

**EIGHTY-SIXTH GENERAL ASSEMBLY
2015 REGULAR SESSION
DAILY
SENATE CLIP SHEET**

MAY 18, 2015

**HOUSE AMENDMENT TO
SENATE FILE 505**

S-3187

1 Amend Senate File 505, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking everything after the enacting clause
4 and inserting:

<DIVISION I

DEPARTMENT ON AGING – FY 2015-2016

5
6 Section 1. DEPARTMENT ON AGING. There is
7 appropriated from the general fund of the state to
8 the department on aging for the fiscal year beginning
9 July 1, 2015, and ending June 30, 2016, the following
10 amount, or so much thereof as is necessary, to be used
11 for the purposes designated:
12

13 For aging programs for the department on aging and
14 area agencies on aging to provide citizens of Iowa who
15 are 60 years of age and older with case management for
16 frail elders, Iowa's aging and disabilities resource
17 center, and other services which may include but are
18 not limited to adult day services, respite care, chore
19 services, information and assistance, and material aid,
20 for information and options counseling for persons with
21 disabilities who are 18 years of age or older, and
22 for salaries, support, administration, maintenance,
23 and miscellaneous purposes, and for not more than the
24 following full-time equivalent positions:

25	\$ 11,111,066
26	FTEs 31.00

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

36 2. Of the funds appropriated in this section,
37 \$279,946 is transferred to the economic development
38 authority for the Iowa commission on volunteer services
39 to be used for the retired and senior volunteer
40 program.

41 3. a. The department on aging shall establish and
42 enforce procedures relating to expenditure of state and
43 federal funds by area agencies on aging that require
44 compliance with both state and federal laws, rules, and
45 regulations, including but not limited to all of the
46 following:

47 (1) Requiring that expenditures are incurred only
48 for goods or services received or performed prior to
49 the end of the fiscal period designated for use of the
50 funds.

S-3187

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

4 (3) Prohibiting the prepayment for goods or
5 services not defined specifically by good or service,
6 time period, or recipient.

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

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

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

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

29 6. Of the funds appropriated in this section,
30 \$525,000 shall be used for the purposes of section
31 231.56A, and shall be distributed equally to the area
32 agencies on aging to administer the prevention of elder
33 abuse, neglect, and exploitation program pursuant to
34 section 231.56A, in accordance with the requirements
35 of the federal Older Americans Act of 1965, 42 U.S.C.
36 {3001 et seq., as amended.

37 DIVISION II

38 OFFICE OF LONG-TERM CARE OMBUDSMAN - FY 2015-2016

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

40 1. There is appropriated from the general fund of
41 the state to the office of long-term care ombudsman for
42 the fiscal year beginning July 1, 2015, and ending June
43 30, 2016, the following amount, or so much thereof as
44 is necessary, to be used for the purposes designated:

45 For salaries, support, administration, maintenance,	
46 and miscellaneous purposes, and for not more than the	
47 following full-time equivalent positions:	
48	\$ 929,315
49	FTEs 13.00

50 2. The office of long-term care ombudsman and the

1 department of human services shall collaborate to
2 develop a Medicaid state plan amendment to provide for
3 the claiming of federal financial participation for
4 office of long-term care ombudsman activities that are
5 performed to assist with administration of the Medicaid
6 program. The Medicaid state plan amendment shall be
7 submitted to the centers for Medicare and Medicaid
8 services of the United States department of health and
9 human services in a timely manner to allow for such
10 claiming of federal financial participation beginning
11 January 1, 2016.

12 DIVISION III

13 DEPARTMENT OF PUBLIC HEALTH – FY 2015-2016

14 Sec. 3. DEPARTMENT OF PUBLIC HEALTH. There is
15 appropriated from the general fund of the state to
16 the department of public health for the fiscal year
17 beginning July 1, 2015, and ending June 30, 2016, the
18 following amounts, or so much thereof as is necessary,
19 to be used for the purposes designated:

20 1. ADDICTIVE DISORDERS

21 For reducing the prevalence of the use of tobacco,
22 alcohol, and other drugs, and treating individuals
23 affected by addictive behaviors, including gambling,
24 and for not more than the following full-time
25 equivalent positions:

26	\$ 26,588,690
27	FTEs 10.00

28 a. (1) Of the funds appropriated in this
29 subsection, \$4,573,361 shall be used for the tobacco
30 use prevention and control initiative, including
31 efforts at the state and local levels, as provided
32 in chapter 142A. The commission on tobacco use
33 prevention and control established pursuant to section
34 142A.3 shall advise the director of public health
35 in prioritizing funding needs and the allocation of
36 moneys appropriated for the programs and initiatives.
37 Activities of the programs and initiatives shall be in
38 alignment with the United States centers for disease
39 control and prevention best practices for comprehensive
40 tobacco control programs that include the goals of
41 preventing youth initiation of tobacco usage, reducing
42 exposure to secondhand smoke, and promotion of tobacco
43 cessation.

44 (2) (a) Of the funds allocated in this paragraph
45 "a", \$453,067 is transferred to the alcoholic beverages
46 division of the department of commerce for enforcement
47 of tobacco laws, regulations, and ordinances and to
48 engage in tobacco control activities approved by the
49 division of tobacco use prevention and control of
50 the department of public health as specified in the

1 memorandum of understanding entered into between the
2 divisions.

3 (b) For the fiscal year beginning July 1, 2015, and
4 ending June 30, 2016, the terms of the memorandum of
5 understanding, entered into between the division of
6 tobacco use prevention and control of the department
7 of public health and the alcoholic beverages division
8 of the department of commerce, governing compliance
9 checks conducted to ensure licensed retail tobacco
10 outlet conformity with tobacco laws, regulations,
11 and ordinances relating to persons under eighteen
12 years of age, shall continue to restrict the number of
13 such checks to one check per retail outlet, and one
14 additional check for any retail outlet found to be in
15 violation during the first check.

16 b. Of the funds appropriated in this subsection,
17 \$22,015,329 shall be used for problem gambling and
18 substance-related disorder prevention, treatment, and
19 recovery services, including a 24-hour helpline, public
20 information resources, professional training, and
21 program evaluation.

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

25 (a) Of the funds allocated in this subparagraph
26 (1), \$899,300 shall be used for the public purpose of
27 a grant program to provide substance-related disorder
28 prevention programming for children.

29 (i) Of the funds allocated in this subparagraph
30 division (a), \$427,539 shall be used for grant funding
31 for organizations that provide programming for
32 children by utilizing mentors. Programs approved for
33 such grants shall be certified or must be certified
34 within six months of receiving the grant award by the
35 Iowa commission on volunteer services as utilizing
36 the standards for effective practice for mentoring
37 programs.

38 (ii) Of the funds allocated in this subparagraph
39 division (a), \$426,839 shall be used for grant funding
40 for organizations providing programming that includes
41 youth development and leadership services. The
42 programs shall also be recognized as being programs
43 that are scientifically based with evidence of their
44 effectiveness in reducing substance-related disorders
45 in children.

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

49 (iv) All grant recipients shall participate in a
50 program evaluation as a requirement for receiving grant

1 funds.

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

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

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

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

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

25 (a) Of the funds allocated in this subparagraph
26 (2), \$2,573,762 shall be used for problem gambling
27 prevention and treatment.

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

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

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

40 c. Notwithstanding any provision of law to the
41 contrary, to standardize the availability, delivery,
42 cost of delivery, and accountability of problem
43 gambling and substance-related disorder treatment
44 services statewide, the department shall continue
45 implementation of a process to create a system for
46 delivery of treatment services in accordance with the
47 requirements specified in 2008 Iowa Acts, chapter
48 1187, section 3, subsection 4. To ensure the system
49 provides a continuum of treatment services that best
50 meets the needs of Iowans, the problem gambling and

1 substance-related disorder treatment services in any
2 area may be provided either by a single agency or by
3 separate agencies submitting a joint proposal.

4 (1) The system for delivery of substance-related
5 disorder and problem gambling treatment shall include
6 problem gambling prevention.

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

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

14 d. The requirement of section 123.53, subsection
15 5, is met by the appropriations and allocations
16 made in this division of this Act for purposes of
17 substance-related disorder treatment and addictive
18 disorders for the fiscal year beginning July 1, 2015.

19 e. The department of public health shall work with
20 all other departments that fund substance-related
21 disorder prevention and treatment services and all
22 such departments shall, to the extent necessary,
23 collectively meet the state maintenance of effort
24 requirements for expenditures for substance-related
25 disorder services as required under the federal
26 substance-related disorder prevention and treatment
27 block grant.

28 2. HEALTHY CHILDREN AND FAMILIES

29 For promoting the optimum health status for
30 children, adolescents from birth through 21 years of
31 age, and families, and for not more than the following
32 full-time equivalent positions:

33	\$	4,046,602
34	FTEs	12.00

35 a. Of the funds appropriated in this subsection,
36 not more than \$734,841 shall be used for the healthy
37 opportunities for parents to experience success
38 (HOPES)-healthy families Iowa (HFI) program established
39 pursuant to section 135.106. The funding shall be
40 distributed to renew the grants that were provided
41 to the grantees that operated the program during the
42 fiscal year ending June 30, 2015.

43 b. In order to implement the legislative intent
44 stated in sections 135.106 and 256I.9, that priority
45 for home visitation program funding be given to
46 programs using evidence-based or promising models
47 for home visitation, it is the intent of the general
48 assembly to phase in the funding priority in accordance
49 with 2012 Iowa Acts, chapter 1133, section 2,
50 subsection 2, paragraph 0b.

1 c. Of the funds appropriated in this subsection,
2 \$1,627,887 shall be used for the department's
3 initiative to provide for adequate developmental
4 surveillance and screening during a child's first
5 five years. The funds shall be used first to fully
6 fund the current sites to ensure that the sites are
7 fully operational, with the remaining funds to be
8 used for expansion to additional sites. The full
9 implementation and expansion shall include enhancing
10 the scope of the program through collaboration with
11 the child health specialty clinics to promote healthy
12 child development through early identification and
13 response to both biomedical and social determinants of
14 healthy development; by monitoring child health metrics
15 to inform practice, document long-term health impacts
16 and savings, and provide for continuous improvement
17 through training, education, and evaluation; and by
18 providing for practitioner consultation particularly
19 for children with behavioral conditions and needs. The
20 department of public health shall also collaborate
21 with the Iowa Medicaid enterprise and the child health
22 specialty clinics to integrate the activities of
23 the first five initiative into the establishment of
24 patient-centered medical homes, community utilities,
25 accountable care organizations, and other integrated
26 care models developed to improve health quality and
27 population health while reducing health care costs.
28 To the maximum extent possible, funding allocated in
29 this paragraph shall be utilized as matching funds for
30 medical assistance program reimbursement.

31 d. Of the funds appropriated in this subsection,
32 \$74,640 shall be distributed to a statewide dental
33 carrier to provide funds to continue the donated
34 dental services program patterned after the projects
35 developed by the lifeline network to provide dental
36 services to indigent individuals who are elderly or
37 with disabilities.

38 e. Of the funds appropriated in this subsection,
39 \$111,995 shall be used for childhood obesity
40 prevention.

41 f. Of the funds appropriated in this subsection,
42 \$162,768 shall be used to provide audiological services
43 and hearing aids for children. The department may
44 enter into a contract to administer this paragraph.

45 g. Of the funds appropriated in this subsection,
46 \$25,000 is transferred to the university of Iowa
47 college of dentistry for provision of primary dental
48 services to children. State funds shall be matched
49 on a dollar-for-dollar basis. The university of Iowa
50 college of dentistry shall coordinate efforts with the

1 department of public health, bureau of oral and health
2 delivery systems, to provide dental care to underserved
3 populations throughout the state.

4 h. Of the funds appropriated in this subsection,
5 \$50,000 shall be used to address youth suicide
6 prevention.

7 i. Of the funds appropriated in this subsection,
8 \$50,000 shall be used to support the Iowa effort to
9 address the survey of children who experience adverse
10 childhood experiences known as ACEs.

11 j. The department of public health shall continue
12 to administer the program to assist parents in this
13 state with costs resulting from the death of a child
14 in accordance with the provisions of 2014 Iowa Acts,
15 chapter 1140, section 22, subsection 12.

16 3. CHRONIC CONDITIONS

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

20	\$	4,740,429
21	FTEs	5.00

22 a. Of the funds appropriated in this subsection,
23 \$159,932 shall be used for grants to individual
24 patients who have an inherited metabolic disorder to
25 assist with the costs of medically necessary foods and
26 formula.

27 b. Of the funds appropriated in this subsection,
28 \$891,644 shall be used for the brain injury services
29 program pursuant to section 135.22B, including for
30 continuation of the contracts for resource facilitator
31 services in accordance with section 135.22B, subsection
32 9, and to enhance brain injury training and recruitment
33 of service providers on a statewide basis. Of the
34 amount allocated in this paragraph, \$95,000 shall be
35 used to fund one full-time equivalent position to serve
36 as the state brain injury services program manager.

37 c. Of the funds appropriated in this subsection,
38 \$547,982 shall be used as additional funding to
39 leverage federal funding through the federal Ryan
40 White Care Act, Tit. II, AIDS drug assistance program
41 supplemental drug treatment grants.

42 d. Of the funds appropriated in this subsection,
43 \$149,823 shall be used for the public purpose
44 of continuing to contract with an existing
45 national-affiliated organization to provide education,
46 client-centered programs, and client and family support
47 for people living with epilepsy and their families.
48 The amount allocated in this paragraph in excess of
49 \$100,000 shall be matched dollar-for-dollar by the
50 organization specified.

1 e. Of the funds appropriated in this subsection,
2 \$785,114 shall be used for child health specialty
3 clinics.

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

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

30 h. Of the funds appropriated in this subsection,
31 \$126,450 shall be used for cervical and colon cancer
32 screening, and \$300,000 shall be used to enhance the
33 capacity of the cervical cancer screening program to
34 include provision of recommended prevention and early
35 detection measures to a broader range of low-income
36 women.

37 i. Of the funds appropriated in this subsection,
38 \$526,695 shall be used for the center for congenital
39 and inherited disorders.

40 j. Of the funds appropriated in this subsection,
41 \$129,411 shall be used for the prescription drug
42 donation repository program created in chapter 135M.

43 4. COMMUNITY CAPACITY

44 For strengthening the health care delivery system at
45 the local level, and for not more than the following
46 full-time equivalent positions:

47	\$	6,170,765
48	FTEs	11.00

49 a. Of the funds appropriated in this subsection,
50 \$99,414 is allocated for continuation of the child

1 vision screening program implemented through
2 the university of Iowa hospitals and clinics in
3 collaboration with early childhood Iowa areas. The
4 program shall submit a report to the individuals
5 identified in this Act for submission of reports
6 regarding the use of funds allocated under this
7 paragraph "a". The report shall include the objectives
8 and results for the program year including the target
9 population and how the funds allocated assisted the
10 program in meeting the objectives; the number, age, and
11 location within the state of individuals served; the
12 type of services provided to the individuals served;
13 the distribution of funds based on service provided;
14 and the continuing needs of the program.

15 b. Of the funds appropriated in this subsection,
16 \$110,656 is allocated for continuation of an initiative
17 implemented at the university of Iowa and \$99,904 is
18 allocated for continuation of an initiative at the
19 state mental health institute at Cherokee to expand
20 and improve the workforce engaged in mental health
21 treatment and services. The initiatives shall receive
22 input from the university of Iowa, the department of
23 human services, the department of public health, and
24 the mental health and disability services commission to
25 address the focus of the initiatives.

26 c. Of the funds appropriated in this subsection,
27 \$1,164,628 shall be used for essential public health
28 services that promote healthy aging throughout one's
29 lifespan, contracted through a formula for local boards
30 of health, to enhance health promotion and disease
31 prevention services.

32 d. Of the funds appropriated in this section,
33 \$99,286 shall be deposited in the governmental public
34 health system fund created in section 135A.8 to be used
35 for the purposes of the fund.

36 e. Of the funds appropriated in this subsection,
37 \$105,448 shall be used to continue to address the
38 shortage of mental health professionals in the state.

39 f. Of the funds appropriated in this subsection,
40 \$50,000 shall be used for a grant to a statewide
41 association of psychologists that is affiliated
42 with the American psychological association to be
43 used for continuation of a program to rotate intern
44 psychologists in placements in urban and rural mental
45 health professional shortage areas, as defined in
46 section 135.180.

47 g. Of the funds appropriated in this subsection,
48 \$1,025,485 shall be allocated as a grant to the
49 Iowa primary care association to be used pursuant to
50 section 135.153 for the statewide coordination of

1 the Iowa collaborative safety net provider network.
2 Coordination of the network shall focus on increasing
3 access by underserved populations to health care
4 services, increasing integration of the health system
5 and collaboration across the continuum of care with
6 a focus on safety net services, and enhancing the
7 Iowa collaborative safety net provider network's
8 communication and education efforts. The amount
9 allocated as a grant under this paragraph "g" shall be
10 used for distribution to safety net partners in the
11 state that work to increase access of the underserved
12 population to health services.

13 (1) Of the amount allocated in this paragraph "g",
14 not less than \$413,415 shall be distributed to the Iowa
15 prescription drug corporation for continuation of the
16 pharmaceutical infrastructure for safety net providers
17 as described in 2007 Iowa Acts, chapter 218, section
18 108.

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

26 (3) Of the amount allocated in this paragraph "g",
27 not less than \$50,000 shall be distributed to the Iowa
28 coalition against sexual assault to continue a training
29 program for sexual assault response team (SART)
30 members, including representatives of law enforcement,
31 victim advocates, prosecutors, and certified medical
32 personnel.

33 (4) Of the amount allocated in this paragraph "g",
34 not less than \$213,748 shall be distributed to the Polk
35 county medical society for continuation of the safety
36 net provider patient access to a specialty health care
37 initiative as described in 2007 Iowa Acts, chapter 218,
38 section 109.

39 h. Of the funds appropriated in this subsection,
40 the department may use up to \$58,175 for up to one
41 full-time equivalent position to administer the
42 volunteer health care provider program pursuant to
43 section 135.24.

44 i. Of the funds appropriated in this subsection,
45 \$50,000 shall be used for a matching dental education
46 loan repayment program to be allocated to a dental
47 nonprofit health service corporation to continue to
48 develop the criteria and implement the loan repayment
49 program.

50 j. Of the funds appropriated in this subsection,

1 \$105,823 is transferred to the college student aid
2 commission for deposit in the rural Iowa primary care
3 trust fund created in section 261.113 to be used for
4 the purposes of the fund.

5 k. Of the funds appropriated in this subsection,
6 \$150,000 shall be used for the purposes of the Iowa
7 donor registry as specified in section 142C.18.

