergency contingency fund

CODE: Conforms language relating to TANF emergency appropriations and the Summer Youth Program under the Iowa Department of Workforce Development in SF 2151 (FY 2010 Supplemental Appropriations Act) to this Bill.

89 14 for the temporary assistance for needy families state program
89 15 established pursuant to the federal American Recovery and
89 16 Reinvestment Act of 2009, Pub. L. No. 111=5 2101. This
89 17 collaboration shall be for the express limited purpose of
89 18 securing emergency contingency funds to subsidize wages
89 19 paid on behalf of individuals participating in the summer
89 20 youth employment program administered by the department of
89 21 workforce development. Subsidized wages shall be eligible for
89 22 reimbursement under the terms of the federal American Recovery
89 23 and Reinvestment Act of 2009, Pub. L. No. 111=5 2101, or
89 24 successor legislation, which may extend the availability of
89 25 emergency contingency funds. The collaboration between the two
89 26 agencies shall be formalized through a memorandum of agreement.
89 27 (3) Federal funds received as the result of this
89 28 collaboration shall be transferred to the department of
89 29 workforce development for the sole purpose of covering the
89 30 costs of wages paid on behalf of individuals participating
89 31 in the summer youth employment program administered by the
89 32 department of workforce development. The department of
89 33 workforce development shall ensure that all expenditures
89 34 comply with applicable federal requirements and shall be
89 35 responsible for the repayment of any funds spent in error and
90 1 any corresponding penalty as well as taking corrective action
90 2 to address the error. Funds received in excess of the amount
90 3 of subsidized wages eligible for reimbursement under the terms
90 4 of the federal American Recovery and Reinvestment Act of 2009,
90 5 Pub. L. No. 111=5 2101, or successor legislation, which may
90 6 extend the availability of emergency contingency funds, shall
90 7 be returned by the department of workforce development to
90 8 the federal government following procedures developed by the
90 9 federal temporary assistance for needy families agency for that
90 10 purpose.
90 11 (4) The department of workforce development shall provide
90 12 the department of human services with the necessary information
90 13 to support the request for emergency contingency funds and to
90 14 report the expenditure of these funds once received pursuant to
90 15 federal reporting requirements. The responsibilities of both
90 16 agencies shall be specified in the memorandum of agreement.

90 17 INTELLECTUAL DISABILITIES WAIVER

90 18 Sec. 69. INTELLECTUAL DISABILITIES WAIVER == STATEWIDE
 90 19 METHODOLOGY. In administering the medical assistance home
 90 20 and community-based services intellectual disability waiver,
 90 21 the total number of openings at any one time shall be limited
 90 22 to the number approved for the waiver by the secretary of the
 90 23 United States department of health and human services and
 90 24 available funding. Beginning July 1, 2010, the department
 90 25 shall implement a statewide method of allocating waiver slots
 90 26 and shall design a methodology for prioritizing the allocation
 90 27 of slots, subject to federal approval. The department
 90 28 shall convene a workgroup to develop criteria to prioritize
 90 29 individuals on the waiting list, subject to federal approval.

Requires the waiver waiting list for the Medicaid Intellectual Disabilities Waiver to be statewide beginning in FY 2011. The Department is to develop a methodology to prioritize the allocation of slots and is to convene a workgroup to develop criteria.

90 30 Sec. 70. EFFECTIVE UPON ENACTMENT AND APPLICABILITY.
 90 31 1. This division of this Act, being deemed of immediate
 90 32 importance, takes effect upon enactment.

This Division is effective on enactment.

90 33 2. The section of this division of this Act amending section
 90 34 135.105A applies to any fees collected pursuant to section
 90 35 135.105A during or after the fiscal year beginning July 1,
 91 1 2009.

The Section relating to the DPH Lead Training and Certification Program is retroactively effective to July 1, 2009.

91 2 DIVISION VIII
 91 3 INTERSTATE COMPACT FOR JUVENILES

91 4 Sec. 71. Section 232.2, subsection 29, Code Supplement
 91 5 2009, is amended to read as follows:
 91 6 29. "Juvenile" means the same as "child". However, in
 91 7 the interstate compact on for juveniles, ~~sections 232.171 and~~
 91 8 ~~232.172~~ section 232.173, "juvenile" means a person defined as a
 91 9 juvenile in the law of a state which is a party to the compact.

91 10 Sec. 72. Section 232.172, Code 2009, is amended to read as

CODE: Provides for ratification of the updated national Interstate Compact for Juveniles. The Compact provides for the legal framework and procedural means to regulate the movement across state lines of juveniles under court supervision. The Compact provides for monitoring and return of any juvenile that is placed on probation or parole and wishes to reside in another state. The Compact also outlines procedures for the return of runaway juveniles or juveniles that have absconded from probation or parole. The new

91 11 follows:
 91 12 232.172 Confinement of delinquent juvenile.
 91 13 1. For a juvenile under the jurisdiction of this state
 91 14 who is subject to the interstate compact for juveniles
 91 15 under section 232.173, the confinement of the juvenile in an
 91 16 institution located within another compacting state shall be
 91 17 as provided under the compact.
 91 18 2. This subsection applies to the confinement of a
 91 19 delinquent juvenile under the jurisdiction of this state in an
 91 20 institution located within a noncompacting state, as defined
 91 21 in section 232.173, that entered into the interstate compact
 91 22 on juveniles under section 232.171, Code 2009. In addition
 91 23 to any institution in which the authorities of this state may
 91 24 otherwise confine or order the confinement of a the delinquent
 91 25 juvenile, such authorities may, pursuant to the out=of=state
 91 26 confinement amendment to the interstate compact on juveniles in
 91 27 section 232.171, Code 2009 , confine or order the confinement
 91 28 of a the delinquent juvenile in a compact institution within
 91 29 another party state.
 91 30 Sec. 73. NEW SECTION . 232.173 Interstate compact for
 91 31 juveniles.
 91 32 1. Article I == Purpose.
 91 33 a. The compacting states to this interstate compact
 91 34 recognize that each state is responsible for the proper
 91 35 supervision or return of juveniles, delinquents, and status
 92 1 offenders who are on probation or parole and who have
 92 2 absconded, escaped, or run away from supervision and control
 92 3 and in so doing have endangered their own safety and the safety
 92 4 of others. The compacting states also recognize that each
 92 5 state is responsible for the safe return of juveniles who have
 92 6 run away from home and in doing so have left their state of
 92 7 residence. The compacting states also recognize that Congress,
 92 8 by enacting the Crime Control Act, 4 U.S.C. 112 (1965), has
 92 9 authorized and encouraged compacts for cooperative efforts and
 92 10 mutual assistance in the prevention of crime.
 92 11 b. It is the purpose of this compact, through means of joint
 92 12 and cooperative action among the compacting states to:
 92 13 (1) Ensure that the adjudicated juveniles and status

regulations and procedures went into effect in December of 2009.
 Iowa was granted an extension until December of 2010. This
 compact pertains only to juvenile delinquents and the Juvenile Courts.

92 14 offenders subject to this compact are provided adequate
92 15 supervision and services in the receiving state as ordered
92 16 by the adjudicating judge or parole authority in the sending
92 17 state.

92 18 (2) Ensure that the public safety interests of the citizens,
92 19 including the victims of juvenile offenders, in both the
92 20 sending and receiving states are adequately protected.

92 21 (3) Return juveniles who have run away, absconded, or
92 22 escaped from supervision or control or have been accused of an
92 23 offense to the state requesting their return.

92 24 (4) Make contracts for the cooperative institutionalization
92 25 in public facilities in member states for delinquent youth
92 26 needing special services.

92 27 (5) Provide for the effective tracking and supervision of
92 28 juveniles.

92 29 (6) Equitably allocate the costs, benefits, and obligations
92 30 of the compacting states.

92 31 (7) Establish procedures to manage the movement between
92 32 states of juvenile offenders released to the community under
92 33 the jurisdiction of courts, juvenile departments, or any other
92 34 criminal or juvenile justice agency which has jurisdiction over
92 35 juvenile offenders.

93 1 (8) Insure immediate notice to jurisdictions where defined
93 2 offenders are authorized to travel or to relocate across state
93 3 lines.

93 4 (9) Establish procedures to resolve pending charges
93 5 (detainers) against juvenile offenders prior to transfer or
93 6 release to the community under the terms of this compact.

93 7 (10) Establish a system of uniform data collection on
93 8 information pertaining to juveniles subject to this compact
93 9 that allows access by authorized juvenile justice and criminal
93 10 justice officials, and regular reporting of compact activities
93 11 to heads of state executive, judicial, and legislative branches
93 12 and juvenile and criminal justice administrators.

93 13 (11) Monitor compliance with rules governing interstate
93 14 movement of juveniles and initiate interventions to address and
93 15 correct noncompliance.

93 16 (12) Coordinate training and education regarding the

93 17 regulation of interstate movement of juveniles for officials
93 18 involved in such activity.

93 19 (13) Coordinate the implementation and operation of
93 20 the compact with the interstate compact for the placement
93 21 of children, the interstate compact for adult offender
93 22 supervision, and other compacts affecting juveniles
93 23 particularly in those cases where concurrent or overlapping
93 24 supervision issues arise.

93 25 c. It is the policy of the compacting states that the
93 26 activities conducted by the interstate commission created in
93 27 this compact are the formation of public policies and therefore
93 28 are public business. Furthermore, the compacting states shall
93 29 cooperate and observe their individual and collective duties
93 30 and responsibilities for the prompt return and acceptance of
93 31 juveniles subject to the provisions of this compact. The
93 32 provisions of this compact shall be reasonably and liberally
93 33 construed to accomplish the purposes and policies of the
93 34 compact.

93 35 2. Article II == Definitions. As used in this compact,
94 1 unless the context clearly requires a different construction:

94 2 a. "Bylaws" means those bylaws established by the interstate
94 3 commission for its governance, or for directing or controlling
94 4 its actions or conduct.

