

**NINETIETH GENERAL ASSEMBLY
2023 REGULAR SESSION
DAILY
SENATE CLIP SHEET
February 13, 2023**

Clip Sheet Summary

Displays all amendments, fiscal notes, and conference committee reports for previous day.

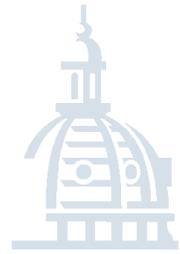
Bill	Amendment	Action	Sponsor
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No amendments filed on February 9, 2023

Fiscal Notes

[SF 194](#) — [Licensed Optometrists, Injections](#) (LSB1534SV)

[SF 229](#) — [Continuous Sexual Abuse of a Child, Mandatory Minimum](#) (LSB1392SV)



SF 194 – Licensed Optometrists, Injections (LSB1534SV)
Staff Contact: Christopher Ubben (515.725.0134) chris.ubben@legis.iowa.gov
Fiscal Note Version – New

Description

Senate File 194 expands optometrists’ scope of practice as defined in Iowa Code section [154.1](#) to include the administration of injectable anesthetics prior to the administration of other injections authorized in Iowa Code section 154.1(3)(b)(1).

Background

There are approximately 1,400 licensed optometrists in the State of Iowa. 2020 Iowa Acts, [chapter 1109](#), expanded the scope of practice of optometrists to include the administration of injections for the following purposes:

- Subconjunctival injections for the medical treatment of the eye.
- Intralesional injections for the treatment of chalazia.
- Botulinum toxin to the muscles of facial expression innervated by the facial nerve.
- Injections to counteract an anaphylactic reaction.

The fiscal year (FY) 2023 General Fund appropriation for medical assistance was \$1,510.1 million. According to the December 2022 [Medicaid Forecast](#), the Medicaid surplus going into FY 2023 is projected to be approximately \$373.6 million.

Assumptions

- The Department of Health and Human Services estimates a 50.0% increase in provider reimbursement costs for this procedure due to increased utilization.
- Increased costs could be absorbed within current Medicaid program funding.

Fiscal Impact

The 50.0% increase in utilization for the administration of injectable anesthetics would increase costs by \$357,000 for both FY 2024 and FY 2025. The State share of these costs paid from Medicaid would be \$129,000 for FY 2024 and \$128,000 for FY 2025.

Sources

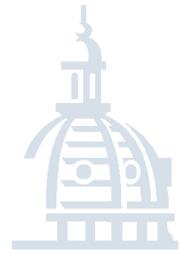
Department of Health and Human Services
Iowa Board of Optometry
Legislative Services Agency

/s/ Jennifer Acton

February 9, 2023

Doc ID 1368326

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



[SF 229](#) – Continuous Sexual Abuse of a Child, Mandatory Minimum (LSB1392SV)
Staff Contact: Isabel Waller (515.281.6561) isabel.waller@legis.iowa.gov
Fiscal Note Version – New

Description

[Senate File 229](#) applies a 70.0% mandatory minimum sentence to the criminal offense of continuous sexual abuse of a child.

Background

Under Iowa Code section [709.23](#), a person 18 years of age or older commits continuous sexual abuse of a child when the person engages in any combination of three or more acts of sexual abuse in violation of Iowa Code sections [709.3](#) or [709.4](#), with the same child, and at least 30 days have elapsed between the first and last acts of sexual abuse. A person who is convicted of continuous sexual abuse of a child is guilty of a Class B felony and is required to be confined for no more than 50 years.

Assumptions

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; revocation rates; plea bargaining; and other criminal justice system policies and practices.
- A lag effect of six months is assumed from the effective date of this Bill to the date of first entry of affected offenders into the correctional system.
- Marginal costs for county jails cannot be estimated due to a lack of data. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day.

Correctional Impact

Senate File 229 adds a mandatory minimum sentence to the existing Class B felony under Iowa Code section 709.23 and is estimated to have a correctional impact. Adding a mandatory minimum sentence would increase the length of stay (LOS) of individuals who are admitted to prison for continuous sexual abuse of a child. This may increase the prison population, but the extent of this increase cannot be estimated. In FY 2022, one individual was admitted to prison for continuous sexual abuse of a child. If a mandatory minimum sentence was applied, the estimated LOS in prison would increase from 9.7 years to 35 years. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 20, 2023, for information related to the correctional system.

Minority Impact

The minority impact of Senate File 229 cannot be estimated. The crime of continuous sexual abuse of a child was established in 2020 Iowa Acts, [HF 2554](#) (Continuous Sexual Abuse of a Child Act), and there were three convictions in FY 2022. All three individuals were Caucasian. However, due to the small number of convictions and the recent creation of the crime, it is difficult to estimate the minority impact. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 20, 2023, for information related to minorities in the criminal justice system.

Fiscal Impact

Senate File 229 is estimated to increase costs to the DOC by creating a mandatory minimum sentence, but the extent of the increase in costs is unknown. If one individual is admitted to prison for continuous sexual abuse of a child, the mandatory minimum sentence would increase costs to the DOC by approximately \$217,000 over that individual’s period of incarceration, as shown in **Table 1**.

Table 1 — Change in Cost to the DOC Under Senate File 229

	Prison Admissions	Cost Per Day	LOS (Days)	Total Cost
Current Law	1	\$23.42	3,520	\$82,438
SF 229	1	\$23.42	12,768	\$299,027

Sources

Department of Corrections
Department of Human Rights, Division of Criminal and Juvenile Justice Planning
Legislative Services Agency

/s/ Jennifer Acton

February 9, 2023

Doc ID 1368774

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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