8 l. Of the funds appropriated in this subsection,
9 \$2,000,000 shall be deposited in the medical residency
10 training account created in section 135.175, subsection
11 5, paragraph "a", and is appropriated from the account
12 to the department of public health to be used for
13 the purposes of the medical residency training state
14 matching grants program as specified in section
15 135.176. However, notwithstanding any provision
16 to the contrary in section 135.176, priority in the
17 awarding of grants shall be given to sponsors that
18 propose preference in the use of the grant funds for
19 psychiatric residency positions and family practice
20 residency positions.

21 5. HEALTHY AGING

22 To provide public health services that reduce risks
23 and invest in promoting and protecting good health over
24 the course of a lifetime with a priority given to older
25 Iowans and vulnerable populations:

26 \$ 7,297,142

27 6. INFECTIOUS DISEASES

28 For reducing the incidence and prevalence of
29 communicable diseases, and for not more than the
30 following full-time equivalent positions:

31 \$ 1,335,155

32 FTEs 4.00

33 7. PUBLIC PROTECTION

34 For protecting the health and safety of the
35 public through establishing standards and enforcing
36 regulations, and for not more than the following
37 full-time equivalent positions:

38 \$ 4,339,191

39 FTEs 135.50

40 a. Of the funds appropriated in this subsection,
41 not more than \$454,700 shall be credited to the
42 emergency medical services fund created in section
43 135.25. Moneys in the emergency medical services fund
44 are appropriated to the department to be used for the
45 purposes of the fund.

46 b. Of the funds appropriated in this subsection,
47 \$203,032 shall be used for sexual violence prevention
48 programming through a statewide organization
49 representing programs serving victims of sexual
50 violence through the department's sexual violence

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

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

17 d. Of the funds appropriated in this subsection,
18 \$537,750 shall be used for childhood lead poisoning
19 provisions.

20 8. RESOURCE MANAGEMENT

21 For establishing and sustaining the overall
22 ability of the department to deliver services to the
23 public, and for not more than the following full-time
24 equivalent positions:

25	\$	855,072
26	FTEs	4.00

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

33 DIVISION IV

34 DEPARTMENT OF VETERANS AFFAIRS - FY 2015-2016

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

41 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

42 For salaries, support, maintenance, and
43 miscellaneous purposes, and for not more than the
44 following full-time equivalent positions:

45	\$	1,200,546
46	FTEs	15.00

47 2. IOWA VETERANS HOME

48 For salaries, support, maintenance, and
49 miscellaneous purposes:

50	\$	7,594,996
----------	----	-----------

1 a. The Iowa veterans home billings involving the
2 department of human services shall be submitted to the
3 department on at least a monthly basis.

4 b. Within available resources and in conformance
5 with associated state and federal program eligibility
6 requirements, the Iowa veterans home may implement
7 measures to provide financial assistance to or
8 on behalf of veterans or their spouses who are
9 participating in the community reentry program.

10 3. HOME OWNERSHIP ASSISTANCE PROGRAM

11 For transfer to the Iowa finance authority for the
12 continuation of the home ownership assistance program
13 for persons who are or were eligible members of the
14 armed forces of the United States, pursuant to section
15 16.54:

16 \$ 2,500,000

17 Sec. 5. LIMITATION OF COUNTY COMMISSIONS OF VETERAN
18 AFFAIRS FUND STANDING APPROPRIATIONS. Notwithstanding
19 the standing appropriation in section 35A.16 for the
20 fiscal year beginning July 1, 2015, and ending June 30,
21 2016, the amount appropriated from the general fund of
22 the state pursuant to that section for the following
23 designated purposes shall not exceed the following
24 amount:

25 For the county commissions of veteran affairs fund
26 under section 35A.16:

27 \$ 990,000

28 DIVISION V

29 DEPARTMENT OF HUMAN SERVICES - FY 2015-2016

30 Sec. 6. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES
31 BLOCK GRANT. There is appropriated from the fund
32 created in section 8.41 to the department of human
33 services for the fiscal year beginning July 1, 2015,
34 and ending June 30, 2016, from moneys received under
35 the federal temporary assistance for needy families
36 (TANF) block grant pursuant to the federal Personal
37 Responsibility and Work Opportunity Reconciliation
38 Act of 1996, Pub. L. No. 104-193, and successor
39 legislation, the following amounts, or so much
40 thereof as is necessary, to be used for the purposes
41 designated:

42 1. To be credited to the family investment program
43 account and used for assistance under the family
44 investment program under chapter 239B:
45 \$ 5,136,995

46 2. To be credited to the family investment program
47 account and used for the job opportunities and
48 basic skills (JOBS) program and implementing family
49 investment agreements in accordance with chapter 239B:
50 \$ 10,138,178

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

4 \$ 2,898,980

5 Notwithstanding section 8.33, moneys appropriated in
6 this subsection that remain unencumbered or unobligated
7 at the close of the fiscal year shall not revert but
8 shall remain available for expenditure for the purposes
9 designated until the close of the succeeding fiscal
10 year. However, unless such moneys are encumbered or
11 obligated on or before September 30, 2016, the moneys
12 shall revert.

13 4. For field operations:

14 \$ 31,296,232

15 5. For general administration:

16 \$ 3,744,000

17 6. For state child care assistance:

18 \$ 35,047,110

19 a. Of the funds appropriated in this subsection,
20 \$26,328,097 is transferred to the child care and
21 development block grant appropriation made by the
22 Eighty-sixth General Assembly, 2015 Session, for
23 the federal fiscal year beginning October 1, 2015,
24 and ending September 30, 2016. Of this amount,
25 \$200,000 shall be used for provision of educational
26 opportunities to registered child care home providers
27 in order to improve services and programs offered
28 by this category of providers and to increase the
29 number of providers. The department may contract
30 with institutions of higher education or child
31 care resource and referral centers to provide the
32 educational opportunities. Allowable administrative
33 costs under the contracts shall not exceed 5 percent.
34 The application for a grant shall not exceed two pages
35 in length.

36 b. Any funds appropriated in this subsection
37 remaining unallocated shall be used for state child
38 care assistance payments for families who are employed
39 including but not limited to individuals enrolled in
40 the family investment program.

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

45 \$ 4,894,052

46 8. For child and family services:

47 \$ 32,084,430

48 9. For child abuse prevention grants:

49 \$ 125,000

50 10. For pregnancy prevention grants on the

1 condition that family planning services are funded:
2 \$ 1,930,067

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

18 11. For technology needs and other resources
19 necessary to meet federal welfare reform reporting,
20 tracking, and case management requirements:
21 \$ 1,037,186

22 12. For the family investment program share of
23 the costs to continue to develop and maintain a new,
24 integrated eligibility determination system:
25 \$ 6,654,880

26 13. a. Notwithstanding any provision to the
27 contrary, including but not limited to requirements
28 in section 8.41 or provisions in 2014 or 2015 Iowa
29 Acts regarding the receipt and appropriation of
30 federal block grants, federal funds from the temporary
31 assistance for needy families block grant received
32 by the state and not otherwise appropriated in this
33 section and remaining available for the fiscal year
34 beginning July 1, 2015, are appropriated to the
35 department of human services to the extent as may
36 be necessary to be used in the following priority
37 order: the family investment program, for state child
38 care assistance program payments for families who are
39 employed including but not limited to individuals
40 enrolled in the family investment program, and for the
41 family investment program share of costs to develop and
42 maintain a new, integrated eligibility determination
43 system. The federal funds appropriated in this
44 paragraph "a" shall be expended only after all other
45 funds appropriated in subsection 1 for the assistance
46 under the family investment program, in subsection 6
47 for child care assistance, or in subsection 12 for
48 the family investment program share of the costs to
49 continue to develop and maintain a new, integrated
50 eligibility determination system, as applicable, have

1 been expended. For the purposes of this subsection,
2 the funds appropriated in subsection 6, paragraph "a",
3 for transfer to the child care and development block
4 grant appropriation are considered fully expended when
5 the full amount has been transferred.

6 b. The department shall, on a quarterly basis,
7 advise the legislative services agency and department
8 of management of the amount of funds appropriated in
9 this subsection that was expended in the prior quarter.

10 14. Of the amounts appropriated in this section,
11 \$12,962,008 for the fiscal year beginning July 1, 2015,
12 is transferred to the appropriation of the federal
13 social services block grant made to the department of
14 human services for that fiscal year.

15 15. For continuation of the program providing
16 categorical eligibility for the food assistance program
17 as specified for the program in the section of this
18 division of this 2015 Act relating to the family
19 investment program account:

20 \$ 25,000

21 16. The department may transfer funds allocated
22 in this section to the appropriations made in this
23 division of this Act for the same fiscal year for
24 general administration and field operations for
25 resources necessary to implement and operate the
26 services referred to in this section and those funded
27 in the appropriation made in this division of this Act
28 for the same fiscal year for the family investment
29 program from the general fund of the state.

30 Sec. 7. FAMILY INVESTMENT PROGRAM ACCOUNT.

31 1. Moneys credited to the family investment program
32 (FIP) account for the fiscal year beginning July
33 1, 2015, and ending June 30, 2016, shall be used to
34 provide assistance in accordance with chapter 239B.

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

39 3. The department may transfer funds allocated
40 in subsection 4 to the appropriations made in this
41 division of this Act for the same fiscal year for
42 general administration and field operations for
43 resources necessary to implement and operate the family
44 investment program services referred to in this section
45 and those funded in the appropriation made in this
46 division of this Act for the same fiscal year for the
47 family investment program from the general fund of the
48 state.

49 4. Moneys appropriated in this division of this Act
50 and credited to the FIP account for the fiscal year

1 beginning July 1, 2015, and ending June 30, 2016, are
2 allocated as follows:

3 a. To be retained by the department of human
4 services to be used for coordinating with the
5 department of human rights to more effectively serve
6 participants in FIP and other shared clients and to
7 meet federal reporting requirements under the federal
8 temporary assistance for needy families block grant:
9 \$ 20,000

10 b. To the department of human rights for staffing,
11 administration, and implementation of the family
12 development and self-sufficiency grant program in
13 accordance with section 216A.107:
14 \$ 6,192,834

15 (1) Of the funds allocated for the family
16 development and self-sufficiency grant program in this
17 paragraph "b", not more than 5 percent of the funds
18 shall be used for the administration of the grant
19 program.

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

23 (3) The department of human rights may engage in
24 activities to strengthen and improve family outcomes
25 measures and data collection systems under the family
26 development and self-sufficiency grant program.

27 c. For the diversion subaccount of the FIP account:
28 \$ 815,000

29 A portion of the moneys allocated for the subaccount
30 may be used for field operations, salaries, data
31 management system development, and implementation
32 costs and support deemed necessary by the director of
33 human services in order to administer the FIP diversion
34 program. To the extent moneys allocated in this
35 paragraph "c" are not deemed by the department to be
36 necessary to support diversion activities, such moneys
37 may be used for other efforts intended to increase
38 engagement by family investment program participants in
39 work, education, or training activities.

40 d. For the food assistance employment and training
41 program:
42 \$ 66,588

43 (1) The department shall apply the federal
44 supplemental nutrition assistance program (SNAP)
45 employment and training state plan in order to maximize
46 to the fullest extent permitted by federal law the use
47 of the 50 percent federal reimbursement provisions
48 for the claiming of allowable federal reimbursement
49 funds from the United States department of agriculture
50 pursuant to the federal SNAP employment and training

1 program for providing education, employment, and
2 training services for eligible food assistance program
3 participants, including but not limited to related
4 dependent care and transportation expenses.

5 (2) The department shall continue the categorical
6 federal food assistance program eligibility at 160
7 percent of the federal poverty level and continue to
8 eliminate the asset test from eligibility requirements,
9 consistent with federal food assistance program
10 requirements. The department shall include as many
11 food assistance households as is allowed by federal
12 law. The eligibility provisions shall conform to all
13 federal requirements including requirements addressing
14 individuals who are incarcerated or otherwise
15 ineligible.

16 e. For the JOBS program:

17 \$ 17,540,398

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

38 6. The department may adopt emergency rules for the
39 family investment, JOBS, food assistance, and medical
40 assistance programs if necessary to comply with federal
41 requirements.

42 Sec. 8. FAMILY INVESTMENT PROGRAM GENERAL
43 FUND. There is appropriated from the general fund of
44 the state to the department of human services for the
45 fiscal year beginning July 1, 2015, and ending June 30,
46 2016, the following amount, or so much thereof as is
47 necessary, to be used for the purpose designated:

48 To be credited to the family investment program
49 (FIP) account and used for family investment program
50 assistance under chapter 239B:

1 \$ 48,418,197

2 1. Of the funds appropriated in this section,
3 \$7,402,220 is allocated for the JOBS program.

4 2. Of the funds appropriated in this section,
5 \$3,313,854 is allocated for the family development and
6 self-sufficiency grant program.

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

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

36 This subsection shall not be construed to prohibit
37 the use of existing state transfer authority for other
38 purposes. The department shall report any transfers
39 made pursuant to this subsection to the legislative
40 services agency.

41 4. The department may transfer funds appropriated
42 in this section to the appropriations made in this
43 division of this Act for general administration and
44 field operations as necessary to administer this
45 section and the overall family investment program.

46 Sec. 9. CHILD SUPPORT RECOVERY. There is
47 appropriated from the general fund of the state to
48 the department of human services for the fiscal year
49 beginning July 1, 2015, and ending June 30, 2016, the
50 following amount, or so much thereof as is necessary,

1 to be used for the purposes designated:

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

6	\$ 14,617,119
7	FTEs 464.00

8 1. The department shall expend up to \$24,329,
9 including federal financial participation, for the
10 fiscal year beginning July 1, 2015, for a child support
11 public awareness campaign. The department and the
12 office of the attorney general shall cooperate in
13 continuation of the campaign. The public awareness
14 campaign shall emphasize, through a variety of media
15 activities, the importance of maximum involvement of
16 both parents in the lives of their children as well as
17 the importance of payment of child support obligations.

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

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

32 4. With the exception of the funding amount
33 specified, the requirements established under 2001
34 Iowa Acts, chapter 191, section 3, subsection 5,
35 paragraph "c", subparagraph (3), shall be applicable
36 to parental obligation pilot projects for the fiscal
37 year beginning July 1, 2015, and ending June 30,
38 2016. Notwithstanding [441 IAC 100.8](#), providing for
39 termination of rules relating to the pilot projects,
40 the rules shall remain in effect until June 30, 2016.

41 Sec. 10. HEALTH CARE TRUST FUND – MEDICAL
42 ASSISTANCE – FY 2015-2016. Any funds remaining in the
43 health care trust fund created in section 453A.35A for
44 the fiscal year beginning July 1, 2015, and ending June
45 30, 2016, are appropriated to the department of human
46 services to supplement the medical assistance program
47 appropriations made in this division of this Act, for
48 medical assistance reimbursement and associated costs,
49 including program administration and costs associated
50 with program implementation.

1 Sec. 11. MEDICAID FRAUD FUND – MEDICAL ASSISTANCE
 2 – FY 2015-2016. Any funds remaining in the Medicaid
 3 fraud fund created in section 249A.50 for the fiscal
 4 year beginning July 1, 2015, and ending June 30, 2016,
 5 are appropriated to the department of human services to
 6 supplement the medical assistance appropriations made
 7 in this division of this Act, for medical assistance
 8 reimbursement and associated costs, including program
 9 administration and costs associated with program
 10 implementation.

11 Sec. 12. MEDICAL ASSISTANCE.

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

17 For medical assistance program reimbursement and
 18 associated costs as specifically provided in the
 19 reimbursement methodologies in effect on June 30,
 20 2015, except as otherwise expressly authorized by
 21 law, consistent with options under federal law and
 22 regulations, and contingent upon receipt of approval
 23 from the office of the governor of reimbursement for
 24 each abortion performed under the program:
 25 \$1,320,810,997

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

- 31 a. That the woman has been given the opportunity to
 32 view an ultrasound image of the fetus as part of the
 33 standard of care before an abortion is performed.
- 34 b. That the woman has been provided information
 35 regarding the options relative to a pregnancy,
 36 including continuing the pregnancy to term and
 37 retaining parental rights following the child's birth,
 38 continuing the pregnancy to term and placing the child
 39 for adoption, and terminating the pregnancy.

40 3. The provisions of this section relating to
 41 abortions shall also apply to the Iowa health and
 42 wellness plan created pursuant to chapter 249N.

43 4. The department shall utilize not more than
 44 \$60,000 of the funds appropriated in this section
 45 to continue the AIDS/HIV health insurance premium
 46 payment program as established in 1992 Iowa Acts,
 47 Second Extraordinary Session, chapter 1001, section
 48 409, subsection 6. Of the funds allocated in this
 49 subsection, not more than \$5,000 may be expended for
 50 administrative purposes.

1 5. Of the funds appropriated in this Act to the
2 department of public health for addictive disorders,
3 \$950,000 for the fiscal year beginning July 1, 2015,
4 is transferred to the department of human services for
5 an integrated substance-related disorder managed care
6 system. The department shall not assume management
7 of the substance-related disorder system in place
8 of the managed care contractor unless such a change
9 in approach is specifically authorized in law. The
10 departments of human services and public health shall
11 work together to maintain the level of mental health
12 and substance-related disorder treatment services
13 provided by the managed care contractor through the
14 Iowa plan for behavioral health. Each department
15 shall take the steps necessary to continue the federal
16 waivers as necessary to maintain the level of services.

17 6. a. The department shall aggressively pursue
18 options for providing medical assistance or other
19 assistance to individuals with special needs who become
20 ineligible to continue receiving services under the
21 early and periodic screening, diagnostic, and treatment
22 program under the medical assistance program due
23 to becoming 21 years of age who have been approved
24 for additional assistance through the department's
25 exception to policy provisions, but who have health
26 care needs in excess of the funding available through
27 the exception to policy provisions.

28 b. Of the funds appropriated in this section,
29 \$100,000 shall be used for participation in one or more
30 pilot projects operated by a private provider to allow
31 the individual or individuals to receive service in the
32 community in accordance with principles established in
33 *Olmstead v. L.C.*, 527 U.S. 581 (1999), for the purpose
34 of providing medical assistance or other assistance to
35 individuals with special needs who become ineligible
36 to continue receiving services under the early and
37 periodic screening, diagnostic, and treatment program
38 under the medical assistance program due to becoming
39 21 years of age who have been approved for additional
40 assistance through the department's exception to policy
41 provisions, but who have health care needs in excess
42 of the funding available through the exception to the
43 policy provisions.

44 7. Of the funds appropriated in this section, up to
45 \$3,050,082 may be transferred to the field operations
46 or general administration appropriations in this
47 division of this Act for operational costs associated
48 with Part D of the federal Medicare Prescription Drug
49 Improvement and Modernization Act of 2003, Pub. L. No.
50 108-173.