94 5 b. "Compact administrator" means the individual in each
94 6 compacting state appointed pursuant to the terms of this
94 7 compact, responsible for the administration and management of
94 8 the state's supervision and transfer of juveniles subject to
94 9 the terms of this compact, the rules adopted by the interstate
94 10 commission, and policies adopted by the state council under
94 11 this compact.

94 12 c. "Compacting state" means any state which has enacted the
94 13 enabling legislation for this compact.

94 14 d. "Commissioner" means the voting representative of each
94 15 compacting state appointed pursuant to article III of this
94 16 compact.

94 17 e. "Court" means any court having jurisdiction over
94 18 delinquent, neglected, or dependent children.

94 19 f. "Deputy compact administrator" means the individual,

94 20 if any, in each compacting state appointed to act on behalf
94 21 of a compact administrator pursuant to the terms of this
94 22 compact responsible for the administration and management of
94 23 the state's supervision and transfer of juveniles subject to
94 24 the terms of this compact, the rules adopted by the interstate
94 25 commission, and policies adopted by the state council under
94 26 this compact.

94 27 g. "Interstate commission" means the interstate commission
94 28 for juveniles created by article III of this compact.

94 29 h. "Juvenile" means any person defined as a juvenile in
94 30 any member state or by the rules of the interstate commission,
94 31 including persons who are any of the following:

94 32 (1) An accused delinquent, meaning a person charged with
94 33 an offense that, if committed by an adult, would be a criminal
94 34 offense.

94 35 (2) An adjudicated delinquent, meaning a person found to
95 1 have committed an offense that, if committed by an adult, would
95 2 be a criminal offense.

95 3 (3) An accused status offender, meaning a person charged
95 4 with an offense that would not be a criminal offense if
95 5 committed by an adult.

95 6 (4) An adjudicated status offender, meaning a person found
95 7 to have committed an offense that would not be a criminal
95 8 offense if committed by an adult.

95 9 (5) A nonoffender, meaning a person in need of supervision
95 10 who has not been accused or adjudicated a status offender or
95 11 delinquent.

95 12 i. "Noncompacting state" means any state which has not
95 13 enacted the enabling legislation for this compact.

95 14 j. "Probation or parole" means any kind of supervision or
95 15 conditional release of juveniles authorized under the laws of
95 16 the compacting states.

95 17 k. "Rule" means a written statement by the interstate
95 18 commission promulgated pursuant to article VI of this compact
95 19 that is of general applicability, implements, interprets
95 20 or prescribes a policy or provision of the compact, or an
95 21 organizational, procedural, or practice requirement of the
95 22 commission, and has the force and effect of statutory law in

95 23 a compacting state, and includes the amendment, repeal, or
95 24 suspension of an existing rule.

95 25 I. "State" means a state of the United States, the District
95 26 of Columbia or its designee, the Commonwealth of Puerto Rico,
95 27 the United States Virgin Islands, Guam, American Samoa, and the
95 28 Northern Marianas Islands.

95 29 3. Article III == Interstate commission for juveniles.

95 30 a. The compacting states hereby create the interstate
95 31 commission for juveniles. The commission shall be a body
95 32 corporate and joint agency of the compacting states. The
95 33 commission shall have all the responsibilities, powers, and
95 34 duties set forth in this compact, and such additional powers as
95 35 may be conferred upon it by subsequent action of the respective
96 1 legislatures of the compacting states in accordance with the
96 2 terms of this compact.

96 3 b. The interstate commission shall consist of commissioners
96 4 appointed by the appropriate appointing authority in
96 5 each state pursuant to the rules and requirements of each
96 6 compacting state and in consultation with the state council for
96 7 interstate juvenile supervision created in this compact. The
96 8 commissioner shall be the compact administrator, deputy compact
96 9 administrator, or designee from that state who shall serve on
96 10 the interstate commission in such capacity under or pursuant to
96 11 the applicable law of the compacting state.

96 12 c. In addition to the commissioners who are the voting
96 13 representatives of each state, the interstate commission shall
96 14 include individuals who are not commissioners, but who are
96 15 members of interested organizations. Such noncommissioner
96 16 members must include a member of the national organizations
96 17 of governors, legislators, state chief justices, attorneys
96 18 general, interstate compact for adult offender supervision,
96 19 interstate compact for the placement of children, juvenile
96 20 justice and juvenile corrections officials, and crime victims.
96 21 All noncommissioner members of the interstate commission
96 22 shall be ex officio, nonvoting members. The interstate
96 23 commission may provide in its bylaws for such additional ex
96 24 officio, nonvoting members, including members of other national
96 25 organizations, in such numbers as shall be determined by the

96 26 commission.

96 27 d. Each compacting state represented at any meeting of
96 28 the commission is entitled to one vote. A majority of the
96 29 compacting states shall constitute a quorum for the transaction
96 30 of business, unless a larger quorum is required by the bylaws
96 31 of the interstate commission.

96 32 e. The commission shall meet at least once each calendar
96 33 year. The chairperson may call additional meetings and, upon
96 34 the request of a simple majority of the compacting states,
96 35 shall call additional meetings. Public notice shall be given
97 1 of all meetings and meetings shall be open to the public.

97 2 f. The interstate commission shall establish an executive
97 3 committee, which shall include commission officers, members,
97 4 and others as determined by the bylaws. The executive
97 5 committee shall have the power to act on behalf of the
97 6 interstate commission during periods when the interstate
97 7 commission is not in session, with the exception of rulemaking
97 8 or amendment to the compact. The executive committee shall
97 9 oversee the day-to-day activities of the administration of
97 10 the compact managed by an executive director and interstate
97 11 commission staff; administer enforcement and compliance
97 12 with the provisions of the compact, its bylaws, and rules;
97 13 and perform such other duties as directed by the interstate
97 14 commission or set forth in the bylaws.

97 15 g. Each member of the interstate commission shall have
97 16 the right and power to cast a vote to which that compacting
97 17 state is entitled and to participate in the business and
97 18 affairs of the interstate commission. A member shall vote in
97 19 person and shall not delegate a vote to another compacting
97 20 state. However, a commissioner, in consultation with the state
97 21 council, shall appoint another authorized representative, in
97 22 the absence of the commissioner from that state, to cast a vote
97 23 on behalf of the compacting state at a specified meeting. The
97 24 bylaws may provide for members' participation in meetings by
97 25 telephone or other means of telecommunication or electronic
97 26 communication.

97 27 h. The interstate commission's bylaws shall establish
97 28 conditions and procedures under which the interstate commission

97 29 shall make its information and official records available
97 30 to the public for inspection or copying. The interstate
97 31 commission may exempt from disclosure any information or
97 32 official records to the extent they would adversely affect
97 33 personal privacy rights or proprietary interests.
97 34 i. Public notice shall be given of all meetings and all
97 35 meetings shall be open to the public, except as set forth
98 1 in the rules or as otherwise provided in the compact. The
98 2 interstate commission and any of its committees may close a
98 3 meeting to the public where it determines by two-thirds vote
98 4 that an open meeting would be likely to:
98 5 (1) Relate solely to the interstate commission's internal
98 6 personnel practices and procedures.
98 7 (2) Disclose matters specifically exempted from disclosure
98 8 by statute.
98 9 (3) Disclose trade secrets or commercial or financial
98 10 information which is privileged or confidential.
98 11 (4) Involve accusing any person of a crime, or formally
98 12 censuring any person.
98 13 (5) Disclose information of a personal nature where
98 14 disclosure would constitute a clearly unwarranted invasion of
98 15 personal privacy.
98 16 (6) Disclose investigative records compiled for law
98 17 enforcement purposes.
98 18 (7) Disclose information contained in or related to an
98 19 examination or operating or condition reports prepared by, or
98 20 on behalf of or for the use of, the interstate commission with
98 21 respect to a regulated person or entity for the purpose of
98 22 regulation or supervision of such person or entity.
98 23 (8) Disclose information, the premature disclosure of which
98 24 would significantly endanger the stability of a regulated
98 25 person or entity.
98 26 (9) Specifically relate to the interstate commission's
98 27 issuance of a subpoena, or its participation in a civil action
98 28 or other legal proceeding.
98 29 j. For every meeting closed pursuant to this provision, the
98 30 interstate commission's legal counsel shall publicly certify
98 31 that, in the legal counsel's opinion, the meeting may be closed

98 32 to the public, and shall reference each relevant exemptive
98 33 provision. The interstate commission shall keep minutes
98 34 which shall fully and clearly describe all matters discussed
98 35 in any meeting and shall provide a full and accurate summary
99 1 of any actions taken, and the reasons therefore, including a
99 2 description of each of the views expressed on any item and the
99 3 record of any roll call vote, reflected in the vote of each
99 4 member on the question. All documents considered in connection
99 5 with any action shall be identified in such minutes.
99 6 k. The interstate commission shall collect standardized data
99 7 concerning the interstate movement of juveniles as directed
99 8 through its rules which shall specify the data to be collected,
99 9 the means of collection, and data exchange and reporting
99 10 requirements. Such methods of data collection, exchange, and
99 11 reporting shall insofar as is reasonably possible conform to
99 12 up-to-date technology and coordinate its information functions
99 13 with the appropriate repository of records.
99 14 4. Article IV == Powers and duties of the interstate
99 15 commission. The commission shall have the following powers and
99 16 duties:
99 17 a. To provide for dispute resolution among compacting
99 18 states.
99 19 b. To promulgate rules to effect the purposes and
99 20 obligations as enumerated in this compact, which shall have the
99 21 force and effect of statutory law and shall be binding in the
99 22 compacting states to the extent and in the manner provided in
99 23 this compact.
99 24 c. To oversee, supervise, and coordinate the interstate
99 25 movement of juveniles subject to the terms of this compact and
99 26 any bylaws adopted and rules promulgated by the interstate
99 27 commission.
99 28 d. To enforce compliance with the compact provisions, the
99 29 rules promulgated by the interstate commission, and the bylaws,
99 30 using all necessary and proper means, including but not limited
99 31 to the use of judicial process.
99 32 e. To establish and maintain offices which shall be located
99 33 within one or more of the compacting states.
99 34 f. To purchase and maintain insurance and bonds.

99 35 g. To borrow, accept, hire, or contract for services of
100 1 personnel.

100 2 h. To establish and appoint committees and hire staff
100 3 which it deems necessary for the carrying out of its functions
100 4 including but not limited to an executive committee as required
100 5 by article III which shall have the power to act on behalf of
100 6 the interstate commission in carrying out its powers and duties
100 7 hereunder.

100 8 i. To elect or appoint such officers, attorneys, employees,
100 9 agents, or consultants, and to fix their compensation, define
100 10 their duties and determine their qualifications; and to
100 11 establish the interstate commission's personnel policies and
100 12 programs relating to, inter alia, conflicts of interest, rates
100 13 of compensation, and qualifications of personnel.

100 14 j. To accept any and all donations and grants of money,
100 15 equipment, supplies, materials, and services, and to receive,
100 16 utilize, and dispose of it.

100 17 k. To lease, purchase, accept contributions or donations of,
100 18 or otherwise to own, hold, improve, or use any property, real,
100 19 personal, or mixed.

100 20 l. To sell, convey, mortgage, pledge, lease, exchange,
100 21 abandon, or otherwise dispose of any property, real, personal,
100 22 or mixed.

100 23 m. To establish a budget and make expenditures and levy
100 24 dues as provided in article VIII of this compact.

100 25 n. To sue and be sued.

100 26 o. To adopt a seal and bylaws governing the management and
100 27 operation of the interstate commission.

100 28 p. To perform such functions as may be necessary or
100 29 appropriate to achieve the purposes of this compact.

100 30 q. To report annually to the legislatures, governors,
100 31 judiciary, and state councils of the compacting states
100 32 concerning the activities of the interstate commission during
100 33 the preceding year. Such reports shall also include any
100 34 recommendations that may have been adopted by the interstate
100 35 commission.

101 1 r. To coordinate education, training, and public awareness
101 2 regarding the interstate movement of juveniles for officials

101 3 involved in such activity.
101 4 s. To establish uniform standards of the reporting,
101 5 collecting, and exchanging of data.
101 6 t. The interstate commission shall maintain its corporate
101 7 books and records in accordance with the bylaws.
101 8 5. Article V == Organization and operation of the interstate
101 9 commission.
101 10 a. Bylaws. The interstate commission shall, by a majority
101 11 of the members present and voting, within twelve months after
101 12 the first interstate commission meeting, adopt bylaws to govern
101 13 its conduct as may be necessary or appropriate to carry out the
101 14 purposes of the compact, including but not limited to all of
101 15 the following:
101 16 (1) Establishing the fiscal year of the interstate
101 17 commission.
101 18 (2) Establishing an executive committee and such other
101 19 committees as may be necessary.
101 20 (3) Provide for the establishment of committees governing
101 21 any general or specific delegation of any authority or function
101 22 of the interstate commission.
101 23 (4) Providing reasonable procedures for calling and
101 24 conducting meetings of the interstate commission and ensuring
101 25 reasonable notice of each such meeting.
101 26 (5) Establishing the titles and responsibilities of the
101 27 officers of the interstate commission.
101 28 (6) Providing a mechanism for concluding the operations of
101 29 the interstate commission and the return of any surplus funds
101 30 that may exist upon the termination of the compact after the
101 31 payment or reserving of all of its debts and obligations.
101 32 (7) Providing "start-up" rules for initial administration
101 33 of the compact.
101 34 (8) Establishing standards and procedures for compliance
101 35 and technical assistance in carrying out the compact.
102 1 b. Officers and staff.
102 2 (1) The interstate commission shall, by a majority of the
102 3 members, elect annually from among its members a chairperson
102 4 and a vice chairperson, each of whom shall have such authority
102 5 and duties as may be specified in the bylaws. The chairperson

102 6 or, in the chairperson's absence or disability, the vice
102 7 chairperson shall preside at all meetings of the interstate
102 8 commission. The officers so elected shall serve without
102 9 compensation or remuneration from the interstate commission;
102 10 provided that, subject to the availability of budgeted funds,
102 11 the officers shall be reimbursed for any ordinary and necessary
102 12 costs and expenses incurred by them in the performance of their
102 13 duties and responsibilities as officers of the interstate
102 14 commission.

102 15 (2) The interstate commission shall, through its executive
102 16 committee, appoint or retain an executive director for
102 17 such period, upon such terms and conditions and for such
102 18 compensation as the interstate commission may deem appropriate.
102 19 The executive director shall serve as secretary to the
102 20 interstate commission, but shall not be a member and shall hire
102 21 and supervise such other staff as may be authorized by the
102 22 interstate commission.

102 23 c. Immunity, defense, and indemnification.

102 24 (1) The commission's executive director and employees shall
102 25 be immune from suit and liability, either personally or in
102 26 their official capacity, for any claim for damage to or loss
102 27 of property or personal injury or other civil liability caused
102 28 or arising out of or relating to any actual or alleged act,
102 29 error, or omission that occurred, or that such person had a
102 30 reasonable basis for believing occurred within the scope of
102 31 commission employment, duties, or responsibilities; provided,
102 32 that any such person shall not be protected from suit or
102 33 liability for any damage, loss, injury, or liability caused by
102 34 the intentional or willful and wanton misconduct of any such
102 35 person.

103 1 (2) The liability of any commissioner, or the employee
103 2 or agent of a commissioner, acting within the scope of such
103 3 person's employment or duties for acts, errors, or omissions
103 4 occurring within such person's state may not exceed the limits
103 5 of liability set forth under the constitution and laws of that
103 6 state for state officials, employees, and agents. Nothing
103 7 in this subparagraph shall be construed to protect any such
103 8 person from suit or liability for any damage, loss, injury,

103 9 or liability caused by the intentional or willful and wanton
103 10 misconduct of any such person.

103 11 (3) The interstate commission shall defend the executive
103 12 director or the employees or representatives of the interstate
103 13 commission and, subject to the approval of the attorney general
103 14 of the state represented by any commissioner of a compacting
103 15 state, shall defend such commissioner or the commissioner's
103 16 representatives or employees in any civil action seeking to
103 17 impose liability arising out of any actual or alleged act,
103 18 error, or omission that occurred within the scope of interstate
103 19 commission employment, duties, or responsibilities, or that
103 20 the defendant had a reasonable basis for believing occurred
103 21 within the scope of interstate commission employment, duties,
103 22 or responsibilities, provided that the actual or alleged act,
103 23 error, or omission did not result from intentional or willful
103 24 and wanton misconduct on the part of such person.

103 25 (4) The interstate commission shall indemnify and hold
103 26 the commissioner of a compacting state, or the commissioner's
103 27 representatives or employees, or the interstate commission's
103 28 representatives or employees, harmless in the amount of any
103 29 settlement or judgment obtained against such persons arising
103 30 out of any actual or alleged act, error, or omission that
103 31 occurred within the scope of interstate commission employment,
103 32 duties, or responsibilities, or that such persons had a
103 33 reasonable basis for believing occurred within the scope of
103 34 interstate commission employment, duties, or responsibilities,
103 35 provided that the actual or alleged act, error, or omission did
104 1 not result from intentional or willful and wanton misconduct on
104 2 the part of such persons.

104 3 6. Article VI == Rulemaking functions of the interstate
104 4 commission.

104 5 a. The interstate commission shall promulgate and publish
104 6 rules in order to effectively and efficiently achieve the
104 7 purposes of the compact.

104 8 b. Rulemaking shall occur pursuant to the criteria set
104 9 forth in this article and the bylaws and rules adopted pursuant
104 10 thereto. Such rulemaking shall substantially conform to the
104 11 principles of the model state administrative procedures Act,

104 12 1981 Act, Uniform Laws Annotated, Vol. 15, p.1 (2000), or
104 13 such other administrative procedures act, as the interstate
104 14 commission deems appropriate consistent with due process
104 15 requirements under the Constitution of the United States as now
104 16 or hereafter interpreted by the United States supreme court.
104 17 All rules and amendments shall become binding as of the date
104 18 specified, as published with the final version of the rule as
104 19 approved by the commission.

104 20 c. When promulgating a rule, the interstate commission
104 21 shall, at a minimum, do all of the following:

104 22 (1) Publish the proposed rule's entire text stating the
104 23 reasons for that proposed rule.

104 24 (2) Allow and invite any and all persons to submit written
104 25 data, facts, opinions, and arguments, which information shall
104 26 be added to the record, and be made publicly available.

104 27 (3) Provide an opportunity for an informal hearing if
104 28 petitioned by ten or more persons.

104 29 (4) Promulgate a final rule and its effective date, if
104 30 appropriate, based on input from state or local officials, or
104 31 interested parties.

104 32 d. Allow, not later than sixty days after a rule is
104 33 promulgated, any interested person to file a petition in the
104 34 United States district court for the District of Columbia or in
104 35 the federal district court where the interstate commission's
105 1 principal office is located for judicial review of such rule.
105 2 If the court finds that the interstate commission's action is
105 3 not supported by substantial evidence in the rulemaking record,
105 4 the court shall hold the rule unlawful and set it aside. For
105 5 purposes of this lettered paragraph, evidence is substantial
105 6 if it would be considered substantial evidence under the model
105 7 state administrative procedures Act.