1 8. Of the funds appropriated in this section, up
2 to \$442,100 may be transferred to the appropriation
3 in this division of this Act for medical contracts
4 to be used for clinical assessment services and prior
5 authorization of services.

6 9. A portion of the funds appropriated in this
7 section may be transferred to the appropriations in
8 this division of this Act for general administration,
9 medical contracts, the children's health insurance
10 program, or field operations to be used for the
11 state match cost to comply with the payment error
12 rate measurement (PERM) program for both the medical
13 assistance and children's health insurance programs
14 as developed by the centers for Medicare and Medicaid
15 services of the United States department of health and
16 human services to comply with the federal Improper
17 Payments Information Act of 2002, Pub. L. No. 107-300.

18 10. The department shall continue to implement the
19 recommendations of the assuring better child health
20 and development initiative II (ABCDII) clinical panel
21 to the Iowa early and periodic screening, diagnostic,
22 and treatment services healthy mental development
23 collaborative board regarding changes to billing
24 procedures, codes, and eligible service providers.

25 11. Of the funds appropriated in this section,
26 a sufficient amount is allocated to supplement
27 the incomes of residents of nursing facilities,
28 intermediate care facilities for persons with mental
29 illness, and intermediate care facilities for persons
30 with an intellectual disability, with incomes of less
31 than \$50 in the amount necessary for the residents to
32 receive a personal needs allowance of \$50 per month
33 pursuant to section 249A.30A.

34 12. Of the funds appropriated in this section, the
35 following amounts are transferred to the appropriations
36 made in this division of this Act for the state mental
37 health institutes:

- 38 a. Cherokee mental health
- 39 institute \$ 9,098,425
- 40 b. Independence mental health
- 41 institute \$ 9,045,894

42 13. a. Of the funds appropriated in this section,
43 \$4,083,878 is allocated for the state match for a
44 disproportionate share hospital payment of \$9,089,424
45 to hospitals that meet both of the conditions specified
46 in subparagraphs (1) and (2). In addition, the
47 hospitals that meet the conditions specified shall
48 either certify public expenditures or transfer to
49 the medical assistance program an amount equal to
50 provide the nonfederal share for a disproportionate

1 share hospital payment of \$17,544,006. The hospitals
2 that meet the conditions specified shall receive and
3 retain 100 percent of the total disproportionate share
4 hospital payment of \$26,633,430.

5 (1) The hospital qualifies for disproportionate
6 share and graduate medical education payments.

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

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

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

30 14. One hundred percent of the nonfederal share of
31 payments to area education agencies that are medical
32 assistance providers for medical assistance-covered
33 services provided to medical assistance-covered
34 children, shall be made from the appropriation made in
35 this section.

36 15. Any new or renewed contract entered into by the
37 department with a third party to administer behavioral
38 health services under the medical assistance program
39 shall provide that any interest earned on payments
40 from the state during the state fiscal year shall be
41 remitted to the department and treated as recoveries to
42 offset the costs of the medical assistance program.

43 16. A portion of the funds appropriated in this
44 section may be transferred to the appropriation in this
45 division of this Act for medical contracts to be used
46 for administrative activities associated with the money
47 follows the person demonstration project.

48 17. Of the funds appropriated in this section,
49 \$349,011 shall be used for the administration of the
50 health insurance premium payment program, including

1 salaries, support, maintenance, and miscellaneous
2 purposes.

3 18. a. The department may increase the amounts
4 allocated for salaries, support, maintenance, and
5 miscellaneous purposes associated with the medical
6 assistance program, as necessary, to implement cost
7 containment strategies. The department shall report
8 any such increase to the legislative services agency
9 and the department of management.

10 b. If the savings to the medical assistance program
11 from cost containment efforts exceed the cost for the
12 fiscal year beginning July 1, 2015, the department may
13 transfer any savings generated for the fiscal year due
14 to medical assistance program cost containment efforts
15 to the appropriation made in this division of this Act
16 for medical contracts or general administration to
17 defray the increased contract costs associated with
18 implementing such efforts.

19 c. The department of human services shall not
20 implement the cost containment measure as recommended
21 by the governor for the fiscal year beginning July 1,
22 2015, to reallocate funding for community-based systems
23 of care to instead support integrated health homes.

24 d. The department shall report the implementation
25 of any cost containment strategies under this
26 subsection to the individuals specified in this
27 division of this Act for submission of reports on a
28 quarterly basis.

29 19. For the fiscal year beginning July 1, 2015,
30 and ending June 30, 2016, the replacement generation
31 tax revenues required to be deposited in the property
32 tax relief fund pursuant to section 437A.8, subsection
33 4, paragraph "d", and section 437A.15, subsection
34 3, paragraph "f", shall instead be credited to and
35 supplement the appropriation made in this section and
36 used for the allocations made in this section.

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

40 21. a. Of the funds appropriated in this section,
41 \$900,000 shall be used for continued implementation
42 of the children's mental health home project proposed
43 by the department of human services and reported to
44 the general assembly's mental health and disability
45 services study committee in December 2011. Of this
46 amount, up to \$50,000 may be transferred by the
47 department to the appropriation made in this division
48 of this Act to the department for the same fiscal year
49 for general administration to be used for associated
50 administrative expenses and for not more than one

1 full-time equivalent position, in addition to those
2 authorized for the same fiscal year, to be assigned to
3 implementing the project.

4 b. Of the funds appropriated in this section, up to
5 \$400,000 may be transferred by the department to the
6 appropriation made to the department in this division
7 of this Act for the same fiscal year for Medicaid
8 program-related general administration planning and
9 implementation activities. The funds may be used for
10 contracts or for personnel in addition to the amounts
11 appropriated for and the positions authorized for
12 general administration for the fiscal year.

13 c. Of the funds appropriated in this section, up
14 to \$3,000,000 may be transferred by the department to
15 the appropriations made in this division of this Act
16 for the same fiscal year for general administration or
17 medical contracts to be used to support the development
18 and implementation of standardized assessment tools
19 for persons with mental illness, an intellectual
20 disability, a developmental disability, or a brain
21 injury.

22 22. Of the funds appropriated in this section,
23 \$250,000 shall be used for lodging expenses associated
24 with care provided at the university of Iowa hospitals
25 and clinics for patients with cancer whose travel
26 distance is 30 miles or more and whose income is at
27 or below 200 percent of the federal poverty level as
28 defined by the most recently revised poverty income
29 guidelines published by the United States department
30 of health and human services. The department of
31 human services shall establish the maximum number
32 of overnight stays and the maximum rate reimbursed
33 for overnight lodging, which may be based on the
34 state employee rate established by the department
35 of administrative services. The funds allocated in
36 this subsection shall not be used as nonfederal share
37 matching funds.

38 23. The department of human services shall adopt
39 rules to provide for coverage of telehealth under
40 the Medicaid program. The rules shall provide that
41 in-person contact between a health care professional
42 and a patient is not required as a prerequisite for
43 payment for services appropriately provided through
44 telehealth in accordance with generally accepted
45 health care practices and standards prevailing in the
46 applicable professional community at the time the
47 services are provided. Health care services provided
48 through in-person consultations or through telehealth
49 shall be treated as equivalent services for the
50 purposes of reimbursement.

1 24. a. For inpatient and outpatient services
2 provided by hospitals on or after July 1, 2015, the
3 department of human services shall recalculate and
4 prospectively apply an updated cost-to-charge ratio
5 upon the request of a hospital to implement price or
6 charge reductions, if all of the following criteria are
7 met:

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

13 (2) The hospital requesting the price or charge
14 reduction submits a proforma cost report and charge
15 master that reflects the anticipated cost-to-charge
16 reduction.

17 b. Based upon the proforma cost report submitted
18 by the requesting hospital, the department of human
19 services shall prospectively apply the recalculated
20 cost-to-charge ratio as appropriate to submitted claims
21 for health care services.

22 25. The department of human services may adopt
23 emergency rules as necessary for the governor's
24 Medicaid modernization initiative to be implemented
25 beginning January 1, 2016.

26 Sec. 13. MEDICAL CONTRACTS. There is appropriated
27 from the general fund of the state to the department of
28 human services for the fiscal year beginning July 1,
29 2015, and ending June 30, 2016, the following amount,
30 or so much thereof as is necessary, to be used for the
31 purpose designated:

32 For medical contracts:
33 \$ 20,613,964

34 1. The department of inspections and appeals
35 shall provide all state matching funds for survey and
36 certification activities performed by the department
37 of inspections and appeals. The department of human
38 services is solely responsible for distributing the
39 federal matching funds for such activities.

40 2. Of the funds appropriated in this section,
41 \$50,000 shall be used for continuation of home and
42 community-based services waiver quality assurance
43 programs, including the review and streamlining of
44 processes and policies related to oversight and quality
45 management to meet state and federal requirements.

46 3. Of the amount appropriated in this section, up
47 to \$200,000 may be transferred to the appropriation for
48 general administration in this division of this Act to
49 be used for additional full-time equivalent positions
50 in the development of key health initiatives such as

1 cost containment, development and oversight of managed
2 care programs, and development of health strategies
3 targeted toward improved quality and reduced costs in
4 the Medicaid program.

5 4. Of the funds appropriated in this section,
6 \$1,000,000 shall be used for planning and development,
7 in cooperation with the department of public health,
8 of a phased-in program to provide a dental home for
9 children.

10 5. Of the funds appropriated in this section,
11 \$3,000,000 shall be used for the autism support program
12 created in chapter 225D, with the exception of the
13 following amounts of this allocation which shall be
14 used as follows:

15 a. Of the funds allocated in this subsection,
16 \$1,000,000 shall be deposited in the board-certified
17 behavior analyst and board-certified assistant behavior
18 analyst grants program fund created in section 135.181,
19 as enacted in this Act, to be used for the purposes of
20 the fund.

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

33 c. Of the funds allocated in this subsection,
34 \$25,000 shall be used for the public purpose of
35 continuing a grant to a hospital-based provider
36 headquartered in a county with a population between
37 90,000 and 95,000 in the latest certified federal
38 census that provides multiple services including but
39 not limited to diagnostic, therapeutic, and behavioral
40 services to individuals with autism spectrum disorder
41 across one's lifespan. The grant recipient shall
42 utilize the funds to continue the pilot project to
43 determine the necessary support services for children
44 with autism spectrum disorder and their families to
45 be included in the children's disabilities services
46 system. The grant recipient shall submit findings and
47 recommendations based upon the results of the pilot
48 project to the individuals specified in this division
49 of this Act for submission of reports by December 31,
50 2015.

1 Sec. 14. STATE SUPPLEMENTARY ASSISTANCE.

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

7 For the state supplementary assistance program:
8 \$ 11,841,351

9 2. The department shall increase the personal needs
10 allowance for residents of residential care facilities
11 by the same percentage and at the same time as federal
12 supplemental security income and federal social
13 security benefits are increased due to a recognized
14 increase in the cost of living. The department may
15 adopt emergency rules to implement this subsection.

16 3. If during the fiscal year beginning July 1,
17 2015, the department projects that state supplementary
18 assistance expenditures for a calendar year will not
19 meet the federal pass-through requirement specified
20 in Tit. XVI of the federal Social Security Act,
21 section 1618, as codified in 42 U.S.C. §1382g,
22 the department may take actions including but not
23 limited to increasing the personal needs allowance
24 for residential care facility residents and making
25 programmatic adjustments or upward adjustments of the
26 residential care facility or in-home health-related
27 care reimbursement rates prescribed in this division of
28 this Act to ensure that federal requirements are met.
29 In addition, the department may make other programmatic
30 and rate adjustments necessary to remain within the
31 amount appropriated in this section while ensuring
32 compliance with federal requirements. The department
33 may adopt emergency rules to implement the provisions
34 of this subsection.

35 Sec. 15. CHILDREN'S HEALTH INSURANCE

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

41 For maintenance of the healthy and well kids in Iowa
42 (hawk-i) program pursuant to chapter 514I, including
43 supplemental dental services, for receipt of federal
44 financial participation under Tit. XXI of the federal
45 Social Security Act, which creates the children's
46 health insurance program:
47 \$ 20,010,344

48 Sec. 16. CHILD CARE ASSISTANCE. There is
49 appropriated from the general fund of the state to
50 the department of human services for the fiscal year

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

4 For child care programs:

5 \$ 48,608,668

6 1. Of the funds appropriated in this section,
7 \$40,889,241 shall be used for state child care
8 assistance in accordance with section 237A.13.

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

17 3. Of the funds appropriated in this section,
18 \$432,453 is allocated for the statewide grant program
19 for child care resource and referral services under
20 section 237A.26. A list of the registered and licensed
21 child care facilities operating in the area served by a
22 child care resource and referral service shall be made
23 available to the families receiving state child care
24 assistance in that area.

25 4. Of the funds appropriated in this section,
26 \$936,974 is allocated for child care quality
27 improvement initiatives including but not limited to
28 the voluntary quality rating system in accordance with
29 section 237A.30.

30 5. Of the funds appropriated in this section,
31 \$6,350,000 shall be credited to the early childhood
32 programs grants account in the early childhood Iowa
33 fund created in section 256I.11. The moneys shall
34 be distributed for funding of community-based early
35 childhood programs targeted to children from birth
36 through five years of age developed by early childhood
37 Iowa areas in accordance with approved community plans
38 as provided in section 256I.8.

39 6. The department may use any of the funds
40 appropriated in this section as a match to obtain
41 federal funds for use in expanding child care
42 assistance and related programs. For the purpose of
43 expenditures of state and federal child care funding,
44 funds shall be considered obligated at the time
45 expenditures are projected or are allocated to the
46 department's service areas. Projections shall be based
47 on current and projected caseload growth, current and
48 projected provider rates, staffing requirements for
49 eligibility determination and management of program
50 requirements including data systems management,

1 staffing requirements for administration of the
2 program, contractual and grant obligations and any
3 transfers to other state agencies, and obligations for
4 decategorization or innovation projects.

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

11 8. If a uniform reduction ordered by the governor
12 under section 8.31 or other operation of law,
13 transfer, or federal funding reduction reduces the
14 appropriation made in this section for the fiscal year,
15 the percentage reduction in the amount paid out to or
16 on behalf of the families participating in the state
17 child care assistance program shall be equal to or
18 less than the percentage reduction made for any other
19 purpose payable from the appropriation made in this
20 section and the federal funding relating to it. The
21 percentage reduction to the other allocations made in
22 this section shall be the same as the uniform reduction
23 ordered by the governor or the percentage change of the
24 federal funding reduction, as applicable. If there is
25 an unanticipated increase in federal funding provided
26 for state child care assistance, the entire amount
27 of the increase shall be used for state child care
28 assistance payments. If the appropriations made for
29 purposes of the state child care assistance program for
30 the fiscal year are determined to be insufficient, it
31 is the intent of the general assembly to appropriate
32 sufficient funding for the fiscal year in order to
33 avoid establishment of waiting list requirements.

34 9. Notwithstanding section 8.33, moneys advanced
35 for purposes of the programs developed by early
36 childhood Iowa areas, advanced for purposes of
37 wraparound child care, or received from the federal
38 appropriations made for the purposes of this section
39 that remain unencumbered or unobligated at the close
40 of the fiscal year shall not revert to any fund but
41 shall remain available for expenditure for the purposes
42 designated until the close of the succeeding fiscal
43 year.

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

50 1. For the costs of security, building and grounds

1 maintenance, utilities, salary, and support for
2 the facilities located at the Iowa juvenile home at
3 Toledo and for salaries, support, maintenance, and
4 miscellaneous purposes, and for not more than the
5 following full-time equivalent positions:

6 \$ 372,766
7 FTEs 2.00

8 2. For operation of the state training school at
9 Eldora and for salaries, support, maintenance, and
10 miscellaneous purposes, and for not more than the
11 following full-time equivalent positions:

12 \$ 11,941,330
13 FTEs 169.30

14 Of the funds appropriated in this subsection,
15 \$91,150 shall be used for distribution to licensed
16 classroom teachers at this and other institutions under
17 the control of the department of human services based
18 upon the average student yearly enrollment at each
19 institution as determined by the department.

20 Sec. 18. CHILD AND FAMILY SERVICES.

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

26 For child and family services:

27 \$ 86,128,726

28 2. Up to \$5,200,000 of the amount of federal
29 temporary assistance for needy families block grant
30 funding appropriated in this division of this Act for
31 child and family services shall be made available for
32 purposes of juvenile delinquent graduated sanction
33 services.

34 3. The department may transfer funds appropriated
35 in this section as necessary to pay the nonfederal
36 costs of services reimbursed under the medical
37 assistance program, state child care assistance
38 program, or the family investment program which are
39 provided to children who would otherwise receive
40 services paid under the appropriation in this section.
41 The department may transfer funds appropriated in this
42 section to the appropriations made in this division
43 of this Act for general administration and for field
44 operations for resources necessary to implement and
45 operate the services funded in this section.

46 4. a. Of the funds appropriated in this section,
47 up to \$35,821,786 is allocated as the statewide
48 expenditure target under section 232.143 for group
49 foster care maintenance and services. If the
50 department projects that such expenditures for the

1 fiscal year will be less than the target amount
2 allocated in this paragraph "a", the department may
3 reallocate the excess to provide additional funding for
4 shelter care or the child welfare emergency services
5 addressed with the allocation for shelter care.

6 b. If at any time after September 30, 2015,
7 annualization of a service area's current expenditures
8 indicates a service area is at risk of exceeding its
9 group foster care expenditure target under section
10 232.143 by more than 5 percent, the department and
11 juvenile court services shall examine all group
12 foster care placements in that service area in order
13 to identify those which might be appropriate for
14 termination. In addition, any aftercare services
15 believed to be needed for the children whose
16 placements may be terminated shall be identified. The
17 department and juvenile court services shall initiate
18 action to set dispositional review hearings for the
19 placements identified. In such a dispositional review
20 hearing, the juvenile court shall determine whether
21 needed aftercare services are available and whether
22 termination of the placement is in the best interest of
23 the child and the community.

24 5. In accordance with the provisions of section
25 232.188, the department shall continue the child
26 welfare and juvenile justice funding initiative during
27 fiscal year 2015-2016. Of the funds appropriated in
28 this section, \$1,717,753 is allocated specifically
29 for expenditure for fiscal year 2015-2016 through the
30 decategorization services funding pools and governance
31 boards established pursuant to section 232.188.

32 6. A portion of the funds appropriated in this
33 section may be used for emergency family assistance
34 to provide other resources required for a family
35 participating in a family preservation or reunification
36 project or successor project to stay together or to be
37 reunified.

38 7. Notwithstanding section 234.35 or any other
39 provision of law to the contrary, state funding for
40 shelter care and the child welfare emergency services
41 contracting implemented to provide for or prevent the
42 need for shelter care shall be limited to \$7,684,261.