105 8 e. If a majority of the legislatures of the compacting
105 9 states rejects a rule, those states may, by enactment of a
105 10 statute or resolution in the same manner used to adopt the
105 11 compact, cause that such rule shall have no further force and
105 12 effect in any compacting state.

105 13 f. The existing rules governing the operation of the
105 14 interstate compact on juveniles superseded by this compact

105 15 shall be null and void twelve months after the first meeting of
105 16 the interstate commission created hereunder.

105 17 g. Upon determination by the interstate commission that
105 18 a state of emergency exists, it may promulgate an emergency
105 19 rule which shall become effective immediately upon adoption,
105 20 provided that the usual rulemaking procedures provided
105 21 hereunder shall be retroactively applied to said rule as soon
105 22 as reasonably possible, but no later than ninety days after the
105 23 effective date of the emergency rule.

105 24 7. Article VII == Oversight, enforcement, and dispute
105 25 resolution by the interstate commission.

105 26 a. Oversight.

105 27 (1) The interstate commission shall oversee the
105 28 administration and operations of the interstate movement of
105 29 juveniles subject to this compact in the compacting states
105 30 and shall monitor such activities being administered in
105 31 noncompacting states which may significantly affect compacting
105 32 states.

105 33 (2) The courts and executive agencies in each compacting
105 34 state shall enforce this compact and shall take all actions
105 35 necessary and appropriate to effectuate the compact's
106 1 purposes and intent. The provisions of this compact and the
106 2 rules promulgated hereunder shall be received by all the
106 3 judges, public officers, commissions, and departments of
106 4 the state government as evidence of the authorized statute
106 5 and administrative rules. All courts shall take judicial
106 6 notice of the compact and the rules. In any judicial or
106 7 administrative proceeding in a compacting state pertaining to
106 8 the subject matter of this compact which may affect the powers,
106 9 responsibilities, or actions of the interstate commission, it
106 10 shall be entitled to receive all service of process in any
106 11 such proceeding, and shall have standing to intervene in the
106 12 proceeding for all purposes.

106 13 b. Dispute resolution.

106 14 (1) The compacting states shall report to the interstate
106 15 commission on all issues and activities necessary for the
106 16 administration of the compact as well as issues and activities
106 17 pertaining to compliance with the provisions of the compact and

106 18 its bylaws and rules.

106 19 (2) The interstate commission shall attempt, upon the
106 20 request of a compacting state, to resolve any disputes or
106 21 other issues which are subject to the compact and which may
106 22 arise among compacting states and between compacting and
106 23 noncompacting states. The commission shall promulgate a rule
106 24 providing for both mediation and binding dispute resolution for
106 25 disputes among the compacting states.

106 26 (3) The interstate commission, in the reasonable exercise
106 27 of its discretion, shall enforce the provisions and rules of
106 28 this compact using any or all means set forth in article XI of
106 29 this compact.

106 30 8. Article VIII == Finance.

106 31 a. The interstate commission shall pay or provide for
106 32 the payment of the reasonable expenses of its establishment,
106 33 organization, and ongoing activities.

106 34 b. The interstate commission shall levy on and collect an
106 35 annual assessment from each compacting state to cover the cost
107 1 of the internal operations and activities of the interstate
107 2 commission and its staff which must be in a total amount
107 3 sufficient to cover the interstate commission's annual budget
107 4 as approved each year. The aggregate annual assessment amount
107 5 shall be allocated based upon a formula to be determined by the
107 6 interstate commission, taking into consideration the population
107 7 of each compacting state and the volume of interstate movement
107 8 of juveniles in each compacting state and shall promulgate a
107 9 rule binding upon all compacting states which governs said
107 10 assessment.

107 11 c. The interstate commission shall not incur any obligations
107 12 of any kind prior to securing the funds adequate to meet the
107 13 same; nor shall the interstate commission pledge the credit of
107 14 any of the compacting states, except by and with the authority
107 15 of the compacting state.

107 16 d. The interstate commission shall keep accurate accounts of
107 17 all receipts and disbursements. The receipts and disbursements
107 18 of the interstate commission shall be subject to the audit
107 19 and accounting procedures established under its bylaws.
107 20 However, all receipts and disbursements of funds handled by the

107 21 interstate commission shall be audited yearly by a certified or
107 22 licensed public accountant and the report of the audit shall
107 23 be included in and become part of the annual report of the
107 24 interstate commission.

107 25 9. Article IX == The state council. Each member state shall
107 26 create a state council for interstate juvenile supervision.
107 27 While each state may determine the membership of its own
107 28 state council, its membership must include at least one
107 29 representative from the legislative, judicial, and executive
107 30 branches of government, victims groups, and the compact
107 31 administrator, deputy compact administrator, or designee.
107 32 Each compacting state retains the right to determine the
107 33 qualifications of the compact administrator or deputy compact
107 34 administrator. Each state council will advise and may exercise
107 35 oversight and advocacy concerning that state's participation
108 1 in interstate commission activities and other duties as may
108 2 be determined by that state, including but not limited to
108 3 development of policy concerning operations and procedures of
108 4 the compact within that state.

108 5 10. Article X == Compacting states, effective date, and
108 6 amendment.

108 7 a. Any state, the District of Columbia, or its designee, the
108 8 Commonwealth of Puerto Rico, the United States Virgin Islands,
108 9 Guam, American Samoa, and the Northern Marianas Islands as
108 10 defined in article II of this compact is eligible to become a
108 11 compacting state.

108 12 b. The compact shall become effective and binding upon
108 13 legislative enactment of the compact into law by no less than
108 14 thirty=five of the states. The initial effective date shall
108 15 be the later of July 1, 2004, or upon enactment into law by
108 16 the thirty=fifth jurisdiction. Thereafter it shall become
108 17 effective and binding as to any other compacting state upon
108 18 enactment of the compact into law by that state. The governors
108 19 of nonmember states or their designees shall be invited to
108 20 participate in the activities of the interstate commission on a
108 21 nonvoting basis prior to adoption of the compact by all states
108 22 and territories of the United States.

108 23 c. The interstate commission may propose amendments to the

108 24 compact for enactment by the compacting states. No amendment
108 25 shall become effective and binding upon the interstate
108 26 commission and the compacting states unless and until it is
108 27 enacted into law by unanimous consent of the compacting states.
108 28 11. Article XI == Withdrawal, default, termination, and
108 29 judicial enforcement.
108 30 a. Withdrawal.
108 31 (1) Once effective, the compact shall continue in force and
108 32 remain binding upon each and every compacting state; provided
108 33 that a compacting state may withdraw from the compact by
108 34 specifically repealing the statute which enacted the compact
108 35 into law.
109 1 (2) The effective date of withdrawal is the effective date
109 2 of the repeal.
109 3 (3) The withdrawing state shall immediately notify the
109 4 chairperson of the interstate commission in writing upon the
109 5 introduction of legislation repealing this compact in the
109 6 withdrawing state. The interstate commission shall notify the
109 7 other compacting states of the withdrawing state's intent to
109 8 withdraw within sixty days of its receipt thereof.
109 9 (4) The withdrawing state is responsible for all
109 10 assessments, obligations, and liabilities incurred through
109 11 the effective date of withdrawal, including any obligations,
109 12 the performance of which extend beyond the effective date of
109 13 withdrawal.
109 14 (5) Reinstatement following withdrawal of any compacting
109 15 state shall occur upon the withdrawing state reenacting the
109 16 compact or upon such later date as determined by the interstate
109 17 commission.
109 18 b. Technical assistance, fines, suspension, termination, and
109 19 default.
109 20 (1) If the interstate commission determines that any
109 21 compacting state has at any time defaulted in the performance
109 22 of any of its obligations or responsibilities under this
109 23 compact, or the bylaws or duly promulgated rules, the
109 24 interstate commission may impose any or all of the following
109 25 penalties:
109 26 (a) Remedial training and technical assistance as directed

109 27 by the interstate commission.
109 28 (b) Alternative dispute resolution.
109 29 (c) Fines, fees, and costs in such amounts as are deemed to
109 30 be reasonable as fixed by the interstate commission.
109 31 (d) Suspension or termination of membership in the compact,
109 32 which shall be imposed only after all other reasonable
109 33 means of securing compliance under the bylaws and rules have
109 34 been exhausted and the interstate commission has therefore
109 35 determined that the offending state is in default. Immediate
110 1 notice of suspension shall be given by the interstate
110 2 commission to the governor, the chief justice or the chief
110 3 judicial officer of the state, the majority and minority
110 4 leaders of the defaulting state's legislature, and the state
110 5 council.
110 6 (2) The grounds for default include, but are not limited to,
110 7 failure of a compacting state to perform such obligations or
110 8 responsibilities imposed upon it by this compact, the bylaws
110 9 or duly promulgated rules, and any other grounds designated in
110 10 commission bylaws and rules.
110 11 (3) The interstate commission shall immediately notify
110 12 the defaulting state in writing of the penalty imposed by the
110 13 interstate commission and of the default pending a cure of
110 14 the default. The commission shall stipulate the conditions
110 15 and the time period within which the defaulting state must
110 16 cure its default. If the defaulting state fails to cure the
110 17 default within the time period specified by the commission,
110 18 the defaulting state shall be terminated from the compact upon
110 19 an affirmative vote of a majority of the compacting states and
110 20 all rights, privileges, and benefits conferred by this compact
110 21 shall be terminated from the effective date of termination.
110 22 (4) Within sixty days of the effective date of termination
110 23 of a defaulting state, the commission shall notify the
110 24 governor, the chief justice or chief judicial officer, the
110 25 majority and minority leaders of the defaulting state's
110 26 legislature, and the state council of such termination.
110 27 (5) The defaulting state is responsible for all
110 28 assessments, obligations, and liabilities incurred through
110 29 the effective date of termination including any obligations,

110 30 the performance of which extends beyond the effective date of
110 31 termination.

110 32 (6) The interstate commission shall not bear any costs
110 33 relating to the defaulting state unless otherwise mutually
110 34 agreed upon in writing between the interstate commission and
110 35 the defaulting state.

111 1 (7) Reinstatement following termination of any compacting
111 2 state requires both a reenactment of the compact by the
111 3 defaulting state and the approval of the interstate commission
111 4 pursuant to the rules.

111 5 c. Judicial enforcement. The interstate commission may,
111 6 by majority vote of the members, initiate legal action in the
111 7 United States district court for the District of Columbia or,
111 8 at the discretion of the interstate commission, in the federal
111 9 district where the interstate commission has its offices, to
111 10 enforce compliance with the provisions of the compact, its duly
111 11 promulgated rules and bylaws, against any compacting state in
111 12 default. In the event judicial enforcement is necessary the
111 13 prevailing party shall be awarded all costs of such litigation
111 14 including reasonable attorney fees.

111 15 d. Dissolution of compact.

111 16 (1) The compact dissolves effective upon the date of the
111 17 withdrawal or default of the compacting state, which reduces
111 18 membership in the compact to one compacting state.

111 19 (2) Upon the dissolution of this compact, the compact
111 20 becomes null and void and shall be of no further force
111 21 or effect, and the business and affairs of the interstate
111 22 commission shall be concluded and any surplus funds shall be
111 23 distributed in accordance with the bylaws.

111 24 12. Article XII == Severability and construction.

111 25 a. The provisions of this compact shall be severable,
111 26 and if any phrase, clause, sentence, or provision is deemed
111 27 unenforceable, the remaining provisions of the compact shall
111 28 be enforceable.

111 29 b. The provisions of this compact shall be liberally
111 30 construed to effectuate its purposes.

111 31 13. Article XIII == Binding effect of compact and other laws.

111 32 a. Other laws.

111 33 (1) Nothing in this compact prevents the enforcement of any
111 34 other law of a compacting state that is not inconsistent with
111 35 this compact.
112 1 (2) All compacting states' laws other than state
112 2 constitutions and other interstate compacts conflicting with
112 3 this compact are superseded to the extent of the conflict.
112 4 b. Binding effect of the compact.
112 5 (1) All lawful actions of the interstate commission,
112 6 including all rules and bylaws promulgated by the interstate
112 7 commission, are binding upon the compacting states.
112 8 (2) All agreements between the interstate commission and
112 9 the compacting states are binding in accordance with their
112 10 terms.
112 11 (3) Upon the request of a party to a conflict over meaning
112 12 or interpretation of interstate commission actions, and upon
112 13 a majority vote of the compacting states, the interstate
112 14 commission may issue advisory opinions regarding such meaning
112 15 or interpretation.
112 16 (4) In the event any provision of this compact exceeds
112 17 the constitutional limits imposed on the legislature of
112 18 any compacting state, the obligations, duties, powers, or
112 19 jurisdiction sought to be conferred by such provision upon
112 20 the interstate commission shall be ineffective and such
112 21 obligations, duties, powers, or jurisdiction shall remain in
112 22 the compacting state and shall be exercised by the agency
112 23 thereof to which such obligations, duties, powers, or
112 24 jurisdiction are delegated by law in effect at the time this
112 25 compact becomes effective.

112 26 DIVISION IX

112 27 MISCELLANEOUS

112 28 Sec. 74. Section 135.12, Code 2009, is amended by striking
112 29 the section and inserting in lieu thereof the following:
112 30 135.12 Office of minority and multicultural health ==
112 31 established == duties.

CODE: Changes the duties of the Office of Minority and Multicultural Health in the DPH.

112 32 1. The office of minority and multicultural health is
 112 33 established in the department. The purpose of the office
 112 34 is to improve the health of racial and ethnic minorities by
 112 35 bridging communication, delivery, and service requirements,
 113 1 and by providing customized services and practical approaches
 113 2 to problems and issues encountered by organizations and
 113 3 communities working to address the needs of these populations.
 113 4 2. The office of minority and multicultural health shall be
 113 5 responsible for all of the following:
 113 6 a. Serving as the liaison and advocate for the department on
 113 7 minority and multicultural health matters.
 113 8 b. Assisting academic institutions, state agencies,
 113 9 community groups, and other entities in institutionalizing
 113 10 cultural competency within the health care workforce and
 113 11 delivery system through education, training, and practice to
 113 12 effectively address cross-cultural disparity and achieve health
 113 13 equity.
 113 14 c. Promoting community strategic planning.
 113 15 d. Reviewing the impact of programs, regulations, and
 113 16 health care resource policies on the delivery of and access to
 113 17 minority and multicultural health services.

113 18 Sec. 75. Section 237A.3A, subsection 3, Code Supplement
 113 19 2009, is amended by adding the following new paragraph:
 113 20 NEW PARAGRAPH . e. If the department adopts rules
 113 21 establishing a limitation on the number of hours for which
 113 22 substitute care may be utilized by the provider, such a
 113 23 limitation shall not apply to or incorporate substitute care
 113 24 utilized when the provider is engaged in jury duty or in
 113 25 official duties connected with the provider's membership on a
 113 26 state board, committee, or other policy-related body.

CODE: Requires the DHS to exempt jury duty or official duties relating to membership on a State board, committee, or other policy-related body from the limitation of the number of hours permitted for providers to use substitute child care.

113 27 Sec. 76. Section 453A.35, subsection 1, Code Supplement
 113 28 2009, is amended to read as follows:
 113 29 1. The proceeds derived from the sale of stamps and the
 113 30 payment of taxes, fees, and penalties provided for under this

CODE: Reduces the transfer from the General Fund to the HCTF from \$117,796,000 to \$106,016,400,

DETAIL: This is a decrease of \$11,779,600 compared to the FY 2010

113 31 chapter, and the permit fees received from all permits issued
 113 32 by the department, shall be credited to the general fund of
 113 33 the state. However, of the revenues generated from the tax on
 113 34 cigarettes pursuant to section 453A.6, subsection 1, and from
 113 35 the tax on tobacco products as specified in section 453A.43,
 114 1 subsections 1, 2, 3, and 4, and credited to the general fund
 114 2 of the state under this subsection, there is appropriated,
 114 3 annually, to the health care trust fund created in section
 114 4 453A.35A, the first one hundred ~~seventeen~~ six million ~~seven~~
 114 5 ~~hundred ninety-six~~ sixteen thousand four hundred dollars.

transfer.

114 6 Sec. 77. Section 692A.115, Code Supplement 2009, is amended
 114 7 to read as follows:

114 8 692A.115 Employment where dependent adults reside.

114 9 1. A Unless authorized as provided in subsection 2, a sex
 114 10 offender shall not be an employee of a facility providing
 114 11 services for dependent adults or at events where dependent
 114 12 adults participate in programming and shall not loiter on the
 114 13 premises or grounds of a facility or at an event providing such
 114 14 services or programming.

114 15 2. An adult sex offender who is a patient or resident
 114 16 of a health care facility as defined in section 135C.1,
 114 17 a participant in a medical assistance program home and
 114 18 community-based services waiver program, or a participant in a
 114 19 medical assistance state plan employment services as part of
 114 20 the participant's habilitation plan shall not be considered to
 114 21 be in violation of subsection 1.

CODE: Exempts certain residents of certain health care facilities, persons eligible for the home and community-based services waiver program, and participants in a Medicaid employment service program from the sex offender facility employee limitation.

114 22 Sec. 78. 2010 Iowa Acts, Senate File 2088, section 361,
 114 23 subsection 2, if enacted, is amended to read as follows:

114 24 2. If a provision of this Act or another enactment of
 114 25 the Eighty-third General Assembly repeals section 135.173
 114 26 and creates the early childhood Iowa state board in new
 114 27 Code chapter 256I, the early childhood Iowa state board
 114 28 shall fulfill the responsibilities assigned to the early
 114 29 childhood Iowa council in subsection 1 and the department of

CODE: Changes the statutory reference in SF 2088 (Government Reorganization and Efficiency Act) to specify the DOM as the lead agency for Empowerment and not the Department of Education.

PG LN

House File 2526

Explanation

114 30 ~~education~~ management shall propose corrective legislation for
114 31 the provisions of this division of this Act in accordance with
114 32 section 2.16 for consideration by the Eighty-fourth General
114 33 Assembly, 2011 Regular Session.

114 34 HF 2526 (9) 83

114 35 pf/jp/mb

Summary Data

General Fund

	<u>Actual FY 2009 (1)</u>	<u>Estimated Net FY 2010 (2)</u>	<u>Gov Rec FY 2011 (3)</u>	<u>House Action FY 2011 (4)</u>	<u>House Action vs. Est Net 2010 (5)</u>	<u>Page and Line # (6)</u>
Health and Human Services	\$ 1,170,143,950	\$ 1,122,676,782	\$ 1,326,620,074	\$ 954,340,874	\$ -168,335,908	
Unassigned Standings	<u>0</u>	<u>0</u>	<u>0</u>	<u>-11,779,600</u>	<u>-11,779,600</u>	
Grand Total	<u>\$ 1,170,143,950</u>	<u>\$ 1,122,676,782</u>	<u>\$ 1,326,620,074</u>	<u>\$ 942,561,274</u>	<u>\$ -180,115,508</u>	