43 8. Federal funds received by the state during
44 the fiscal year beginning July 1, 2015, as the
45 result of the expenditure of state funds appropriated
46 during a previous state fiscal year for a service or
47 activity funded under this section are appropriated
48 to the department to be used as additional funding
49 for services and purposes provided for under this
50 section. Notwithstanding section 8.33, moneys

1 received in accordance with this subsection that remain
2 unencumbered or unobligated at the close of the fiscal
3 year shall not revert to any fund but shall remain
4 available for the purposes designated until the close
5 of the succeeding fiscal year.

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

20 b. Of the funds appropriated in this section, up to
21 \$748,985 is allocated for the payment of the expenses
22 of court-ordered services provided to children who are
23 under the supervision of the department, which expenses
24 are a charge upon the state pursuant to section
25 232.141, subsection 4.

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

36 d. Notwithstanding chapter 232 or any other
37 provision of law to the contrary, a district or
38 juvenile court shall not order any service which is
39 a charge upon the state pursuant to section 232.141
40 if there are insufficient court-ordered services
41 funds available in the district court or departmental
42 service area distribution amounts to pay for the
43 service. The chief juvenile court officer and the
44 departmental service area manager shall encourage use
45 of the funds allocated in this subsection such that
46 there are sufficient funds to pay for all court-related
47 services during the entire year. The chief juvenile
48 court officers and departmental service area managers
49 shall attempt to anticipate potential surpluses and
50 shortfalls in the distribution amounts and shall

1 cooperatively request the state court administrator
2 or division administrator to transfer funds between
3 the judicial districts' or departmental service areas'
4 distribution amounts as prudent.

5 e. Notwithstanding any provision of law to the
6 contrary, a district or juvenile court shall not order
7 a county to pay for any service provided to a juvenile
8 pursuant to an order entered under chapter 232 which
9 is a charge upon the state under section 232.141,
10 subsection 4.

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

15 g. Of the funds allocated in this subsection,
16 \$17,000 shall be used by the department of human
17 services to support the interstate commission for
18 juveniles in accordance with the interstate compact for
19 juveniles as provided in section 232.173.

20 10. Of the funds appropriated in this section,
21 \$8,053,227 is allocated for juvenile delinquent
22 graduated sanctions services. Any state funds saved as
23 a result of efforts by juvenile court services to earn
24 a federal Tit. IV-E match for juvenile court services
25 administration may be used for the juvenile delinquent
26 graduated sanctions services.

27 11. Of the funds appropriated in this section,
28 \$1,608,285 is transferred to the department of public
29 health to be used for the child protection center grant
30 program for child protection centers located in Iowa
31 in accordance with section 135.118. The grant amounts
32 under the program shall be equalized so that each
33 center receives a uniform base amount of \$245,000, and
34 the remaining funds shall be awarded through a funding
35 formula based upon the volume of children served.

36 12. If the department receives federal approval
37 to implement a waiver under Tit. IV-E of the federal
38 Social Security Act to enable providers to serve
39 children who remain in the children's families and
40 communities, for purposes of eligibility under the
41 medical assistance program through 25 years of age,
42 children who participate in the waiver shall be
43 considered to be placed in foster care.

44 13. Of the funds appropriated in this section,
45 \$4,025,167 is allocated for the preparation for adult
46 living program pursuant to section 234.46.

47 14. Of the funds appropriated in this section,
48 \$520,150 shall be used for juvenile drug courts.
49 The amount allocated in this subsection shall be
50 distributed as follows:

1 To the judicial branch for salaries to assist with
2 the operation of juvenile drug court programs operated
3 in the following jurisdictions:

4	a. Marshall county:		
5	.....	\$	62,708
6	b. Woodbury county:		
7	.....	\$	125,682
8	c. Polk county:		
9	.....	\$	195,892
10	d. The third judicial district:		
11	.....	\$	67,934
12	e. The eighth judicial district:		
13	.....	\$	67,934

14 15. Of the funds appropriated in this section,
15 \$227,337 shall be used for the public purpose of
16 continuing a grant to a nonprofit human services
17 organization providing services to individuals and
18 families in multiple locations in southwest Iowa and
19 Nebraska for support of a project providing immediate,
20 sensitive support and forensic interviews, medical
21 exams, needs assessments, and referrals for victims of
22 child abuse and their nonoffending family members.

23 16. Of the funds appropriated in this section,
24 \$300,620 is allocated for the foster care youth council
25 approach of providing a support network to children
26 placed in foster care.

27 17. Of the funds appropriated in this section,
28 \$202,000 is allocated for use pursuant to section
29 235A.1 for continuation of the initiative to address
30 child sexual abuse implemented pursuant to 2007 Iowa
31 Acts, chapter 218, section 18, subsection 21.

32 18. Of the funds appropriated in this section,
33 \$630,240 is allocated for the community partnership for
34 child protection sites.

35 19. Of the funds appropriated in this section,
36 \$371,250 is allocated for the department's minority
37 youth and family projects under the redesign of the
38 child welfare system.

39 20. Of the funds appropriated in this section,
40 \$1,109,947 is allocated for funding of the community
41 circle of care collaboration for children and youth in
42 northeast Iowa.

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

48 22. Of the funds appropriated in this section,
49 \$211,872 shall be used for continuation of the central
50 Iowa system of care program grant through June 30,

1 2016.

2 23. Of the funds appropriated in this section,
3 \$135,000 shall be used for the public purpose of the
4 continuation and expansion of a system of care program
5 grant implemented in Cerro Gordo and Linn counties
6 to utilize a comprehensive and long-term approach
7 for helping children and families by addressing the
8 key areas in a child's life of childhood basic needs,
9 education and work, family, and community.

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

17 25. Of the funds appropriated in this section,
18 \$110,000 shall be used for the public purpose of
19 funding community-based services and other supports
20 with a system of care approach for children with a
21 serious emotional disturbance and their families
22 through a nonprofit provider of child welfare services
23 that has been in existence for more than 115 years,
24 is located in a county with a population of more
25 than 200,000 but less than 220,000 according to the
26 latest census information issued by the United States
27 census bureau, is licensed as a psychiatric medical
28 institution for children, and was a system of care
29 grantee prior to July 1, 2015.

30 Sec. 19. ADOPTION SUBSIDY.

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

36 For adoption subsidy payments and services:
37 \$ 42,998,286

38 2. The department may transfer funds appropriated
39 in this section to the appropriation made in this
40 division of this Act for general administration for
41 costs paid from the appropriation relating to adoption
42 subsidy.

43 3. Federal funds received by the state during the
44 fiscal year beginning July 1, 2015, as the result of
45 the expenditure of state funds during a previous state
46 fiscal year for a service or activity funded under
47 this section are appropriated to the department to
48 be used as additional funding for the services and
49 activities funded under this section. Notwithstanding
50 section 8.33, moneys received in accordance with this

1 subsection that remain unencumbered or unobligated at
2 the close of the fiscal year shall not revert to any
3 fund but shall remain available for expenditure for the
4 purposes designated until the close of the succeeding
5 fiscal year.

6 Sec. 20. JUVENILE DETENTION HOME FUND. Moneys
7 deposited in the juvenile detention home fund
8 created in section 232.142 during the fiscal year
9 beginning July 1, 2015, and ending June 30, 2016, are
10 appropriated to the department of human services for
11 the fiscal year beginning July 1, 2015, and ending
12 June 30, 2016, for distribution of an amount equal
13 to a percentage of the costs of the establishment,
14 improvement, operation, and maintenance of county or
15 multicounty juvenile detention homes in the fiscal
16 year beginning July 1, 2014. Moneys appropriated for
17 distribution in accordance with this section shall be
18 allocated among eligible detention homes, prorated on
19 the basis of an eligible detention home's proportion
20 of the costs of all eligible detention homes in the
21 fiscal year beginning July 1, 2014. The percentage
22 figure shall be determined by the department based on
23 the amount available for distribution for the fund.
24 Notwithstanding section 232.142, subsection 3, the
25 financial aid payable by the state under that provision
26 for the fiscal year beginning July 1, 2015, shall be
27 limited to the amount appropriated for the purposes of
28 this section.

29 Sec. 21. FAMILY SUPPORT SUBSIDY PROGRAM.

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

35 For the family support subsidy program subject
36 to the enrollment restrictions in section 225C.37,
37 subsection 3:

38 \$ 1,073,932

39 2. The department shall use at least \$641,500 of
40 the moneys appropriated in this section for the family
41 support center component of the comprehensive family
42 support program under section 225C.47. Not more than
43 \$25,000 of the amount allocated in this subsection
44 shall be used for administrative costs.

45 3. If at any time during the fiscal year, the
46 amount of funding available for the family support
47 subsidy program is reduced from the amount initially
48 used to establish the figure for the number of family
49 members for whom a subsidy is to be provided at any one
50 time during the fiscal year, notwithstanding section

1 225C.38, subsection 2, the department shall revise the
2 figure as necessary to conform to the amount of funding
3 available.

4 Sec. 22. CONNER DECREE. There is appropriated from
5 the general fund of the state to the department of
6 human services for the fiscal year beginning July 1,
7 2015, and ending June 30, 2016, the following amount,
8 or so much thereof as is necessary, to be used for the
9 purpose designated:

10 For building community capacity through the
11 coordination and provision of training opportunities
12 in accordance with the consent decree of Conner v.
13 Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):
14 \$ 33,632

15 Sec. 23. MENTAL HEALTH INSTITUTES.

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

21 a. For the state mental health institute at
22 Cherokee for salaries, support, maintenance, and
23 miscellaneous purposes, and for not more than the
24 following full-time equivalent positions:
25 \$ 5,545,616
26 FTEs 169.20

27 b. For the state mental health institute at
28 Independence for salaries, support, maintenance, and
29 miscellaneous purposes, and for not more than the
30 following full-time equivalent positions:
31 \$ 10,324,209
32 FTEs 233.00

33 c. For the state mental health institute at
34 Clarinda for salaries, support, maintenance, and
35 miscellaneous purposes, and for not more than the
36 following full-time equivalent positions:
37 \$ 1,810,000
38 FTEs 58.00

39 Moneys appropriated in this paragraph "c" shall be
40 used to operate a 15-bed acute inpatient psychiatric
41 program that shall operate through December 15, 2015.
42 In addition, moneys in this paragraph "c" shall be used
43 to operate a six-bed geropsychiatric program that shall
44 operate through December 15, 2015, or until appropriate
45 alternative treatment services that meet the needs of
46 the current geropsychiatric program residents can be
47 secured, whichever is earlier.

48 d. For the state mental health institute at Mount
49 Pleasant for salaries, support, maintenance, and
50 miscellaneous purposes, and for not more than the

1 following full-time equivalent positions:

2	\$	1,040,000
3	FTEs	33.00

4 Moneys appropriated in this paragraph "d" shall be
5 used to operate a 50-bed substance abuse residential
6 treatment program that shall operate through December
7 15, 2015.

8 2. The department of human services shall work
9 with key stakeholders to determine the feasibility
10 of allowing a private provider to operate a crisis
11 residential services program or a subacute mental
12 health services program at the Clarinda campus on or
13 after January 1, 2016.

14 3. The department of public health shall work
15 with key stakeholders to select a private provider to
16 operate a dual diagnosis and residential treatment
17 services program at the Mount Pleasant campus on or
18 after January 1, 2016.

19 Sec. 24. STATE RESOURCE CENTERS.

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

25 a. For the state resource center at Glenwood for 26 salaries, support, maintenance, and miscellaneous 27 purposes: 28	\$	21,524,482
---	----	------------

29 b. For the state resource center at Woodward for 30 salaries, support, maintenance, and miscellaneous 31 purposes: 32	\$	14,583,806
---	----	------------

33 2. The department may continue to bill for state
34 resource center services utilizing a scope of services
35 approach used for private providers of intermediate
36 care facilities for persons with an intellectual
37 disability services, in a manner which does not shift
38 costs between the medical assistance program, counties,
39 or other sources of funding for the state resource
40 centers.

41 3. The state resource centers may expand the
42 time-limited assessment and respite services during the
43 fiscal year.

44 4. If the department's administration and the
45 department of management concur with a finding by a
46 state resource center's superintendent that projected
47 revenues can reasonably be expected to pay the salary
48 and support costs for a new employee position, or
49 that such costs for adding a particular number of new
50 positions for the fiscal year would be less than the

1 overtime costs if new positions would not be added, the
2 superintendent may add the new position or positions.
3 If the vacant positions available to a resource center
4 do not include the position classification desired to
5 be filled, the state resource center's superintendent
6 may reclassify any vacant position as necessary to
7 fill the desired position. The superintendents of the
8 state resource centers may, by mutual agreement, pool
9 vacant positions and position classifications during
10 the course of the fiscal year in order to assist one
11 another in filling necessary positions.

12 5. If existing capacity limitations are reached
13 in operating units, a waiting list is in effect
14 for a service or a special need for which a payment
15 source or other funding is available for the service
16 or to address the special need, and facilities for
17 the service or to address the special need can be
18 provided within the available payment source or other
19 funding, the superintendent of a state resource center
20 may authorize opening not more than two units or
21 other facilities and begin implementing the service
22 or addressing the special need during fiscal year
23 2015-2016.

24 Sec. 25. SEXUALLY VIOLENT PREDATORS.

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

30 For costs associated with the commitment and	
31 treatment of sexually violent predators in the unit	
32 located at the state mental health institute at	
33 Cherokee, including costs of legal services and	
34 other associated costs, including salaries, support,	
35 maintenance, and miscellaneous purposes, and for not	
36 more than the following full-time equivalent positions:	
37	\$ 9,893,079
38	FTEs 132.50

39 2. Unless specifically prohibited by law, if the
40 amount charged provides for recoupment of at least
41 the entire amount of direct and indirect costs, the
42 department of human services may contract with other
43 states to provide care and treatment of persons placed
44 by the other states at the unit for sexually violent
45 predators at Cherokee. The moneys received under such
46 a contract shall be considered to be repayment receipts
47 and used for the purposes of the appropriation made in
48 this section.

49 Sec. 26. FIELD OPERATIONS. There is appropriated
50 from the general fund of the state to the department of

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

5 For field operations, including salaries, support,
6 maintenance, and miscellaneous purposes, and for not
7 more than the following full-time equivalent positions:
8 \$ 58,920,976
9 FTEs 1,837.00

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

25 2. Priority in filling full-time equivalent
26 positions shall be given to those positions related to
27 child protection services and eligibility determination
28 for low-income families.

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

35 For general administration, including salaries,
36 support, maintenance, and miscellaneous purposes, and
37 for not more than the following full-time equivalent
38 positions:
39 \$ 12,848,198
40 FTEs 309.00

41 1. The department shall report at least monthly
42 to the legislative services agency concerning the
43 department's operational and program expenditures.

44 2. Of the funds appropriated in this section,
45 \$150,000 shall be used to continue the contract for the
46 provision of a program to provide technical assistance,
47 support, and consultation to providers of habilitation
48 services and home and community-based services waiver
49 services for adults with disabilities under the medical
50 assistance program.

1 3. Of the funds appropriated in this section,
2 \$25,000 is transferred to the Iowa finance authority
3 to be used for administrative support of the council
4 on homelessness established in section 16.2D and for
5 the council to fulfill its duties in addressing and
6 reducing homelessness in the state.

7 4. Of the funds appropriated in this section,
8 \$250,000 is allocated to an Iowa food bank association
9 selected by the department for the purchase of food on
10 behalf of an Iowa emergency feeding organization or
11 for the distribution of moneys to the Iowa emergency
12 feeding organization for the purchase of food. The
13 moneys allocated in this subsection shall be allocated
14 only to the extent that the allocated moneys are
15 matched on a dollar-for-dollar basis. Notwithstanding
16 section 8.33, moneys allocated in this subsection that
17 remain unencumbered or unobligated at the close of the
18 fiscal year shall not revert but shall remain available
19 for expenditure for the purposes designated until the
20 close of the following fiscal year.

21 Sec. 28. VOLUNTEERS. There is appropriated from
22 the general fund of the state to the department of
23 human services for the fiscal year beginning July 1,
24 2015, and ending June 30, 2016, the following amount,
25 or so much thereof as is necessary, to be used for the
26 purpose designated:

27 For development and coordination of volunteer
28 services:
29 \$ 84,686

30 Sec. 29. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
31 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED
32 UNDER THE DEPARTMENT OF HUMAN SERVICES.

33 1. a. (1) For the period beginning July 1, 2015,
34 and ending December 31, 2015, the total state funding
35 amount for the nursing facility budget shall not exceed
36 \$149,700,003. Beginning January 1, 2016, medical
37 assistance program managed care contractors shall be
38 responsible for nursing facility payments and aggregate
39 spending shall be limited to the actuarially sound
40 capitation rates in effect for that period.

41 (2) For the fiscal year beginning July 1, 2015,
42 the department shall rebase case-mix nursing facility
43 rates effective July 1, 2015. However, total nursing
44 facility budget expenditures, for the period beginning
45 July 1, 2015, and ending December 31, 2015, including
46 both case-mix and noncase-mix, shall not exceed the
47 amount specified in subparagraph (1). When calculating
48 case-mix per diem cost and the patient-day-weighted
49 medians used in rate-setting for nursing facilities
50 effective July 1, 2015, the inflation factor applied

1 from the midpoint of the cost report period to the
2 first day of the state fiscal year rate period shall be
3 adjusted to maintain state funding within the amount
4 specified in subparagraph (1).

5 (3) The department, in cooperation with nursing
6 facility representatives, shall review projections for
7 state funding expenditures for reimbursement of nursing
8 facilities on a quarterly basis and the department
9 shall determine if an adjustment to the medical
10 assistance reimbursement rate is necessary in order to
11 provide reimbursement within the state funding amount
12 for the fiscal year. Notwithstanding 2001 Iowa Acts,
13 chapter 192, section 4, subsection 2, paragraph "c",
14 and subsection 3, paragraph "a", subparagraph (2), if
15 the state funding expenditures for the nursing facility
16 budget for the fiscal year are projected to exceed the
17 amount specified in subparagraph (1), the department
18 shall adjust the reimbursement for nursing facilities
19 reimbursed under the case-mix reimbursement system to
20 maintain expenditures of the nursing facility budget
21 within the specified amount for the fiscal year.

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

26 b. (1) For the fiscal year beginning July 1,
27 2015, the department shall establish the pharmacy
28 dispensing fee reimbursement at \$11.73 per prescription
29 as determined by the June 2014 cost of dispensing fee
30 survey.

31 (2) The department shall utilize an average
32 acquisition cost reimbursement methodology for all
33 drugs covered under the medical assistance program in
34 accordance with 2012 Iowa Acts, chapter 1133, section
35 33.