Health and Human Services General Fund

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	House Action vs. Est Net 2010 <u>(5)</u>	Page and Line # <u>(6)</u>
<u>Aging, Dept. on</u>						
Aging, Dept. on						
Aging Programs	\$ 5,274,444	\$ 4,462,407	\$ 4,462,407	\$ 4,662,988	\$ 200,581	PG 1 LN 8
Total Aging, Dept. on	<u>\$ 5,274,444</u>	<u>\$ 4,462,407</u>	<u>\$ 4,462,407</u>	<u>\$ 4,662,988</u>	<u>\$ 200,581</u>	
<u>Public Health, Dept. of</u>						
Public Health, Dept. of						
Addictive Disorders	\$ 3,035,917	\$ 25,787,250	\$ 28,414,782	\$ 28,974,840	\$ 3,187,590	PG 3 LN 24
Healthy Children and Families	2,584,835	2,024,250	2,353,517	2,710,062	685,812	PG 5 LN 32
Chronic Conditions	2,169,991	2,480,612	2,802,255	3,522,313	1,041,701	PG 7 LN 2
Community Capacity	1,722,362	3,705,162	3,728,162	5,503,037	1,797,875	PG 8 LN 8
Elderly Wellness	9,095,475	7,511,201	8,345,779	8,045,779	534,578	PG 12 LN 29
Environmental Hazards	721,737	900,352	965,950	900,352	0	PG 13 LN 4
Infectious Diseases	2,795,546	1,467,595	1,605,967	1,475,095	7,500	PG 13 LN 12
Public Protection	3,115,215	3,212,987	3,236,235	3,212,987	0	PG 13 LN 18
Resource Management	1,194,098	956,265	956,265	956,265	0	PG 14 LN 5
Total Public Health, Dept. of	<u>\$ 26,435,176</u>	<u>\$ 48,045,674</u>	<u>\$ 52,408,912</u>	<u>\$ 55,300,730</u>	<u>\$ 7,255,056</u>	
<u>Human Services, Dept. of</u>						
General Administration						
General Administration	\$ 16,848,360	\$ 13,727,271	\$ 13,727,271	\$ 15,352,271	\$ 1,625,000	PG 54 LN 14
Field Operations						
Child Support Recoveries	\$ 15,082,461	\$ 12,078,414	\$ 12,078,414	\$ 11,877,414	\$ -201,000	PG 25 LN 35
Field Operations	69,234,591	56,729,548	56,729,548	53,207,624	-3,521,924	PG 54 LN 1
Total Field Operations	<u>\$ 84,317,052</u>	<u>\$ 68,807,962</u>	<u>\$ 68,807,962</u>	<u>\$ 65,085,038</u>	<u>\$ -3,722,924</u>	
Toledo Juvenile Home						
Toledo Juvenile Home	\$ 7,591,274	\$ 6,079,283	\$ 6,189,283	\$ 6,977,599	\$ 898,316	PG 38 LN 23
Licensed Classroom Teachers	0	103,950	103,950	103,950	0	PG 39 LN 4
Total Toledo Juvenile Home	<u>\$ 7,591,274</u>	<u>\$ 6,183,233</u>	<u>\$ 6,293,233</u>	<u>\$ 7,081,549</u>	<u>\$ 898,316</u>	
Eldora Training School						
Eldora Training School	\$ 12,045,087	\$ 9,646,008	\$ 9,536,008	\$ 10,851,062	\$ 1,205,054	PG 38 LN 28
Cherokee CCUSO						
Civil Commit. Unit for Sex Offenders	\$ 6,701,758	\$ 6,174,184	\$ 6,174,184	\$ 6,632,660	\$ 458,476	PG 53 LN 13

Health and Human Services General Fund

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	House Action vs. Est Net 2010 <u>(5)</u>	Page and Line # <u>(6)</u>
Cherokee						
Cherokee MHI	\$ 6,109,285	\$ 4,892,468	\$ 4,892,468	\$ 5,221,979	\$ 329,511	PG 47 LN 28
Clarinda						
Clarinda MHI	\$ 7,298,531	\$ 5,604,601	\$ 5,604,601	\$ 6,139,698	\$ 535,097	PG 47 LN 33
Independence						
Independence MHI	\$ 10,693,858	\$ 8,553,210	\$ 8,553,210	\$ 9,590,653	\$ 1,037,443	PG 48 LN 3
Mt Pleasant						
Mt Pleasant MHI	\$ 2,023,008	\$ 1,614,663	\$ 1,614,663	\$ 1,613,175	\$ -1,488	PG 48 LN 8
Glenwood						
Glenwood Resource Center	\$ 18,903,764	\$ 15,808,438	\$ 15,489,063	\$ 14,982,839	\$ -825,599	PG 49 LN 8
Woodward						
Woodward Resource Center	\$ 12,561,726	\$ 9,786,280	\$ 9,703,456	\$ 9,312,271	\$ -474,009	PG 49 LN 11
Assistance						
Family Investment Program/JOBS	\$ 42,060,901	\$ 31,133,430	\$ 31,735,539	\$ 31,735,539	\$ 602,109	PG 24 LN 28
Medical Assistance	593,302,330	610,096,134	790,982,609	418,921,344	-191,174,790	PG 27 LN 14
Health Insurance Premium Payment	570,924	457,210	457,210	457,210	0	PG 34 LN 1
Medical Contracts	13,953,067	12,286,353	10,413,090	9,683,668	-2,602,685	PG 34 LN 13
State Supplementary Assistance	18,332,214	16,457,833	18,259,235	18,259,235	1,801,402	PG 34 LN 28
State Children's Health Insurance	13,660,852	13,166,847	23,637,040	23,637,040	10,470,193	PG 35 LN 24
Child Care Assistance	40,483,732	32,547,464	32,768,964	32,325,964	-221,500	PG 36 LN 10
Child and Family Services	88,971,729	81,532,306	80,425,523	79,593,023	-1,939,283	PG 39 LN 16
Adoption Subsidy	33,656,339	31,395,307	34,202,696	31,856,896	461,589	PG 45 LN 17
Family Support Subsidy	1,907,312	1,522,998	1,522,998	1,167,998	-355,000	PG 46 LN 26
Connors Training	41,984	33,622	33,622	33,622	0	PG 47 LN 12
MI/MR/DD State Cases	13,067,178	10,295,207	10,295,207	10,295,207	0	PG 50 LN 12
MH/DD Community Services	18,017,890	14,211,100	14,211,100	14,211,100	0	PG 51 LN 4
Volunteers	105,717	84,660	84,660	84,660	0	PG 55 LN 26
Pregnancy Counseling	197,000	71,688	71,688	0	-71,688	
MH/DD Growth Factor	54,081,310	48,697,893	48,697,893	48,697,893	0	PG 76 LN 27
Medical Assistance, Hawk-i, Hawk-i Expansion	4,728,000	3,786,301	10,049,532	10,049,532	6,263,231	PG 83 LN 25
Total Assistance	<u>\$ 937,138,479</u>	<u>\$ 907,776,353</u>	<u>\$ 1,107,848,606</u>	<u>\$ 731,009,931</u>	<u>\$ -176,766,422</u>	
Total Human Services, Dept. of	<u>\$ 1,122,232,182</u>	<u>\$ 1,058,574,671</u>	<u>\$ 1,258,244,725</u>	<u>\$ 882,873,126</u>	<u>\$ -175,701,545</u>	

Health and Human Services General Fund

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	House Action vs. Est Net 2010 <u>(5)</u>	Page and Line # <u>(6)</u>
<u>Veterans Affairs, Dept. of</u>						
Veterans Affairs, Department of						
General Administration	\$ 1,199,329	\$ 960,453	\$ 960,453	\$ 960,453	\$ 0	PG 14 LN 24
War Orphans Educational Assistance	25,785	12,731	12,731	12,731	0	PG 15 LN 13
Veterans County Grants	585,599	990,000	900,000	900,000	-90,000	PG 15 LN 18
Total Veterans Affairs, Department of	<u>\$ 1,810,713</u>	<u>\$ 1,963,184</u>	<u>\$ 1,873,184</u>	<u>\$ 1,873,184</u>	<u>\$ -90,000</u>	
Veterans Affairs, Dept. of						
Iowa Veterans Home	\$ 14,391,435	\$ 9,630,846	\$ 9,630,846	\$ 9,630,846	\$ 0	PG 14 LN 31
Total Veterans Affairs, Dept. of	<u>\$ 16,202,148</u>	<u>\$ 11,594,030</u>	<u>\$ 11,504,030</u>	<u>\$ 11,504,030</u>	<u>\$ -90,000</u>	
Total Health and Human Services	<u>\$ 1,170,143,950</u>	<u>\$ 1,122,676,782</u>	<u>\$ 1,326,620,074</u>	<u>\$ 954,340,874</u>	<u>\$ -168,335,908</u>	

Unassigned Standings

General Fund

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	House Action vs. Est Net 2010 <u>(5)</u>	Page and Line # <u>(6)</u>
<u>Treasurer of State</u>						
Treasurer of State						
Health Care Trust Fund Decrease	\$ 0	\$ 0	\$ 0	\$ -11,779,600	\$ -11,779,600	PG 113 LN 27
Total Treasurer of State	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ -11,779,600</u>	<u>\$ -11,779,600</u>	
Total Unassigned Standings	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ -11,779,600</u>	<u>\$ -11,779,600</u>	

Summary Data

Other Funds

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	House Action vs. Est Net 2010 <u>(5)</u>	Page and Line # <u>(6)</u>
Health and Human Services	\$ 556,051,804	\$ 460,158,816	\$ 444,591,109	\$ 484,507,193	\$ 24,348,377	
Grand Total	<u>\$ 556,051,804</u>	<u>\$ 460,158,816</u>	<u>\$ 444,591,109</u>	<u>\$ 484,507,193</u>	<u>\$ 24,348,377</u>	