36 (3) Notwithstanding subparagraph (2), if the
37 centers for Medicare and Medicaid services of the
38 United States department of health and human services
39 (CMS) requires, as a condition of federal Medicaid
40 funding, that the department implement an aggregate
41 federal upper limit (FUL) for drug reimbursement
42 based on the average manufacturer's price (AMP), the
43 department may utilize a reimbursement methodology for
44 all drugs covered under the Medicaid program based on
45 the national average drug acquisition cost (NADAC)
46 methodology published by CMS, in order to assure
47 compliance with the aggregate FUL, minimize outcomes
48 of drug reimbursements below pharmacy acquisition
49 costs, limit administrative costs, and minimize any
50 change in the aggregate reimbursement for drugs. The

1 department may adopt emergency rules to implement this
2 subparagraph.

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

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

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

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

32 d. For the fiscal year beginning July 1, 2015,
33 reimbursement rates for rural health clinics, hospices,
34 and acute mental hospitals shall be increased in
35 accordance with increases under the federal Medicare
36 program or as supported by their Medicare audited
37 costs.

38 e. For the fiscal year beginning July 1, 2015,
39 independent laboratories and rehabilitation agencies
40 shall be reimbursed based on the same methodology in
41 effect on June 30, 2015.

42 f. (1) For the fiscal year beginning July 1, 2015,
43 reimbursement rates for home health agencies shall
44 continue to be based on the Medicare low utilization
45 payment adjustment (LUPA) methodology with state
46 geographic wage adjustments, updated to reflect the
47 most recent Medicare LUPA rates, and adjusted as
48 necessary to maintain expenditures within the amount
49 appropriated to the department for this purpose for the
50 fiscal year.

1 (2) For the fiscal year beginning July 1, 2015,
2 rates for private duty nursing and personal care
3 services under the early and periodic screening,
4 diagnostic, and treatment program benefit shall be
5 calculated based on the methodology in effect on June
6 30, 2015.

7 g. For the fiscal year beginning July 1, 2015,
8 federally qualified health centers shall receive
9 cost-based reimbursement for 100 percent of the
10 reasonable costs for the provision of services to
11 recipients of medical assistance.

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

15 i. (1) For the fiscal year beginning July 1, 2015,
16 for the nonstate-owned psychiatric medical institutions
17 for children, reimbursement rates shall be based on the
18 reimbursement methodology developed by the department
19 as required for federal compliance.

20 (2) As a condition of participation in the medical
21 assistance program, enrolled providers shall accept the
22 medical assistance reimbursement rate for any covered
23 goods or services provided to recipients of medical
24 assistance who are children under the custody of a
25 psychiatric medical institution for children.

26 j. For the fiscal year beginning July 1,
27 2015, unless otherwise specified in this Act,
28 all noninstitutional medical assistance provider
29 reimbursement rates shall remain at the rates in effect
30 on June 30, 2015, except for area education agencies,
31 local education agencies, infant and toddler services
32 providers, home and community-based services providers
33 including consumer-directed attendant care providers
34 under a section 1915(c) or 1915(i) waiver, targeted
35 case management providers, and those providers whose
36 rates are required to be determined pursuant to section
37 249A.20.

38 k. Notwithstanding any provision to the contrary,
39 for the fiscal year beginning July 1, 2015, the
40 reimbursement rate for anesthesiologists shall remain
41 at the rate in effect on June 30, 2015.

42 l. Notwithstanding section 249A.20, for the fiscal
43 year beginning July 1, 2015, the average reimbursement
44 rate for health care providers eligible for use of the
45 federal Medicare resource-based relative value scale
46 reimbursement methodology under section 249A.20 shall
47 remain at the rate in effect on June 30, 2015; however,
48 this rate shall not exceed the maximum level authorized
49 by the federal government.

50 m. For the fiscal year beginning July 1, 2015, the

1 reimbursement rate for residential care facilities
2 shall not be less than the minimum payment level as
3 established by the federal government to meet the
4 federally mandated maintenance of effort requirement.
5 The flat reimbursement rate for facilities electing not
6 to file annual cost reports shall not be less than the
7 minimum payment level as established by the federal
8 government to meet the federally mandated maintenance
9 of effort requirement.

10 n. For the fiscal year beginning July 1, 2015,
11 the reimbursement rates for inpatient mental health
12 services provided at hospitals shall be rebased
13 effective October 1, 2015, subject to Medicaid program
14 upper payment limit rules, and adjusted as necessary to
15 maintain expenditures within the amount appropriated to
16 the department for this purpose for the fiscal year;
17 and psychiatrists shall be reimbursed at the medical
18 assistance program fee-for-service rate in effect on
19 June 30, 2015.

20 o. For the fiscal year beginning July 1, 2015,
21 community mental health centers may choose to be
22 reimbursed for the services provided to recipients of
23 medical assistance through either of the following
24 options:

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

27 (2) In accordance with the alternative
28 reimbursement rate methodology established by the
29 medical assistance program's managed care contractor
30 for mental health services and approved by the
31 department of human services.

32 p. For the fiscal year beginning July 1, 2015,
33 the upper limits on reimbursement rates for providers
34 of home and community-based services waiver services
35 shall be the same as the limits in effect on June 30,
36 2015, except that the department shall implement cost
37 containment strategies related to modified payment
38 limits for waiver services as recommended by the
39 governor for the fiscal year.

40 q. For the fiscal year beginning July 1, 2015,
41 the reimbursement rates for emergency medical service
42 providers shall remain at the rates in effect on June
43 30, 2015.

44 r. Beginning January 1, 2016, reimbursement rates
45 for supported employment services provided under a
46 Medicaid home and community-based services waiver shall
47 be increased by 20 percent over the rates in effect on
48 June 30, 2015.

49 s. For the fiscal year beginning July 1, 2015,
50 reimbursement rates for substance-related disorder

1 treatment programs licensed under section 125.13 shall
2 be increased by 3 percent over the rates in effect on
3 June 30, 2015.

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

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

17 4. For the fiscal year beginning July 1, 2015,
18 the foster family basic daily maintenance rate and
19 the maximum adoption subsidy rate for children ages 0
20 through 5 years shall be \$16.78, the rate for children
21 ages 6 through 11 years shall be \$17.45, the rate for
22 children ages 12 through 15 years shall be \$19.10,
23 and the rate for children and young adults ages 16
24 and older shall be \$19.35. For youth ages 18 to
25 21 who have exited foster care, the preparation for
26 adult living program maintenance rate shall be \$602.70
27 per month. The maximum payment for adoption subsidy
28 nonrecurring expenses shall be limited to \$500 and the
29 disallowance of additional amounts for court costs and
30 other related legal expenses implemented pursuant to
31 2010 Iowa Acts, chapter 1031, section 408, shall be
32 continued.

33 5. For the fiscal year beginning July 1, 2015,
34 the maximum reimbursement rates under the supervised
35 apartment living program and for social services
36 providers under contract shall remain at the rates
37 in effect on June 30, 2015, or the provider's actual
38 and allowable cost plus inflation for each service,
39 whichever is less. However, if a new service or
40 service provider is added after June 30, 2015, the
41 initial reimbursement rate for the service or provider
42 shall be based upon a weighted average of provider
43 rates for similar services.

44 6. The reimbursement rates for family-centered
45 service providers, family foster care service
46 providers, and the resource family recruitment and
47 retention contractor for the fiscal year beginning July
48 1, 2015, shall remain at the rates in effect on June
49 30, 2015.

50 7. a. For the purposes of this subsection,

1 "combined reimbursement rate" means the combined
2 service and maintenance reimbursement rate for a
3 service level under the department's reimbursement
4 methodology. Effective July 1, 2015, the combined
5 reimbursement rate for a group foster care service
6 level shall be the amount designated in this
7 subsection. However, if a group foster care provider's
8 reimbursement rate for a service level as of June
9 30, 2015, is more than the rate designated in this
10 subsection, the provider's reimbursement shall remain
11 at the higher rate.

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

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

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

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

23 8. The group foster care reimbursement rates
24 paid for placement of children out of state shall
25 be calculated according to the same rate-setting
26 principles as those used for in-state providers,
27 unless the director of human services or the director's
28 designee determines that appropriate care cannot be
29 provided within the state. The payment of the daily
30 rate shall be based on the number of days in the
31 calendar month in which service is provided.

32 9. a. For the fiscal year beginning July 1, 2015,
33 the reimbursement rate paid for shelter care and
34 the child welfare emergency services implemented to
35 provide or prevent the need for shelter care shall be
36 established by contract.

37 b. For the fiscal year beginning July 1, 2015,
38 the combined service and maintenance components of
39 the reimbursement rate paid for shelter care services
40 shall be based on the financial and statistical report
41 submitted to the department. The maximum reimbursement
42 rate shall be \$96.98 per day. The department shall
43 reimburse a shelter care provider at the provider's
44 actual and allowable unit cost, plus inflation, not to
45 exceed the maximum reimbursement rate.

46 c. Notwithstanding section 232.141, subsection 8,
47 for the fiscal year beginning July 1, 2015, the amount
48 of the statewide average of the actual and allowable
49 rates for reimbursement of juvenile shelter care homes
50 that is utilized for the limitation on recovery of

1 unpaid costs is \$143.63.

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

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

21 12. The department may adopt emergency rules to
22 implement this section.

23 Sec. 30. EMERGENCY RULES.

24 1. If specifically authorized by a provision
25 of this division of this Act, the department of
26 human services or the mental health and disability
27 services commission may adopt administrative rules
28 under section 17A.4, subsection 3, and section
29 17A.5, subsection 2, paragraph "b", to implement
30 the provisions of this division of this Act and the
31 rules shall become effective immediately upon filing
32 or on a later effective date specified in the rules,
33 unless the effective date of the rules is delayed or
34 the applicability of the rules is suspended by the
35 administrative rules review committee. Any rules
36 adopted in accordance with this section shall not
37 take effect before the rules are reviewed by the
38 administrative rules review committee. The delay
39 authority provided to the administrative rules review
40 committee under section 17A.4, subsection 7, and
41 section 17A.8, subsection 9, shall be applicable to a
42 delay imposed under this section, notwithstanding a
43 provision in those sections making them inapplicable
44 to section 17A.5, subsection 2, paragraph "b". Any
45 rules adopted in accordance with the provisions of this
46 section shall also be published as a notice of intended
47 action as provided in section 17A.4.

48 2. If during a fiscal year, the department of
49 human services is adopting rules in accordance with
50 this section or as otherwise directed or authorized

1 by state law, and the rules will result in an
2 expenditure increase beyond the amount anticipated
3 in the budget process or if the expenditure was not
4 addressed in the budget process for the fiscal year,
5 the department shall notify the persons designated by
6 this division of this Act for submission of reports,
7 the chairpersons and ranking members of the committees
8 on appropriations, and the department of management
9 concerning the rules and the expenditure increase. The
10 notification shall be provided at least 30 calendar
11 days prior to the date notice of the rules is submitted
12 to the administrative rules coordinator and the
13 administrative code editor.

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

22 Sec. 32. EFFECTIVE UPON ENACTMENT. The following
23 provisions of this division of this Act, being deemed
24 of immediate importance, take effect upon enactment:

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

33 DIVISION VI

34 HEALTH CARE ACCOUNTS AND FUNDS - FY 2015-2016

35 Sec. 33. PHARMACEUTICAL SETTLEMENT ACCOUNT. There
36 is appropriated from the pharmaceutical settlement
37 account created in section 249A.33 to the department of
38 human services for the fiscal year beginning July 1,
39 2015, and ending June 30, 2016, the following amount,
40 or so much thereof as is necessary, to be used for the
41 purpose designated:

42 Notwithstanding any provision of law to the
43 contrary, to supplement the appropriations made in this
44 Act for medical contracts under the medical assistance
45 program for the fiscal year beginning July 1, 2015, and
46 ending June 30, 2016:
47 \$ 2,002,176

48 Sec. 34. QUALITY ASSURANCE TRUST FUND - DEPARTMENT
49 OF HUMAN SERVICES. Notwithstanding any provision to
50 the contrary and subject to the availability of funds,

1 there is appropriated from the quality assurance trust
2 fund created in section 249L.4 to the department of
3 human services for the fiscal year beginning July 1,
4 2015, and ending June 30, 2016, the following amounts,
5 or so much thereof as is necessary, for the purposes
6 designated:

7 To supplement the appropriation made in this Act
8 from the general fund of the state to the department
9 of human services for medical assistance for the same
10 fiscal year:

11 \$ 36,705,208

12 Sec. 35. HOSPITAL HEALTH CARE ACCESS TRUST FUND
13 - DEPARTMENT OF HUMAN SERVICES. Notwithstanding
14 any provision to the contrary and subject to the
15 availability of funds, there is appropriated from
16 the hospital health care access trust fund created in
17 section 249M.4 to the department of human services for
18 the fiscal year beginning July 1, 2015, and ending June
19 30, 2016, the following amounts, or so much thereof as
20 is necessary, for the purposes designated:

21 To supplement the appropriation made in this Act
22 from the general fund of the state to the department
23 of human services for medical assistance for the same
24 fiscal year:

25 \$ 34,700,000

26 Sec. 36. MEDICAL ASSISTANCE PROGRAM - NONREVERSION
27 FOR FY 2015-2016. Notwithstanding section 8.33,
28 if moneys appropriated for purposes of the medical
29 assistance program for the fiscal year beginning
30 July 1, 2015, and ending June 30, 2016, from the
31 general fund of the state, the quality assurance
32 trust fund and the hospital health care access trust
33 fund, are in excess of actual expenditures for the
34 medical assistance program and remain unencumbered or
35 unobligated at the close of the fiscal year, the excess
36 moneys shall not revert but shall remain available for
37 expenditure for the purposes of the medical assistance
38 program until the close of the succeeding fiscal year.

39 DIVISION VII

40 PRIOR YEAR APPROPRIATIONS AND OTHER PRIOR PROVISIONS

41 MEDICAID OFFSET PAID BY COUNTIES IN FY 2014-2015

42 Sec. 37. Section 426B.3, subsection 5, paragraph
43 e, subparagraph (1), Code 2015, is amended to read as
44 follows:

45 (1) (a) If the county receives an equalization
46 payment in the fiscal year following the calculation
47 year, the county shall repay the Medicaid offset
48 amount to the state from that equalization payment. A
49 county's repayment pursuant to this subparagraph shall
50 be remitted on or before January 1 of the fiscal year

1 in which the equalization payment is received and the
2 repayment shall be credited to the property tax relief
3 fund. Moneys credited to the property tax relief
4 fund in accordance with this subparagraph are subject
5 to appropriation by the general assembly to support
6 mental health and disability services administered
7 by the regional system. The department of human
8 services' annual budget shall include recommendations
9 for reinvestment of the amounts credited to the fund to
10 address core and additional core services administered
11 by the regional system.

12 (b) Notwithstanding any provision to the contrary
13 in subparagraph division (a), during the fiscal year
14 beginning July 1, 2014, any repayment received pursuant
15 to subparagraph division (a) shall not be subject to
16 appropriation by the general assembly to support mental
17 health and disabilities services administered by the
18 regional system, but instead shall be transferred to
19 the department of human services to supplement the
20 medical assistance program appropriations for the same
21 fiscal year.

22 DECATEGORIZATION

23 Sec. 38. DECATEGORIZATION CARRYOVER FUNDING -
24 TRANSFER TO MEDICAID PROGRAM. Notwithstanding section
25 232.188, subsection 5, paragraph "b", any state
26 appropriated moneys in the funding pool that remained
27 unencumbered or unobligated at the close of the fiscal
28 year beginning July 1, 2012, and were deemed carryover
29 funding to remain available for the two succeeding
30 fiscal years that still remain unencumbered or
31 unobligated at the close of the fiscal year beginning
32 July 1, 2014, shall not revert but shall be transferred
33 to the medical assistance program for the fiscal year
34 beginning July 1, 2014.

35 COMMUNITY MENTAL HEALTH SERVICES APPROPRIATION

36 Sec. 39. 2013 Iowa Acts, chapter 136, section
37 2, subsection 1, paragraph c, is amended to read as
38 follows:

39 c. The department shall allocate not less than
40 95 percent of the amount of the block grant each
41 federal fiscal year to eligible community mental health
42 services providers for carrying out the plan submitted
43 to and approved by the federal substance abuse and
44 mental health services administration for the fiscal
45 year involved, except that for federal fiscal year
46 2014-2015, \$1,643,467 of such federal block grant funds
47 shall be used for child and family services pursuant to
48 2013 Iowa Acts, chapter 138, section 148, as amended
49 by 2014 Iowa Acts, chapter 1140, section 25, for the
50 purposes of 2014 Iowa Acts, chapter 1140, section 25,

1 subsection 20, relating to the community circle of
2 care collaboration for children and youth in northeast
3 Iowa, subsection 24 relating to the central Iowa system
4 of care program grant, subsection 25 relating to the
5 system of care grant implemented in Cerro Gordo and
6 Linn counties, and subsection 27 relating to a system
7 of care approach for children with a serious emotional
8 disturbance and their families through a nonprofit
9 provider of child welfare services licensed as a
10 psychiatric medical institution for children.

11 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

12 Sec. 40. 2013 Iowa Acts, chapter 138, section 136,
13 subsections 1, 2, 6, and 13, as amended by 2014 Iowa
14 Acts, chapter 1140, section 9, are amended to read as
15 follows:

- 16 1. To be credited to the family investment program
17 account and used for assistance under the family
18 investment program under chapter 239B:
19 \$ ~~9,879,488~~
20 6,281,222
- 21 2. To be credited to the family investment program
22 account and used for the job opportunities and
23 basic skills (JOBS) program and implementing family
24 investment agreements in accordance with chapter 239B:
25 \$ ~~11,091,911~~
26 10,232,340
- 27 6. For state child care assistance:
28 \$ ~~35,047,110~~
29 41,210,239

30 a. Of the funds appropriated in this subsection,
31 ~~\$26,347,110~~ \$26,332,712 is transferred to the child
32 care and development block grant appropriation made by
33 the Eighty-fifth General Assembly, 2013 Session, in
34 2013 Iowa Acts, chapter 136, section 14 for the federal
35 fiscal year beginning October 1, 2014, and ending
36 September 30, 2015. Of this amount, \$200,000 shall
37 be used for provision of educational opportunities
38 to registered child care home providers in order to
39 improve services and programs offered by this category
40 of providers and to increase the number of providers.
41 The department may contract with institutions of higher
42 education or child care resource and referral centers
43 to provide the educational opportunities. Allowable
44 administrative costs under the contracts shall not
45 exceed 5 percent. The application for a grant shall
46 not exceed two pages in length.