Health and Human Services Other Funds

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	House Action vs. Est Net 2010 <u>(5)</u>	Page and Line # <u>(6)</u>
<u>Aging, Dept. on</u>						
Aging, Dept. on						
Seamless computer system	\$ 0	\$ 200,000	\$ 0	\$ 0	\$ -200,000	
Elder Affairs Operations-SLTF	8,486,698	8,486,698	8,486,698	8,486,698	0	PG 63 LN 33
Total Aging, Dept. on	\$ 8,486,698	\$ 8,686,698	\$ 8,486,698	\$ 8,486,698	\$ -200,000	
<u>Public Health, Dept. of</u>						
Public Health, Dept. of						
Community Capacity-FRRF	\$ 0	\$ 500,000	\$ 0	\$ 0	\$ -500,000	
Healthy Aging-FRRF	0	700,000	0	0	-700,000	
Resource Management-FRRF	0	1,800,000	0	0	-1,800,000	
Addictive Disorders - UST	0	0	0	500,000	500,000	PG 74 LN 1
Ad. Dis.-Substance Abuse Treatment-GTF	2,215,000	0	0	0	0	
Ad. Dis.-Gambling Treatment Prog.-GTF	5,068,101	0	0	0	0	
Ad. Dis.-Tobacco Use Prev.-HITT	6,928,265	0	0	0	0	
Ad. Dis.-Sub. Abuse Treatment-HITT	13,800,000	0	0	0	0	
Ad. Dis.-Sub. Abuse Prev. for Kids-HITT	1,050,000	0	0	0	0	
Chr. Con-PKU Assistance-HITT	100,000	0	0	0	0	
Chr. Con.-Iowa Stillbirth Eval.-HITT	26,000	0	0	0	0	
Chr. Con.-AIDS Drug Assist. Prog.-HITT	275,000	0	0	0	0	
Healthy Iowans 2010-HITT	2,509,960	0	0	0	0	
Epilepsy Education-HITT	100,000	0	0	0	0	
Addictive Disorders-HCTF	3,178,713	2,473,823	2,473,823	0	-2,473,823	
Healthy Children and Families-HCTF	664,262	444,217	444,217	0	-444,217	
Chronic Conditions-HCTF	1,158,187	899,297	899,297	0	-899,297	
Community Capacity-HCTF	2,775,635	2,448,456	2,448,456	0	-2,448,456	
Chronic Conditions - UST	0	0	0	35,000	35,000	PG 74 LN 6
Public Protection - UST	0	0	0	100,000	100,000	PG 74 LN 14
Total Public Health, Dept. of	\$ 39,849,123	\$ 9,265,793	\$ 6,265,793	\$ 635,000	\$ -8,630,793	

Health and Human Services Other Funds

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	House Action vs. Est Net 2010 <u>(5)</u>	Page and Line # <u>(6)</u>
Human Services, Dept. of						
General Administration						
FIP-TANF	\$ 26,101,513	\$ 28,584,403	\$ 36,797,711	\$ 24,376,341	\$ -4,208,062	PG 16 LN 18
Promise Jobs-TANF	13,334,528	13,026,796	13,084,528	12,411,528	-615,268	PG 16 LN 22
FaDDS-TANF	2,998,675	2,448,980	2,448,980	2,898,980	450,000	PG 17 LN 2
Field Operations-TANF	18,507,495	21,659,136	21,659,136	31,296,232	9,637,096	PG 17 LN 13
General Administration-TANF	3,744,000	3,744,000	3,744,000	3,744,000	0	PG 17 LN 15
Local Admin. Cost-TANF	2,189,830	1,094,915	1,094,915	0	-1,094,915	
State Day Care-TANF	18,986,177	18,986,177	12,382,687	16,382,687	-2,603,490	PG 17 LN 17
MH/DD Comm. Services-TANF	4,894,052	4,894,052	4,894,052	4,894,052	0	PG 17 LN 33
Child & Family Services-TANF	32,084,430	32,084,430	32,084,430	32,084,430	0	PG 18 LN 1
Child Abuse Prevention-TANF	250,000	125,000	125,000	125,000	0	PG 18 LN 3
Training & Technology-TANF	1,037,186	1,037,186	1,037,186	1,037,186	0	PG 18 LN 22
0-5 Children-TANF	7,350,000	6,850,000	6,850,000	6,350,000	-500,000	PG 18 LN 26
General Administration-DHSRF	0	1,500,000	0	0	-1,500,000	
Child Care Direct Assistance-TANF	8,900,000	6,845,000	0	0	-6,845,000	
FIP Emergency ARRA- TANF	0	0	23,119,822	17,678,279	17,678,279	PG 19 LN 2
Total General Administration	\$ 140,377,886	\$ 142,880,075	\$ 159,322,447	\$ 153,278,715	\$ 10,398,640	
Field Operations						
Field Operations-FRRF	\$ 0	\$ 680,596	\$ 0	\$ 0	\$ -680,596	
Field Operations-DHSRF	0	8,386,761	0	0	-8,386,761	
Field Operations - UST	0	0	0	2,340,000	2,340,000	PG 76 LN 9
Child Support Recoveries - UST	0	0	0	250,000	250,000	PG 75 LN 16
Total Field Operations	\$ 0	\$ 9,067,357	\$ 0	\$ 2,590,000	\$ -6,477,357	
Toledo Juvenile Home						
Toledo-DHSRF	\$ 0	\$ 836,515	\$ 0	\$ 0	\$ -836,515	
Toledo Juvenile Home - UST	0	0	0	200,000	200,000	PG 75 LN 20
Total Toledo Juvenile Home	\$ 0	\$ 836,515	\$ 0	\$ 200,000	\$ -636,515	
Eldora Training School						
Eldora-DHSRF	\$ 0	\$ 1,327,300	\$ 0	\$ 0	\$ -1,327,300	
Eldora Training School - UST	0	0	0	400,000	400,000	PG 75 LN 23
Total Eldora Training School	\$ 0	\$ 1,327,300	\$ 0	\$ 400,000	\$ -927,300	

Health and Human Services Other Funds

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	House Action vs. Est Net 2010 <u>(5)</u>	Page and Line # <u>(6)</u>
Cherokee CCUSO						
CCUSO-DHSRF	\$ 0	\$ 503,554	\$ 0	\$ 0	\$ -503,554	
Civil Commit. Unit for Sex Offenders - UST	0	0	0	800,000	800,000	PG 76 LN 7
Total Cherokee CCUSO	<u>\$ 0</u>	<u>\$ 503,554</u>	<u>\$ 0</u>	<u>\$ 800,000</u>	<u>\$ 296,446</u>	
Cherokee						
Cherokee MHI-DHSRF	\$ 0	\$ 673,209	\$ 0	\$ 0	\$ -673,209	
Cherokee MHI - UST	0	0	0	100,000	100,000	PG 75 LN 28
Total Cherokee	<u>\$ 0</u>	<u>\$ 673,209</u>	<u>\$ 0</u>	<u>\$ 100,000</u>	<u>\$ -573,209</u>	
Clarinda						
Clarinda MHI-DHSRF	\$ 0	\$ 804,256	\$ 0	\$ 0	\$ -804,256	
Clarinda MHI - UST	0	0	0	100,000	100,000	PG 75 LN 31
Total Clarinda	<u>\$ 0</u>	<u>\$ 804,256</u>	<u>\$ 0</u>	<u>\$ 100,000</u>	<u>\$ -704,256</u>	
Independence						
Independence MHI-DHSRF	\$ 0	\$ 1,177,799	\$ 0	\$ 0	\$ -1,177,799	
Independence MHI - UST	0	0	0	100,000	100,000	PG 75 LN 34
Total Independence	<u>\$ 0</u>	<u>\$ 1,177,799</u>	<u>\$ 0</u>	<u>\$ 100,000</u>	<u>\$ -1,077,799</u>	
Mt Pleasant						
Mt Pleasant MHI-DHSRF	\$ 0	\$ 222,694	\$ 0	\$ 0	\$ -222,694	
Mt Pleasant MHI - UST	0	0	0	50,000	50,000	PG 76 LN 2
Total Mt Pleasant	<u>\$ 0</u>	<u>\$ 222,694</u>	<u>\$ 0</u>	<u>\$ 50,000</u>	<u>\$ -172,694</u>	