47 b. Any funds appropriated in this subsection
48 remaining unallocated shall be used for state child
49 care assistance payments for families who are employed,
50 including but not limited to individuals enrolled in

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

33 b. The department shall, on a quarterly basis,
34 advise the legislative services agency and department
35 of management of the amount of funds appropriated in
36 this subsection that was expended in the prior quarter.

37 CHILD SUPPORT RECOVERY UNIT

38 Sec. 41. 2013 Iowa Acts, chapter 138, section
39 139, unnumbered paragraph 2, as amended by 2014 Iowa
40 Acts, chapter 1140, section 12, is amended to read as
41 follows:

42 For child support recovery, including salaries,
43 support, maintenance, and miscellaneous purposes, and
44 for not more than the following full-time equivalent
45 positions:

46	\$	14,911,230
47		<u>14,771,230</u>
48	FTEs	464.00

49 MEDICAL ASSISTANCE

50 Sec. 42. 2013 Iowa Acts, chapter 139, section

1 142, unnumbered paragraph 2, as amended by 2014 Iowa
2 Acts, chapter 1140, section 14, is amended to read as
3 follows:

4 For medical assistance program reimbursement and
5 associated costs as specifically provided in the
6 reimbursement methodologies in effect on June 30,
7 2014, except as otherwise expressly authorized by
8 law, consistent with options under federal law and
9 regulations, and contingent upon receipt of approval
10 from the office of the governor of reimbursement for
11 each abortion performed under the program:

12 \$~~1,250,658,393~~
13 1,279,927,030

14 DISPROPORTIONATE SHARE HOSPITAL

15 Sec. 43. 2013 Iowa Acts, chapter 138, section 142,
16 subsection 11, paragraph a, unnumbered paragraph 1, as
17 amended by 2014 Iowa Acts, chapter 1140, section 15, is
18 amended to read as follows:

19 Of the funds appropriated in this section,
20 ~~\$8,391,922~~ \$5,591,922 is allocated for the state
21 match for a disproportionate share hospital payment of
22 ~~\$19,133,430~~ \$12,749,481 to hospitals that meet both of
23 the conditions specified in subparagraphs (1) and (2).
24 In addition, the hospitals that meet the conditions
25 specified shall either certify public expenditures
26 or transfer to the medical assistance program an
27 amount equal to provide the nonfederal share for a
28 disproportionate share hospital payment of ~~\$7,500,000~~
29 \$13,883,949. The hospitals that meet the conditions
30 specified shall receive and retain 100 percent of
31 the total disproportionate share hospital payment of
32 \$26,633,430.

33 MEDICAL CONTRACTS

34 Sec. 44. 2013 Iowa Acts, chapter 138, section 143,
35 unnumbered paragraphs 1 and 2, as amended by 2014 Iowa
36 Acts, chapter 1140, section 19, are amended to read as
37 follows:

38 There is appropriated from the general fund of the
39 state to the department of human services for the
40 fiscal year beginning July 1, 2014, and ending June 30,
41 2015, the following amount, or so much thereof as is
42 necessary, to be used for the purpose designated:

43 For medical contracts:
44 \$ ~~17,148,576~~
45 16,398,576

46 STATE SUPPLEMENTARY ASSISTANCE

47 Sec. 45. 2013 Iowa Acts, chapter 138, section 144,
48 as amended by 2014 Iowa Acts, chapter 1140, section 20,
49 is amended by adding the following new subsection:

50 NEW SUBSECTION. 4. Notwithstanding section

1 8.33, moneys appropriated in this section that remain
2 unencumbered or unobligated at the close of the fiscal
3 year shall not revert but shall remain available for
4 expenditure for the purposes designated until the close
5 of the succeeding fiscal year.

6 CHILDREN'S HEALTH INSURANCE PROGRAM/
7 HEALTHY AND WELL KIDS IN IOWA PROGRAM

8 Sec. 46. 2013 Iowa Acts, chapter 138, section 145,
9 subsection 1, as amended by 2014 Iowa Acts, chapter
10 1140, section 21, is amended to read as follows:

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

16 For maintenance of the healthy and well kids in Iowa
17 (hawk-i) program pursuant to chapter 514I, including
18 supplemental dental services, for receipt of federal
19 financial participation under Tit. XXI of the federal
20 Social Security Act, which creates the children's
21 health insurance program:
22 \$ ~~45,877,998~~
23 45,097,085

24 CHILD CARE ASSISTANCE

25 Sec. 47. 2013 Iowa Acts, chapter 138, section 146,
26 unnumbered paragraphs 1 and 2, as amended by 2014 Iowa
27 Acts, chapter 1140, section 22, are amended to read as
28 follows:

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

34 For child care programs:
35 \$ ~~47,132,080~~
36 36,303,944

37 CHILDREN ADJUDICATED AS DELINQUENT AND CHILD IN NEED OF
38 ASSISTANCE PLACEMENTS

39 Sec. 48. 2013 Iowa Acts, chapter 138, unnumbered
40 paragraphs 1 and 2, as amended by 2014 Iowa Acts,
41 chapter 1140, section 24, are amended to read as
42 follows:

43 There is appropriated from the general fund of the
44 state to the department of human services for the
45 fiscal year beginning July 1, 2014, and ending June 30,
46 2015, the following amount, or so much thereof as is
47 necessary, to be used for the purposes designated:

48 For the placement costs of female children
49 adjudicated as delinquent and male and female children
50 adjudicated as a child in need of assistance:

1	.....	\$	2,000,000
2			<u>1,400,000</u>

CHILD AND FAMILY SERVICES

4 Sec. 49. 2013 Iowa Acts, chapter 138, section 148,
5 subsection 1, as amended by 2014 Iowa Acts, chapter
6 1140, section 25, is amended to read as follows:

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

12	For child and family services:		
13	.....	\$	94,857,554
14			<u>86,564,087</u>

ADOPTION SUBSIDY

16 Sec. 50. 2013 Iowa Acts, chapter 138, section 149,
17 subsection 1, as amended by 2014 Iowa Acts, chapter
18 1140, section 26, is amended to read as follows:

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

24	For adoption subsidy payments and services:		
25	.....	\$	42,580,749
26			<u>41,744,149</u>

FAMILY SUPPORT SUBSIDY

28 Sec. 51. 2013 Iowa Acts, chapter 138, section 151,
29 subsection 1, as amended by 2014 Iowa Acts, chapter
30 1140, section 27, is amended to read as follows:

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

36	For the family support subsidy program subject		
37	to the enrollment restrictions in section 225C.37,		
38	subsection 3:		
39	.....	\$	1,079,739
40			<u>579,739</u>

CLARINDA AND INDEPENDENCE MENTAL HEALTH INSTITUTES

42 Sec. 52. 2013 Iowa Acts, chapter 138, section
43 153, subsections 2 and 3, as amended by 2014 Iowa
44 Acts, chapter 1140, section 29, are amended to read as
45 follows:

46 2. For the state mental health institute at
47 Clarinda for salaries, support, maintenance, and
48 miscellaneous purposes, and for not more than the
49 following full-time equivalent positions:

50	\$	6,787,309
----	-------	----	----------------------

1		6,239,309
2	..... FTEs	86.10
3	3. For the state mental health institute at	
4	Independence for salaries, support, maintenance, and	
5	miscellaneous purposes, and for not more than the	
6	following full-time equivalent positions:	
7	..... \$	10,484,386
8		<u>10,342,865</u>
9	..... FTEs	233.00

10 GLENWOOD AND WOODWARD STATE RESOURCE CENTERS
 11 Sec. 53. 2013 Iowa Acts, chapter 138, section 154,
 12 subsection 1, as amended by 2014 Iowa Acts, chapter
 13 1140, section 30, is amended to read as follows:

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

19 a. For the state resource center at Glenwood for
 20 salaries, support, maintenance, and miscellaneous
 21 purposes:
 22 \$ ~~21,695,266~~
 23 21,195,266

24 b. For the state resource center at Woodward for
 25 salaries, support, maintenance, and miscellaneous
 26 purposes:
 27 \$ ~~14,855,693~~
 28 14,505,693

29 FIELD OPERATIONS

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

34 There is appropriated from the general fund of the
 35 state to the department of human services for the
 36 fiscal year beginning July 1, 2014, and ending June 30,
 37 2015, the following amount, or so much thereof as is
 38 necessary, to be used for the purposes designated:

39 For field operations, including salaries, support,
 40 maintenance, and miscellaneous purposes, and for not
 41 more than the following full-time equivalent positions:
 42 \$ ~~65,170,976~~
 43 61,170,976
 44 FTEs 1,837.00

45 GENERAL ADMINISTRATION

46 Sec. 55. 2013 Iowa Acts, chapter 138, section 157,
 47 unnumbered paragraphs 1 and 2, as amended by 2014 Iowa
 48 Acts, chapter 1140, section 33, are amended to read as
 49 follows:

50 There is appropriated from the general fund of the

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

5 For general administration, including salaries,
6 support, maintenance, and miscellaneous purposes, and
7 for not more than the following full-time equivalent
8 positions:

9	\$ 16,072,302
10	15,072,302
11	FTEs 309.00

12 QUALITY ASSURANCE TRUST FUND

13 Sec. 56. 2013 Iowa Acts, chapter 138, section 163,
14 as amended by 2014 Iowa Acts, chapter 1140, section 48,
15 is amended to read as follows:

16 SEC. 163. QUALITY ASSURANCE TRUST FUND -
17 DEPARTMENT OF HUMAN SERVICES. Notwithstanding
18 any provision to the contrary and subject to the
19 availability of funds, there is appropriated from the
20 quality assurance trust fund created in section 249L.4
21 to the department of human services for the fiscal year
22 beginning July 1, 2014, and ending June 30, 2015, the
23 following amounts, or so much thereof as is necessary,
24 for the purposes designated:

25 To supplement the appropriation made in this Act
26 from the general fund of the state to the department
27 of human services for medical assistance for the same
28 fiscal year:

29	\$ 29,195,653
30	29,695,653

31 Sec. 57. EFFECTIVE UPON ENACTMENT. This division
32 of this Act, being deemed of immediate importance,
33 takes effect upon enactment.

34 Sec. 58. RETROACTIVE APPLICABILITY. This division
35 of this Act is retroactively applicable to July 1,
36 2014.

37 DIVISION VIII

38 QUALITY ASSURANCE ASSESSMENT

39 Sec. 59. Section 249L.3, subsection 1, paragraph d,
40 Code 2015, is amended to read as follows:

41 d. The aggregate quality assurance assessments
42 imposed under this chapter shall ~~not exceed the lower~~
43 ~~of~~ be established at three percent of the aggregate
44 non-Medicare revenues of a nursing facility or the
45 ~~maximum amount that may be assessed~~ pursuant to the
46 indirect guarantee threshold as established pursuant to
47 42 C.F.R. §433.68(f)(3)(i), and shall be stated on a
48 per-patient-day basis.

49 DIVISION IX

50 AUTISM

1 Sec. 60. NEW SECTION. 135.181 Behavior analyst
2 and board certified assistant behavior analyst grants
3 program – fund.

4 1. The department shall establish a board-certified
5 behavior analyst and board-certified assistant behavior
6 analyst grants program to provide grants to Iowa
7 resident and nonresident applicants who have been
8 accepted for admission or are attending a board of
9 regents university, community college, or an accredited
10 private institution, are enrolled in a program to
11 be eligible for board certification as a behavior
12 analyst or assistant behavior analyst, and demonstrate
13 financial need. Priority in the awarding of a grant
14 shall be given to applicants who are residents of Iowa.

15 2. The department, in cooperation with the
16 department of education, shall adopt rules pursuant
17 to chapter 17A to establish minimum standards for
18 applicants to be eligible for a grant that address all
19 of the following:

20 a. Eligibility requirements for and qualifications
21 of an applicant to receive a grant.

22 b. The application process for the grant.

23 c. Criteria for preference in awarding of the
24 grants.

25 d. Determination of the amount of a grant.

26 e. Use of the funds awarded.

27 3. a. A board-certified behavior analyst and
28 board-certified assistant behavior analyst grants
29 program fund is created in the state treasury as a
30 separate fund under the control of the department. The
31 fund shall consist of moneys appropriated from the
32 general fund of the state for the purposes of the fund
33 and moneys from any other public or private source
34 available.

35 b. The department may receive contributions,
36 grants, and in-kind contributions to support the
37 purposes of the fund. Not more than five percent
38 of the moneys in the fund may be used annually for
39 administrative costs.

40 c. The fund shall be separate from the general
41 fund of the state and shall not be considered part
42 of the general fund of the state. The moneys in the
43 fund shall not be considered revenue of the state, but
44 rather shall be moneys of the fund. Moneys within
45 the fund are not subject to section 8.33 and shall
46 not be transferred, used, obligated, appropriated,
47 or otherwise encumbered, except to provide for the
48 purposes of this section. Notwithstanding section
49 12C.7, subsection 2, interest or earnings on moneys
50 deposited in the fund shall be credited to the fund.

1 d. The moneys in the fund are appropriated to the
2 department and shall be used to provide grants to
3 individuals who meet the criteria established under
4 this section.

5 Sec. 61. Section 225D.1, subsection 3, Code 2015,
6 is amended to read as follows:

7 3. "Autism service provider" means a person
8 providing applied behavioral analysis, who meets all
9 of the following criteria:

10 a. Is any of the following:

11 (1) Is certified as a behavior analyst by the
12 behavior analyst certification board or, is a health
13 professional licensed under chapter 147
14 psychologist licensed under chapter 154B, or is a
15 psychiatrist licensed under chapter 148.

16 (2) Is a board-certified assistant behavior analyst
17 who performs duties, identified by and based on the
18 standards of the behavior analyst certification board,
19 under the supervision of a board-certified behavior
20 analyst.

21 b. Is approved as a member of the provider network
22 by the department.

23 Sec. 62. Section 225D.2, subsection 2, Code 2015,
24 is amended by adding the following new paragraph:

25 NEW PARAGRAPH. 1. Proof of eligibility for the
26 autism support program that includes a written denial
27 for coverage or a benefits summary indicating that
28 applied behavioral analysis treatment is not a covered
29 benefit for which the applicant is eligible, under the
30 Medicaid program, section 514C.28, or private insurance
31 coverage.

32 DIVISION X

33 OFFICE OF SUBSTITUTE DECISION MAKER

34 Sec. 63. Section 231E.4, subsection 3, paragraph a,
35 Code 2015, is amended to read as follows:

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

41 DIVISION XI

42 PHARMACEUTICAL COLLECTION AND DISPOSAL PROGRAM

43 Sec. 64. Section 155A.43, Code 2015, is amended to
44 read as follows:

45 155A.43 Pharmaceutical collection and disposal
46 program – annual allocation.

47 Of the fees collected pursuant to sections 124.301
48 and 147.80 and chapter 155A by the board of pharmacy,
49 and retained by the board pursuant to section 147.82,
50 not more than one hundred ~~twenty-five~~ seventy-five

1 thousand dollars may be allocated annually by the board
2 for administering the pharmaceutical collection and
3 disposal program originally established pursuant to
4 2009 Iowa Acts, ch. 175, §9. The program shall provide
5 for the management and disposal of unused, excess,
6 and expired pharmaceuticals. The board of pharmacy
7 may cooperate with the Iowa pharmacy association and
8 may consult with the department and sanitary landfill
9 operators in administering the program.

10 DIVISION XII

11 COUNTY MENTAL HEALTH AND DISABILITIES SERVICES FUNDING
12 - EQUALIZATION AND MEDICAID OFFSET

13 Sec. 65. Section 331.424A, subsection 8, unnumbered
14 paragraph 1, Code 2015, is amended to read as follows:

15 Notwithstanding subsection 6, for the fiscal years
16 beginning July 1, 2013, July 1, 2014, ~~and~~ July 1, 2015,
17 and July 1, 2016, county revenues from taxes levied by
18 the county and credited to the county services fund
19 shall not exceed the lower of the following amounts:

20 Sec. 66. Section 426B.3, subsection 1, Code 2015,
21 is amended to read as follows:

22 1. For the fiscal years beginning July 1, 2013,
23 July 1, 2014, ~~and~~ July 1, 2015, and July 1, 2016,
24 the state and county funding for the mental health
25 and disability services administered or paid for by
26 counties shall be provided based on a statewide per
27 capita expenditure target amount computed in accordance
28 with this section and section 331.424A.

29 Sec. 67. Section 426B.3, subsection 4, paragraph a,
30 Code 2015, is amended to read as follows:

31 a. For the fiscal years beginning July 1, 2013,
32 July 1, 2014, ~~and~~ July 1, 2015, and July 1, 2016, a
33 county with a county population expenditure target
34 amount that exceeds the amount of the county's base
35 year expenditures for mental health and disabilities
36 services shall receive an equalization payment for the
37 difference.

38 Sec. 68. Section 426B.3, subsection 5, Code 2015,
39 is amended by striking the subsection.

40 DIVISION XIII

41 PROPERTY TAX RELIEF FUND - BLOCK GRANT MONEYS -
42 APPROPRIATIONS FY 2015-2016

43 Sec. 69. PROPERTY TAX RELIEF FUND - BLOCK GRANT
44 MONEYS - APPROPRIATIONS. The moneys transferred
45 to the property tax relief fund for the fiscal year
46 beginning July 1, 2015, from the federal social
47 services block grant pursuant to 2015 Iowa Acts, House
48 File 630, if enacted, and from the federal temporary
49 assistance for needy families block grant, totaling at
50 least \$11,774,275, are appropriated to the department

1 of human services for the fiscal year beginning July
2 1, 2015, and ending June 30, 2016, to be used for the
3 purposes designated:

4 1. To be transferred to the appropriation in this
5 Act for child and family services for the fiscal year
6 beginning July 1, 2015, to be used for the purposes of
7 that appropriation:

8 \$ 8,711,805

9 2. For family planning activities in accordance
10 with the provisions of this Act creating a state family
11 planning services program:

12 \$ 3,062,470

13 DIVISION XIV

14 HOSPITAL AND LONG-TERM CARE PHARMACY PRACTICE -
15 PNEUMOCOCCAL VACCINES - BOARD OF PHARMACY RULES

16 Sec. 70. HOSPITAL AND LONG-TERM CARE PHARMACY
17 PRACTICE - PNEUMOCOCCAL VACCINES - BOARD OF PHARMACY
18 RULES. The board of pharmacy shall adopt rules
19 pursuant to chapter 17A relating to hospital and
20 long-term care pharmacy practices that allow, as
21 authorized by federal law, in addition to influenza and
22 pneumococcal polysaccharide vaccines, that a written
23 or verbal patient-specific medication administration
24 order shall not be required prior to administration
25 to an adult patient of pneumococcal conjugate vaccine
26 pursuant to physician-approved hospital or facility
27 policy and after the patient has been assessed for
28 contraindications.

29 DIVISION XV

30 HEALTHY AND WELL KIDS IN IOWA PROGRAM - CONTINUED
31 ENROLLMENT

32 Sec. 71. Section 514I.8, subsection 3, Code 2015,
33 is amended to read as follows:

34 3. In accordance with the rules adopted by the
35 board, a child may be determined to be presumptively
36 eligible for the program pending a final eligibility
37 determination. Following final determination
38 of eligibility, a child shall be eligible for a
39 twelve-month period. At the end of the twelve-month
40 period, a review of the circumstances of the child's
41 family shall be conducted to establish eligibility and
42 cost sharing for the subsequent twelve-month period.
43 Pending such review of the circumstances of the child's
44 family, the child shall continue to be eligible for
45 and remain enrolled in the same plan if the family
46 complies with requirements to provide information
47 and verification of income, otherwise cooperates in
48 the annual review process, and submits the completed
49 review form and any information necessary to establish
50 continued eligibility in a timely manner in accordance

1 with administrative rules.

2 DIVISION XVI

3 PERSONNEL SETTLEMENT AGREEMENT PAYMENTS

4 Sec. 72. PERSONNEL SETTLEMENT AGREEMENT

5 PAYMENTS. As a condition of the appropriations in this
6 2015 Act, the moneys appropriated and any other moneys
7 available shall not be used for payment of a personnel
8 settlement agreement that contains a confidentiality
9 provision intended to prevent public disclosure of the
10 agreement or any terms of the agreement.

11 DIVISION XVII

12 MEDICAID PROGRAM ELIGIBILITY VERIFICATION

13 Sec. 73. MEDICAID PROGRAM – ASSET, INCOME, AND

14 IDENTITY VERIFICATION. The department of human

15 services shall issue a request for proposals to

16 contract with a third-party vendor to establish an

17 electronic asset, income, and identity eligibility

18 verification system for the purposes of compliance

19 with 42 U.S.C. §1396w requiring determination or

20 redetermination of the eligibility of an individual who

21 is an applicant for or recipient of medical assistance

22 under the Medicaid state plan on the basis of being

23 aged, blind, or disabled in accordance with 42 U.S.C.

24 §1396w. The third-party vendor selected shall be able

25 to demonstrate in writing its current relationships or

26 contracts with financial institutions in the state and

27 nationally. Participation by financial institutions in

28 providing account balances for asset verification shall

29 remain voluntary.

30 Sec. 74. EFFECTIVE UPON ENACTMENT. This division

31 of this Act, being deemed of immediate importance,

32 takes effect upon enactment.

33 DIVISION XVIII

34 CODE CHANGES – CLARINDA AND MOUNT PLEASANT MENTAL

35 HEALTH INSTITUTES AND IOWA JUVENILE HOME

36 Sec. 75. Section 137F.1, subsection 7, unnumbered

37 paragraph 1, Code 2015, is amended to read as follows:

38 "Food establishment" means an operation that stores,

39 prepares, packages, serves, vends, or otherwise

40 provides food for human consumption and includes a

41 food service operation in a salvage or distressed food

42 operation, school, summer camp, residential service

43 substance abuse treatment facility, halfway house

44 substance abuse treatment facility, correctional

45 facility operated by the department of corrections, or

46 the state training school, ~~or the Iowa juvenile home.~~

47 "Food establishment" does not include the following:

48 Sec. 76. Section 218.1, subsections 4, 6, and 8,

49 Code 2015, are amended by striking the subsections.

50 Sec. 77. Section 226.1, Code 2015, is amended to

1 read as follows:

2 226.1 Official designation.

3 1. The state hospitals for persons with mental
4 illness shall be designated as follows:

5 ~~a. Mental Health Institute, Mount Pleasant, Iowa.~~

6 ~~b. a. Mental Health Institute, Independence, Iowa.~~

7 ~~c. Mental Health Institute, Clarinda, Iowa.~~

8 ~~d. b. Mental Health Institute, Cherokee, Iowa.~~

9 2. ~~a.~~ The purpose of the mental health institutes
10 is to operate as regional resource centers providing
11 one or more of the following:

12 ~~(1) a.~~ Treatment, training, care, habilitation,
13 and support of persons with mental illness ~~or a~~
14 ~~substance abuse problem.~~

15 ~~(2) b.~~ Facilities, services, and other support
16 to the communities located in the region being served
17 by a mental health institute so as to maximize the
18 usefulness of the mental health institutes while
19 minimizing overall costs.

20 ~~(3) c.~~ A unit for the civil commitment of sexually
21 violent predators committed to the custody of the
22 director of human services pursuant to chapter 229A.

23 ~~b.~~ 3. In addition, the mental health institutes
24 are encouraged to act as a training resource for
25 community-based program staff, medical students, and
26 other participants in professional education programs.

27 ~~3.~~ 4. A mental health institute may request the
28 approval of the council on human services to change
29 the name of the institution for use in communication
30 with the public, in signage, and in other forms of
31 communication.

32 Sec. 78. Section 230.1, subsection 1, paragraph a,
33 subparagraph (3), Code 2015, is amended by striking the
34 subparagraph.

35 Sec. 79. Section 232.102, subsection 3, Code 2015,
36 is amended to read as follows:

37 3. After a dispositional hearing and upon written
38 findings of fact based upon evidence in the record that
39 an alternative placement set forth in subsection 1,
40 paragraph "a", subparagraph (1), has previously been
41 made and is not appropriate, the court may enter an
42 order transferring the guardianship of the child for
43 the purposes of subsection 9, to the director of human
44 services for the purposes of placement ~~in the Iowa~~
45 ~~juvenile home at Toledo.~~

46 Sec. 80. Section 232.102, subsection 4, Code 2015,
47 is amended by striking the subsection.

48 Sec. 81. Section 232.103, subsection 7, Code 2015,
49 is amended by striking the subsection.

50 Sec. 82. Section 233A.1, Code 2015, is amended to

1 read as follows:

2 233A.1 State training school - Eldora and Toledo.

3 1. Effective January 1, 1992, a diagnosis and
4 evaluation center and other units are established at
5 Eldora to provide to juvenile delinquents a program
6 which focuses upon appropriate developmental skills,
7 treatment, placements, and rehabilitation.

8 2. The diagnosis and evaluation center which is
9 used to identify appropriate treatment and placement
10 alternatives for juveniles and any other units for
11 juvenile delinquents ~~which are located at Eldora and~~
12 ~~the unit for juvenile delinquents at Toledo~~ shall
13 ~~together~~ be known as the "state training school".
14 For the purposes of this chapter "director" means the
15 director of human services and "superintendent" means
16 the administrator in charge of the diagnosis and
17 evaluation center for juvenile delinquents and other
18 units at Eldora ~~and the unit for juvenile delinquents~~
19 ~~at Toledo~~.

20 3. The number of children present at any one time
21 at the state training school at Eldora shall not exceed
22 the population guidelines established under 1990 Iowa
23 Acts, ch. 1239, §21, as adjusted for subsequent changes
24 in the capacity at the training school.

25 Sec. 83. Section 259A.6, Code 2015, is amended to
26 read as follows:

27 259A.6 Residents of juvenile ~~institutions~~
28 institution and juvenile probationers.

29 Notwithstanding the provisions of section 259A.2 a
30 minor who is a resident of a state training school ~~or~~
31 ~~the Iowa juvenile home~~ or a minor who is placed under
32 the supervision of a juvenile probation office may make
33 application for a high school equivalency diploma and
34 upon successful completion of the program receive a
35 high school equivalency diploma.

36 Sec. 84. Section 261.6, subsection 2, paragraph b,
37 Code 2015, is amended to read as follows:

38 b. Is age seventeen and has been placed in the
39 state training school ~~or the Iowa juvenile home~~
40 pursuant to a court order entered under chapter 232
41 under the care and custody of the department of human
42 services.

43 Sec. 85. Section 261.6, subsection 2, paragraph
44 c, subparagraph (4), Code 2015, is amended to read as
45 follows:

46 (4) On the date the person reached age eighteen or
47 during the thirty calendar days preceding or succeeding
48 that date, the person was placed in the state training
49 school ~~or the Iowa juvenile home~~ pursuant to a court
50 order entered under chapter 232 under the care and

1 custody of the department of human services.
2 Sec. 86. Section 282.33, subsection 1, Code 2015,
3 is amended to read as follows:
4 1. A child who resides in an institution for
5 children under the jurisdiction of the director of
6 human services referred to in section 218.1, subsection
7 3, 5, or 7, ~~or 8~~, and who is not enrolled in the
8 educational program of the district of residence of
9 the child, shall receive appropriate educational
10 services. The institution in which the child resides
11 shall submit a proposed program and budget based on
12 the average daily attendance of the children residing
13 in the institution to the department of education
14 and the department of human services by January 1
15 for the next succeeding school year. The department
16 of education shall review and approve or modify the
17 proposed program and budget and shall notify the
18 department of administrative services of its action by
19 February 1. The department of administrative services
20 shall pay the approved budget amount to the department
21 of human services in monthly installments beginning
22 September 15 and ending June 15 of the next succeeding
23 school year. The installments shall be as nearly
24 equal as possible as determined by the department of
25 administrative services, taking into consideration
26 the relative budget and cash position of the state's
27 resources. The department of administrative services
28 shall pay the approved budget amount for the department
29 of human services from the moneys appropriated under
30 section 257.16 and the department of human services
31 shall distribute the payment to the institution. The
32 institution shall submit an accounting for the actual
33 cost of the program to the department of education by
34 August 1 of the following school year. The department
35 shall review and approve or modify all expenditures
36 incurred in compliance with the guidelines adopted
37 pursuant to section 256.7, subsection 10, and shall
38 notify the department of administrative services of the
39 approved accounting amount. The approved accounting
40 amount shall be compared with any amounts paid by
41 the department of administrative services to the
42 department of human services and any differences added
43 to or subtracted from the October payment made under
44 this subsection for the next school year. Any amount
45 paid by the department of administrative services
46 shall be deducted monthly from the state foundation
47 aid paid under section 257.16 to all school districts
48 in the state during the subsequent fiscal year. The
49 portion of the total amount of the approved budget
50 that shall be deducted from the state aid of a school

1 district shall be the same as the ratio that the budget
2 enrollment for the budget year of the school district
3 bears to the total budget enrollment in the state for
4 that budget year in which the deduction is made.

5 Sec. 87. Section 331.424, subsection 1, paragraph
6 a, subparagraph (1), subparagraph division (b), Code
7 2015, is amended by striking the subparagraph division.

8 Sec. 88. Section 331.756, subsection 51, Code 2015,
9 is amended by striking the subsection.

10 Sec. 89. Section 331.802, subsection 3, paragraph
11 k, Code 2015, is amended to read as follows:

12 k. Death of a person committed or admitted to a
13 state mental health institute, a state resource center,
14 or the state training school, ~~or the Iowa juvenile~~
15 ~~home.~~

16 Sec. 90. Section 915.29, subsection 1, unnumbered
17 paragraph 1, Code 2015, is amended to read as follows:

18 The department of human services shall notify a
19 registered victim regarding a juvenile adjudicated
20 delinquent for a violent crime, committed to the
21 custody of the department of human services, and placed
22 at the state training school at Eldora ~~or Toledo~~, of
23 the following:

24 Sec. 91. REPEAL. Section 226.9C, Code 2015, is
25 repealed.

26 Sec. 92. REPEAL. Chapter 233B, Code 2015, is
27 repealed.

28 Sec. 93. EFFECTIVE DATE. This division of this Act
29 takes effect December 16, 2015.

30 DIVISION XIX

31 DISCONTINUATION OF MEDICAID FAMILY PLANNING NETWORK

32 WAIVER – ESTABLISHMENT OF STATE FAMILY PLANNING

33 SERVICES PROGRAM

34 Sec. 94. DISCONTINUATION OF MEDICAID FAMILY
35 PLANNING NETWORK WAIVER – ESTABLISHMENT OF STATE
36 PROGRAM.

37 1. The department of human services shall
38 discontinue the Medicaid family planning network waiver
39 effective July 1, 2015, and shall instead establish
40 a state family planning services program. The state
41 program shall replicate the eligibility requirements
42 and other provisions included in the Medicaid family
43 planning network waiver as approved by the centers for
44 Medicare and Medicaid of the United States department
45 of health and human services in effect on June 30,
46 2015, but shall provide for distribution of family
47 planning services program funds in accordance with this
48 section.

49 2. Distribution of family planning services program
50 funds shall be made to eligible applicants in the

1 following order of priority:

2 a. Public entities that provide family planning
3 services including state, county, or local community
4 health clinics and federally qualified health centers.

5 b. Nonpublic entities that, in addition to family
6 planning services, provide required primary health
7 services as described in 42 U.S.C. §254b(b)(1)(A).

8 c. Nonpublic entities that provide family planning
9 services but do not provide required primary health
10 services as described in 42 U.S.C. §254b(b)(1)(A).

11 3. Distribution of family planning services program
12 funds under this section shall be made in a manner that
13 continues access to family planning services.

14 4. Distribution of family planning services program
15 funds shall not be made under this section to any
16 entity that performs abortions or that maintains or
17 operates a facility where abortions are performed.
18 For the purposes of this section, "abortion" does not
19 include any of the following:

20 a. The treatment of a woman for a physical
21 disorder, physical injury, or physical illness,
22 including a life-endangering physical condition caused
23 by or arising from the pregnancy itself, that would,
24 as certified by a physician, place the woman in danger
25 of death.

26 b. The treatment of a woman for a spontaneous
27 abortion, commonly known as a miscarriage, when not all
28 of the products of conception are expelled.

29 5. Family planning services program funds
30 distributed in accordance with this section shall
31 not be used for direct or indirect costs, including
32 but not limited to administrative costs or expenses,
33 overhead, employee salaries, rent, and telephone and
34 other utility costs, related to providing abortions as
35 specified in subsection 4.

36 6. The department of human services shall submit
37 a report to the governor and the general assembly,
38 annually by January 1, listing any entities that
39 received funds pursuant to subsection 2, paragraph
40 "c", and the amount and type of funds received by such
41 entities during the preceding calendar year. The
42 report shall provide a detailed explanation of how
43 the department determined that distribution of family
44 planning funds to such an entity, instead of to an
45 entity described in subsection 2, paragraph "a" or
46 "b", was necessary to prevent severe limitation or
47 elimination of access to family planning services in
48 the region of the state in which the entity is located.

49 Sec. 95. EFFECTIVE UPON ENACTMENT. This division
50 of this Act, being deemed of immediate importance,

1 takes effect upon enactment.

2 DIVISION XX

3 BOARD OF RESPIRATORY CARE AND POLYSOMNOGRAPHY

4 Sec. 96. BOARD OF RESPIRATORY CARE AND
5 POLYSOMNOGRAPHY. If funding is appropriated from the
6 general fund of the state for a fee-supported board
7 of respiratory care and polysomnography to administer
8 chapter 148G, as enacted in 2015 Iowa Acts, House
9 File 203, the fee-supported model shall provide for
10 repayment of the funds appropriated to the general fund
11 of the state by June 30, 2017.

12 DIVISION XXI

13 PHYSICIAN ASSISTANT SUPERVISION

14 Sec. 97. Section 148.13, Code 2015, is amended by
15 adding the following new subsection:

16 NEW SUBSECTION. 2A. The board of medicine
17 shall establish by rule specific minimum standards
18 for appropriate physician supervision of physician
19 assistants. The board of medicine shall consult
20 with the board of physician assistants regarding all
21 proposed rules pertaining to physician supervision of
22 physician assistants.

23 DIVISION XXII

24 FOOD ASSISTANCE PROGRAM BONUS – GENERAL ADMINISTRATION

25 Sec. 98. FOOD ASSISTANCE PROGRAM BONUS – GENERAL
26 ADMINISTRATION. Any funds available to the department
27 of human services during the fiscal year beginning July
28 1, 2015, received from the United States department of
29 agriculture's food and nutrition service for achieving
30 a low case and procedural error rate and for ranking
31 third in the nation on certain case-related measures
32 under the supplemental nutrition assistance program,
33 shall be used by the department for the purposes of the
34 appropriation in this Act for the same fiscal year for
35 general administration.

36 DIVISION XXIII

37 CONSUMER-DIRECTED ATTENDANT CARE OPTION

38 Sec. 99. 2014 Iowa Acts, chapter 1068, section 1,
39 subsection 1, paragraph a, subparagraph (2), is amended
40 to read as follows:

41 (2) Beginning July 1, ~~2016~~ 2015, the department
42 may require services through the consumer-directed
43 attendant care option to be provided through an agency
44 but shall retain the consumer choices option for those
45 individuals able and desiring to self-direct services.
46 If the department does require services through the
47 consumer-directed attendant care option to be provided
48 through an agency beginning July 1, ~~2016~~ 2015, an
49 individual providing services to a member under a
50 home and community-based services consumer-directed

1 attendant care agreement in effect on June 30, 2016
2 2015, may continue to act as an individual provider
3 under the agreement and payment to such provider is not
4 considered funds incorrectly paid under the medical
5 assistance program.

6 DIVISION XXIV

7 MEDICAID REIMBURSEMENT – PSYCHOLOGISTS

8 Sec. 100. Section 249A.15, Code 2015, is amended to
9 read as follows:

10 249A.15 Licensed psychologists eligible for payment.

11 The department shall adopt rules pursuant to chapter
12 17A entitling psychologists who are licensed pursuant
13 to chapter 154B and psychologists who are licensed in
14 the state where the services are provided and have a
15 doctorate degree in psychology, have had at least two
16 years of clinical experience in a recognized health
17 setting, or have met the standards of a national
18 register of health service providers in psychology, to
19 payment for services provided to recipients of medical
20 assistance, subject to limitations and exclusions the
21 department finds necessary on the basis of federal laws
22 and regulations and of funds available for the medical
23 assistance program.

24 DIVISION XXV

25 COVERAGE OF SERVICES PROVIDED BY A PHYSICAL THERAPIST,

26 OCCUPATIONAL THERAPIST, OR SPEECH PATHOLOGIST

27 Sec. 101. NEW SECTION. 514C.30 Services provided
28 by a physical therapist, occupational therapist, or
29 speech pathologist.

30 1. Notwithstanding the uniformity of treatment
31 requirements of section 514C.6, a policy, contract, or
32 plan providing for third-party payment or prepayment
33 of health or medical expenses shall not impose a
34 copayment or coinsurance amount on an insured for
35 services provided by a physical therapist licensed
36 pursuant to chapter 148A, by an occupational therapist
37 licensed pursuant to chapter 148B, or by a speech
38 pathologist licensed pursuant to 154F that is greater
39 than the copayment or coinsurance amount imposed on
40 the insured for services provided by a person engaged
41 in the practice of medicine and surgery or osteopathic
42 medicine and surgery under chapter 148 for the same
43 or a similar diagnosed condition even if a different
44 nomenclature is used to describe the condition for
45 which the services are provided.