Health and Human Services Other Funds

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	House Action vs. Est Net 2010 <u>(5)</u>	Page and Line # <u>(6)</u>
Assistance						
Pregnancy Prevention-TANF	\$ 1,930,067	\$ 1,327,878	\$ 1,327,878	\$ 1,930,067	\$ 602,189	PG 18 LN 5
Medical Supplemental-SLTF	111,753,195	17,686,827	37,740,908	39,080,435	21,393,608	PG 65 LN 30
Medical Contracts-Pharm. Settlement	1,323,833	1,323,833	3,298,191	4,027,613	2,703,780	PG 66 LN 8
Broadlawns Hospital-ICA	46,000,000	46,000,000	46,000,000	51,000,000	5,000,000	PG 68 LN 31
State Hospital-Cherokee-ICA	3,164,766	0	0	0	0	
State Hospital-Clarinda-ICA	687,779	0	0	0	0	
State Hospital-Independence-ICA	3,146,494	0	0	0	0	
State Hospital-Mt Pleasant-ICA	2,000,961	0	0	0	0	
Medical Examinations-HCTA	556,800	556,800	556,800	556,800	0	PG 71 LN 17
Medical Information Hotline-HCTA	150,000	100,000	100,000	100,000	0	PG 71 LN 20
Health Partnership Activities-HCTA	900,000	600,000	600,000	600,000	0	PG 71 LN 23
Audits, Perf. Eval., Studies-HCTA	400,000	125,000	125,000	125,000	0	PG 71 LN 26
IowaCare Admin. Costs-HCTA	1,132,412	1,132,412	1,132,412	1,132,412	0	PG 71 LN 29
Dental Home for Children-HCTA	1,000,000	1,000,000	1,000,000	1,000,000	0	PG 71 LN 31
Mental Health Trans. Pilot-HCTA	250,000	0	0	0	0	
MH/DD Workforce Development-HCTA	500,000	50,000	50,000	50,000	0	PG 71 LN 35
Medical Assistance-HCTF	114,351,496	100,650,740	100,650,740	107,615,211	6,964,471	PG 27 LN 6
MH/MR/DD Growth-HCTF	7,553,010	0	0	0	0	
General Administration-HITT	274,000	0	0	0	0	
POS Provider Increase-HITT	146,750	0	0	0	0	
Other Service Providers Inc.-HITT	182,381	0	0	0	0	
Child and Family Services-HITT	3,786,677	0	0	0	0	
Broadlawns Admin-HCTA	230,000	290,000	290,000	290,000	0	PG 72 LN 7
Medical Contracts-HCTA	0	1,300,000	1,300,000	1,300,000	0	PG 72 LN 5
Medical Assistance-FRRF	0	6,237,173	0	0	-6,237,173	
Covering All Kids-FRRF	0	6,263,231	0	0	-6,263,231	
MH Risk Pool-FRRF	0	10,000,000	0	0	-10,000,000	
Child and Family Services-FRRF	0	2,500,000	0	0	-2,500,000	
Volunteer Health Care-FRRF	0	20,000	0	0	-20,000	
Health Insurance Pilot-FRRF	0	400,000	0	0	-400,000	
MH Property Tax Replacment-FRRF	0	10,480,000	0	0	-10,480,000	
MH/MR State Cases-DHSRF	0	325,430	0	0	-325,430	
MH PTRF Medical Asst.	624,000	0	0	0	0	
Family Support Subsidy - UST	0	0	0	100,000	100,000	PG 75 LN 11
Nursing Facility Medicaid Sup. - QATF	0	0	0	8,500,000	8,500,000	PG 72 LN 35
Child and Family Services - UST	0	0	0	925,000	925,000	PG 74 LN 18
Nonparticipating Provider Reimbursement - ICA	0	0	0	2,000,000	2,000,000	PG 70 LN 35
MI/MR/DD State Cases - UST	0	0	0	1,000,000	1,000,000	PG 76 LN 5
FQHC - ICA	0	0	0	6,000,000	6,000,000	PG 70 LN 16
Total Assistance	\$ 302,044,621	\$ 208,369,324	\$ 194,171,929	\$ 227,332,538	\$ 18,963,214	
Total Human Services, Dept. of	\$ 442,422,507	\$ 365,862,083	\$ 353,494,376	\$ 384,951,253	\$ 19,089,170	

Health and Human Services Other Funds

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	House Action vs. Est Net 2010 <u>(5)</u>	Page and Line # <u>(6)</u>
<u>Veterans Affairs, Dept. of</u>						
Veterans Affairs, Department of						
County Veterans Grant - Merchant Marine	\$ 0	\$ 0	\$ 0	\$ 90,000	\$ 90,000	PG 15 LN 28
Total Veterans Affairs, Dept. of	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 90,000</u>	<u>\$ 90,000</u>	
<u>Inspections & Appeals, Dept. of</u>						
Inspections and Appeals, Dept. of						
Assisted Living/Adult Day Care-SLTF	\$ 1,339,527	\$ 1,339,527	\$ 1,339,527	\$ 0	\$ -1,339,527	
Assisted Living/Adult Day Care- MFA	<u>0</u>	<u>0</u>	<u>0</u>	<u>1,339,527</u>	<u>1,339,527</u>	PG 72 LN 24
Total Inspections & Appeals, Dept. of	<u>\$ 1,339,527</u>	<u>\$ 1,339,527</u>	<u>\$ 1,339,527</u>	<u>\$ 1,339,527</u>	<u>\$ 0</u>	

Health and Human Services Other Funds

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	House Action vs. Est Net 2010 <u>(5)</u>	Page and Line # <u>(6)</u>
<u>Regents, Board of</u>						
Regents, Board of						
BOR UIHC - Expansion Population-ICA	\$ 35,969,365	\$ 47,020,131	\$ 47,020,131	\$ 49,020,131	\$ 2,000,000	PG 67 LN 30
BOR UIHC - ICA	27,284,584	27,284,584	27,284,584	27,284,584	0	PG 66 LN 19
UIHC IowaCare Physician - ICA	0	0	0	12,000,000	12,000,000	PG 68 LN 11
Total Regents, Board of	\$ 63,253,949	\$ 74,304,715	\$ 74,304,715	\$ 88,304,715	\$ 14,000,000	
<u>Iowa Finance Authority</u>						
Iowa Finance Authority						
Rent Subsidy Program-SLTF	\$ 700,000	\$ 700,000	\$ 700,000	\$ 700,000	\$ 0	PG 65 LN 13
Total Iowa Finance Authority	\$ 700,000	\$ 700,000	\$ 700,000	\$ 700,000	\$ 0	
Total Health and Human Services	\$ 556,051,804	\$ 460,158,816	\$ 444,591,109	\$ 484,507,193	\$ 24,348,377	

Summary Data

FTE

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	House Action vs. Est Net 2010 <u>(5)</u>	Page and Line # <u>(6)</u>
Health and Human Services	6,766.27	6,988.71	6,730.20	7,036.41	47.70	
Grand Total	<u>6,766.27</u>	<u>6,988.71</u>	<u>6,730.20</u>	<u>7,036.41</u>	<u>47.70</u>	

Health and Human Services

FTE

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	House Action vs. Est Net 2010 <u>(5)</u>	Page and Line # <u>(6)</u>
<u>Aging, Dept. on</u>						
Aging, Dept. on						
Aging Programs	38.11	37.50	36.50	36.00	-1.50	PG 1 LN 8
Total Aging, Dept. on	<u>38.11</u>	<u>37.50</u>	<u>36.50</u>	<u>36.00</u>	<u>-1.50</u>	
<u>Public Health, Dept. of</u>						
Public Health, Dept. of						
Addictive Disorders	4.36	18.00	15.45	18.00	0.00	PG 3 LN 24
Healthy Children and Families	11.00	14.00	12.50	14.00	0.00	PG 5 LN 32
Chronic Conditions	1.00	3.00	3.60	4.10	1.10	PG 7 LN 2
Community Capacity	10.19	21.00	18.10	21.00	0.00	PG 8 LN 8
Environmental Hazards	1.01	4.50	4.50	4.50	0.00	PG 13 LN 4
Infectious Diseases	4.52	5.00	4.50	5.00	0.00	PG 13 LN 12
Public Protection	125.49	130.00	128.75	130.00	0.00	PG 13 LN 18
Resource Management	9.06	10.00	9.75	10.00	0.00	PG 14 LN 5
Total Public Health, Dept. of	<u>166.62</u>	<u>205.50</u>	<u>197.15</u>	<u>206.60</u>	<u>1.10</u>	
<u>Human Services, Dept. of</u>						
General Administration						
General Administration	323.89	354.33	318.00	354.33	0.00	PG 54 LN 14
Field Operations						
Child Support Recoveries	501.72	520.00	481.50	520.00	0.00	PG 25 LN 35
Field Operations	2,007.13	2,000.13	1,939.13	2,000.13	0.00	PG 54 LN 1
Total Field Operations	<u>2,508.86</u>	<u>2,520.13</u>	<u>2,420.63</u>	<u>2,520.13</u>	<u>0.00</u>	
Toledo Juvenile Home						
Toledo Juvenile Home	120.83	125.00	100.00	125.00	0.00	PG 38 LN 23
Eldora Training School						
Eldora Training School	192.72	202.70	168.20	202.70	0.00	PG 38 LN 28
Cherokee CCUSO						
Civil Commit. Unit for Sex Offenders	86.16	105.50	72.17	105.50	0.00	PG 53 LN 13
Cherokee						
Cherokee MHI	198.95	205.00	201.00	205.06	0.06	PG 47 LN 28

Health and Human Services

FTE

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	House Action FY 2011 <u>(4)</u>	House Action vs. Est Net 2010 <u>(5)</u>	Page and Line # <u>(6)</u>
Clarinda						
Clarinda MHI	102.50	114.95	100.68	114.95	0.00	PG 47 LN 33
Independence						
Independence MHI	279.47	287.85	265.78	287.85	0.00	PG 48 LN 3
Mt Pleasant						
Mt Pleasant MHI	107.50	116.44	107.64	116.44	0.00	PG 48 LN 8
Glenwood						
Glenwood Resource Center	921.07	947.24	960.91	961.91	14.67	PG 49 LN 8
Woodward						
Woodward Resource Center	751.86	737.16	792.27	797.47	60.31	PG 49 LN 11
Assistance						
Family Investment Program/JOBS	14.99	16.50	12.00	12.00	-4.50	PG 24 LN 28
Health Insurance Premium Payment	14.98	19.00	11.00	19.00	0.00	PG 34 LN 1
Medical Contracts	2.01	6.00	2.00	6.00	0.00	PG 34 LN 13
Child Care Assistance	2.01	0.00	1.00	1.00	1.00	PG 36 LN 10
Total Assistance	<u>33.99</u>	<u>41.50</u>	<u>26.00</u>	<u>38.00</u>	<u>-3.50</u>	
Total Human Services, Dept. of	<u>5,627.80</u>	<u>5,757.80</u>	<u>5,533.28</u>	<u>5,829.34</u>	<u>71.54</u>	
<u>Veterans Affairs, Dept. of</u>						
Veterans Affairs, Department of						
General Administration	15.98	15.20	14.00	15.20	0.00	PG 14 LN 24
Veterans Affairs, Dept. of						
Iowa Veterans Home	<u>917.77</u>	<u>972.71</u>	<u>949.27</u>	<u>949.27</u>	<u>-23.44</u>	PG 14 LN 31
Total Veterans Affairs, Dept. of	<u>933.74</u>	<u>987.91</u>	<u>963.27</u>	<u>964.47</u>	<u>-23.44</u>	
Total Health and Human Services	<u><u>6,766.27</u></u>	<u><u>6,988.71</u></u>	<u><u>6,730.20</u></u>	<u><u>7,036.41</u></u>	<u><u>47.70</u></u>	