46 2. This section applies to the following classes
47 of third-party payment provider policies, contracts,
48 or plans delivered, issued for delivery, continued, or
49 renewed in this state on or after May 1, 2015:

50 a. Individual or group accident and sickness

1 insurance providing coverage on an expense-incurred
2 basis.

3 b. An individual or group hospital or medical
4 service contract issued pursuant to chapter 509, 514,
5 or 514A.

6 c. An individual or group health maintenance
7 organization contract regulated under chapter 514B.

8 d. A plan established pursuant to chapter 509A for
9 public employees.

10 e. An organized delivery system licensed by the
11 director of public health.

12 3. This section shall not apply to accident-only,
13 specified disease, short-term hospital or medical,
14 hospital confinement indemnity, credit, dental, vision,
15 Medicare supplement, long-term care, basic hospital
16 and medical-surgical expense coverage as defined
17 by the commissioner, disability income insurance
18 coverage, coverage issued as a supplement to liability
19 insurance, workers' compensation or similar insurance,
20 or automobile medical payment insurance.

21 Sec. 102. EFFECTIVE UPON ENACTMENT. This division
22 of this Act, being deemed of immediate importance,
23 takes effect upon enactment.

24 DIVISION XXVI

25 DEPARTMENT ON AGING – FY 2016-2017

26 Sec. 103. DEPARTMENT ON AGING. There is
27 appropriated from the general fund of the state to
28 the department on aging for the fiscal year beginning
29 July 1, 2016, and ending June 30, 2017, the following
30 amount, or so much thereof as is necessary, to be used
31 for the purposes designated:

32 For aging programs for the department on aging and
33 area agencies on aging to provide citizens of Iowa who
34 are 60 years of age and older with case management for
35 frail elders, Iowa's aging and disabilities resource
36 center, and other services which may include but are
37 not limited to adult day services, respite care, chore
38 services, information and assistance, and material aid,
39 for information and options counseling for persons with
40 disabilities who are 18 years of age or older, and
41 for salaries, support, administration, maintenance,
42 and miscellaneous purposes, and for not more than the
43 following full-time equivalent positions:

44	\$	5,555,533
45	FTEs	31.00

46 1. Funds appropriated in this section may be used
47 to supplement federal funds under federal regulations.
48 To receive funds appropriated in this section, a local
49 area agency on aging shall match the funds with moneys
50 from other sources according to rules adopted by the

1 department. Funds appropriated in this section may be
2 used for elderly services not specifically enumerated
3 in this section only if approved by an area agency on
4 aging for provision of the service within the area.

5 2. Of the funds appropriated in this section,
6 \$139,973 is transferred to the economic development
7 authority for the Iowa commission on volunteer services
8 to be used for the retired and senior volunteer
9 program.

10 3. a. The department on aging shall establish and
11 enforce procedures relating to expenditure of state and
12 federal funds by area agencies on aging that require
13 compliance with both state and federal laws, rules, and
14 regulations, including but not limited to all of the
15 following:

16 (1) Requiring that expenditures are incurred only
17 for goods or services received or performed prior to
18 the end of the fiscal period designated for use of the
19 funds.

20 (2) Prohibiting prepayment for goods or services
21 not received or performed prior to the end of the
22 fiscal period designated for use of the funds.

23 (3) Prohibiting the prepayment for goods or
24 services not defined specifically by good or service,
25 time period, or recipient.

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

30 b. The procedures shall provide that if any funds
31 are expended in a manner that is not in compliance with
32 the procedures and applicable federal and state laws,
33 rules, and regulations, and are subsequently subject
34 to repayment, the area agency on aging expending such
35 funds in contravention of such procedures, laws, rules
36 and regulations, not the state, shall be liable for
37 such repayment.

38 4. Of the funds appropriated in this section, at
39 least \$125,000 shall be used to fund the unmet needs
40 identified through Iowa's aging and disability resource
41 center network.

42 5. Of the funds appropriated in this section,
43 at least \$300,000 shall be used to fund home and
44 community-based services through the area agencies
45 on aging that enable older individuals to avoid more
46 costly utilization of residential or institutional
47 services and remain in their own homes.

48 6. Of the funds appropriated in this section,
49 \$262,500 shall be used for the purposes of section
50 231.56A, and shall be distributed equally to the area

1 agencies on aging to administer the prevention of elder
2 abuse, neglect, and exploitation program pursuant to
3 section 231.56A, in accordance with the requirements
4 of the federal Older Americans Act of 1965, 42 U.S.C.
5 §3001 et seq., as amended.

6 DIVISION XXVII

7 OFFICE OF LONG-TERM CARE OMBUDSMAN - FY 2016-2017

8 Sec. 104. OFFICE OF LONG-TERM CARE

9 OMBUDSMAN. There is appropriated from the general
10 fund of the state to the office of long-term care
11 ombudsman for the fiscal year beginning July 1, 2016,
12 and ending June 30, 2017, the following amount, or
13 so much thereof as is necessary, to be used for the
14 purposes designated:

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

18	\$	464,658
19	FTEs	13.00

20 DIVISION XXVIII

21 DEPARTMENT OF PUBLIC HEALTH - FY 2016-2017

22 Sec. 105. DEPARTMENT OF PUBLIC HEALTH. There is

23 appropriated from the general fund of the state to
24 the department of public health for the fiscal year
25 beginning July 1, 2016, and ending June 30, 2017, the
26 following amounts, or so much thereof as is necessary,
27 to be used for the purposes designated:

28 1. ADDICTIVE DISORDERS

29 For reducing the prevalence of the use of tobacco,
30 alcohol, and other drugs, and treating individuals
31 affected by addictive behaviors, including gambling,
32 and for not more than the following full-time
33 equivalent positions:

34	\$	13,294,345
35	FTEs	10.00

36 a. (1) Of the funds appropriated in this
37 subsection, \$2,286,680 shall be used for the tobacco
38 use prevention and control initiative, including
39 efforts at the state and local levels, as provided
40 in chapter 142A. The commission on tobacco use
41 prevention and control established pursuant to section
42 142A.3 shall advise the director of public health
43 in prioritizing funding needs and the allocation of
44 moneys appropriated for the programs and initiatives.
45 Activities of the programs and initiatives shall be in
46 alignment with the United States centers for disease
47 control and prevention best practices for comprehensive
48 tobacco control programs that include the goals of
49 preventing youth initiation of tobacco usage, reducing
50 exposure to secondhand smoke, and promotion of tobacco

1 cessation.

2 (2) (a) Of the funds allocated in this paragraph
3 "a", \$226,533 is transferred to the alcoholic beverages
4 division of the department of commerce for enforcement
5 of tobacco laws, regulations, and ordinances and to
6 engage in tobacco control activities approved by the
7 division of tobacco use prevention and control of
8 the department of public health as specified in the
9 memorandum of understanding entered into between the
10 divisions.

11 (b) For the fiscal year beginning July 1, 2016, and
12 ending June 30, 2017, the terms of the memorandum of
13 understanding, entered into between the division of
14 tobacco use prevention and control of the department
15 of public health and the alcoholic beverages division
16 of the department of commerce, governing compliance
17 checks conducted to ensure licensed retail tobacco
18 outlet conformity with tobacco laws, regulations,
19 and ordinances relating to persons under eighteen
20 years of age, shall continue to restrict the number of
21 such checks to one check per retail outlet, and one
22 additional check for any retail outlet found to be in
23 violation during the first check.

24 b. Of the funds appropriated in this subsection,
25 \$11,007,664 shall be used for problem gambling and
26 substance-related disorder prevention, treatment, and
27 recovery services, including a 24-hour helpline, public
28 information resources, professional training, and
29 program evaluation.

30 (1) Of the funds allocated in this paragraph "b",
31 \$9,451,857 shall be used for substance-related disorder
32 prevention and treatment.

33 (a) Of the funds allocated in this subparagraph
34 (1), \$449,650 shall be used for the public purpose of
35 a grant program to provide substance-related disorder
36 prevention programming for children.

37 (i) Of the funds allocated in this subparagraph
38 division (a), \$213,769 shall be used for grant funding
39 for organizations that provide programming for
40 children by utilizing mentors. Programs approved for
41 such grants shall be certified or must be certified
42 within six months of receiving the grant award by the
43 Iowa commission on volunteer services as utilizing
44 the standards for effective practice for mentoring
45 programs.

46 (ii) Of the funds allocated in this subparagraph
47 division (a), \$213,419 shall be used for grant funding
48 for organizations providing programming that includes
49 youth development and leadership services. The
50 programs shall also be recognized as being programs

1 that are scientifically based with evidence of their
2 effectiveness in reducing substance-related disorders
3 in children.

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

7 (iv) All grant recipients shall participate in a
8 program evaluation as a requirement for receiving grant
9 funds.

10 (v) Of the funds allocated in this subparagraph
11 division (a), up to \$22,461 may be used to administer
12 substance-related disorder prevention grants and for
13 program evaluations.

14 (b) Of the funds allocated in this subparagraph
15 (1), \$136,301 shall be used for culturally competent
16 substance-related disorder treatment pilot projects.

17 (i) The department shall utilize the amount
18 allocated in this subparagraph division (b) for at
19 least three pilot projects to provide culturally
20 competent substance-related disorder treatment in
21 various areas of the state. Each pilot project shall
22 target a particular ethnic minority population. The
23 populations targeted shall include but are not limited
24 to African American, Asian, and Latino.

25 (ii) The pilot project requirements shall provide
26 for documentation or other means to ensure access
27 to the cultural competence approach used by a pilot
28 project so that such approach can be replicated and
29 improved upon in successor programs.

30 (2) Of the funds allocated in this paragraph "b",
31 up to \$1,555,807 may be used for problem gambling
32 prevention, treatment, and recovery services.

33 (a) Of the funds allocated in this subparagraph
34 (2), \$1,286,881 shall be used for problem gambling
35 prevention and treatment.

36 (b) Of the funds allocated in this subparagraph
37 (2), up to \$218,926 may be used for a 24-hour helpline,
38 public information resources, professional training,
39 and program evaluation.

40 (c) Of the funds allocated in this subparagraph
41 (2), up to \$50,000 may be used for the licensing of
42 problem gambling treatment programs.

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

48 c. Notwithstanding any provision of law to the
49 contrary, to standardize the availability, delivery,
50 cost of delivery, and accountability of problem

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

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

15 (2) The system for delivery of substance-related
16 disorder and problem gambling treatment shall include
17 substance-related disorder prevention by July 1, 2017.

18 (3) Of the funds allocated in paragraph "b", the
19 department may use up to \$50,000 for administrative
20 costs to continue developing and implementing the
21 process in accordance with this paragraph "c".

22 d. The requirement of section 123.53, subsection
23 5, is met by the appropriations and allocations
24 made in this division of this Act for purposes of
25 substance-related disorder treatment and addictive
26 disorders for the fiscal year beginning July 1, 2016.

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

36 2. HEALTHY CHILDREN AND FAMILIES

37 For promoting the optimum health status for
38 children, adolescents from birth through 21 years of
39 age, and families, and for not more than the following
40 full-time equivalent positions:

41	\$	2,023,301
42	FTEs	12.00

43 a. Of the funds appropriated in this subsection,
44 not more than \$367,420 shall be used for the healthy
45 opportunities for parents to experience success
46 (HOPES)-healthy families Iowa (HFI) program established
47 pursuant to section 135.106. The funding shall be
48 distributed to renew the grants that were provided
49 to the grantees that operated the program during the
50 fiscal year ending June 30, 2016.

1 b. In order to implement the legislative intent
2 stated in sections 135.106 and 256I.9, that priority
3 for home visitation program funding be given to
4 programs using evidence-based or promising models
5 for home visitation, it is the intent of the general
6 assembly to phase in the funding priority in accordance
7 with 2012 Iowa Acts, chapter 1133, section 2,
8 subsection 2, paragraph 0b.

9 c. Of the funds appropriated in this subsection,
10 \$813,943 shall be used for the department's initiative
11 to provide for adequate developmental surveillance
12 and screening during a child's first five years. The
13 funds shall be used first to fully fund the current
14 sites to ensure that the sites are fully operational,
15 with the remaining funds to be used for expansion
16 to additional sites. The full implementation and
17 expansion shall include enhancing the scope of
18 the program through collaboration with the child
19 health specialty clinics to promote healthy child
20 development through early identification and response
21 to both biomedical and social determinants of healthy
22 development; by monitoring child health metrics to
23 inform practice, document long-term health impacts
24 and savings, and provide for continuous improvement
25 through training, education, and evaluation; and by
26 providing for practitioner consultation particularly
27 for children with behavioral conditions and needs. The
28 department of public health shall also collaborate
29 with the Iowa Medicaid enterprise and the child health
30 specialty clinics to integrate the activities of
31 the first five initiative into the establishment of
32 patient-centered medical homes, community utilities,
33 accountable care organizations, and other integrated
34 care models developed to improve health quality and
35 population health while reducing health care costs.
36 To the maximum extent possible, funding allocated in
37 this paragraph shall be utilized as matching funds for
38 medical assistance program reimbursement.

39 d. Of the funds appropriated in this subsection,
40 \$37,320 shall be distributed to a statewide dental
41 carrier to provide funds to continue the donated
42 dental services program patterned after the projects
43 developed by the lifeline network to provide dental
44 services to indigent individuals who are elderly or
45 with disabilities.

46 e. Of the funds appropriated in this subsection,
47 \$55,997 shall be used for childhood obesity prevention.

48 f. Of the funds appropriated in this subsection,
49 \$81,384 shall be used to provide audiological services
50 and hearing aids for children. The department may

1 enter into a contract to administer this paragraph.
 2 g. Of the funds appropriated in this subsection,
 3 \$12,500 is transferred to the university of Iowa
 4 college of dentistry for provision of primary dental
 5 services to children. State funds shall be matched
 6 on a dollar-for-dollar basis. The university of Iowa
 7 college of dentistry shall coordinate efforts with the
 8 department of public health, bureau of oral and health
 9 delivery systems, to provide dental care to underserved
 10 populations throughout the state.

11 h. Of the funds appropriated in this subsection,
 12 \$25,000 shall be used to address youth suicide
 13 prevention.

14 i. Of the funds appropriated in this subsection,
 15 \$25,000 shall be used to support the Iowa effort to
 16 address the survey of children who experience adverse
 17 childhood experiences known as ACEs.

18 j. The department of public health shall continue
 19 to administer the program to assist parents in this
 20 state with costs resulting from the death of a child
 21 in accordance with the provisions of 2014 Iowa Acts,
 22 chapter 1140, section 22, subsection 12.

23 3. CHRONIC CONDITIONS

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

27	\$	2,370,215
28	FTEs	5.00

29 a. Of the funds appropriated in this subsection,
 30 \$79,966 shall be used for grants to individual patients
 31 who have an inherited metabolic disorder to assist with
 32 the costs of medically necessary foods and formula.

33 b. Of the funds appropriated in this subsection,
 34 \$445,822 shall be used for the brain injury services
 35 program pursuant to section 135.22B, including for
 36 continuation of the contracts for resource facilitator
 37 services in accordance with section 135.22B, subsection
 38 9, and to enhance brain injury training and recruitment
 39 of service providers on a statewide basis. Of the
 40 amount allocated in this paragraph, \$47,500 shall be
 41 used to fund one full-time equivalent position to serve
 42 as the state brain injury services program manager.

43 c. Of the funds appropriated in this subsection,
 44 \$273,991 shall be used as additional funding to
 45 leverage federal funding through the federal Ryan
 46 White Care Act, Tit. II, AIDS drug assistance program
 47 supplemental drug treatment grants.

48 d. Of the funds appropriated in this subsection,
 49 \$74,911 shall be used for the public purpose
 50 of continuing to contract with an existing

1 national-affiliated organization to provide education,
2 client-centered programs, and client and family support
3 for people living with epilepsy and their families.
4 The amount allocated in this paragraph in excess of
5 \$50,000 shall be matched dollar-for-dollar by the
6 organization specified.

7 e. Of the funds appropriated in this subsection,
8 \$392,557 shall be used for child health specialty
9 clinics.

10 f. Of the funds appropriated in this subsection,
11 \$200,000 shall be used by the regional autism
12 assistance program established pursuant to section
13 256.35, and administered by the child health specialty
14 clinic located at the university of Iowa hospitals
15 and clinics. The funds shall be used to enhance
16 interagency collaboration and coordination of
17 educational, medical, and other human services for
18 persons with autism, their families, and providers of
19 services, including delivering regionalized services of
20 care coordination, family navigation, and integration
21 of services through the statewide system of regional
22 child health specialty clinics and fulfilling other
23 requirements as specified in chapter 225D. The
24 university of Iowa shall not receive funds allocated
25 under this paragraph for indirect costs associated with
26 the regional autism assistance program.

27 g. Of the funds appropriated in this subsection,
28 \$285,496 shall be used for the comprehensive cancer
29 control program to reduce the burden of cancer in
30 Iowa through prevention, early detection, effective
31 treatment, and ensuring quality of life. Of the funds
32 allocated in this paragraph "g", \$75,000 shall be used
33 to support a melanoma research symposium, a melanoma
34 biorepository and registry, basic and translational
35 melanoma research, and clinical trials.

36 h. Of the funds appropriated in this subsection,
37 \$63,225 shall be used for cervical and colon cancer
38 screening, and \$150,000 shall be used to enhance the
39 capacity of the cervical cancer screening program to
40 include provision of recommended prevention and early
41 detection measures to a broader range of low-income
42 women.

43 i. Of the funds appropriated in this subsection,
44 \$263,347 shall be used for the center for congenital
45 and inherited disorders.

46 j. Of the funds appropriated in this subsection,
47 \$64,705 shall be used for the prescription drug
48 donation repository program created in chapter 135M.

49 4. COMMUNITY CAPACITY

50 For strengthening the health care delivery system at

1 the local level, and for not more than the following
2 full-time equivalent positions:

3	\$	3,085,383
4	FTEs	11.00

5 a. Of the funds appropriated in this subsection,
6 \$49,707 is allocated for continuation of the child
7 vision screening program implemented through
8 the university of Iowa hospitals and clinics in
9 collaboration with early childhood Iowa areas. The
10 program shall submit a report to the individuals
11 identified in this Act for submission of reports
12 regarding the use of funds allocated under this
13 paragraph "a". The report shall include the objectives
14 and results for the program year including the target
15 population and how the funds allocated assisted the
16 program in meeting the objectives; the number, age, and
17 location within the state of individuals served; the
18 type of services provided to the individuals served;
19 the distribution of funds based on service provided;
20 and the continuing needs of the program.

21 b. Of the funds appropriated in this subsection,
22 \$55,328 is allocated for continuation of an initiative
23 implemented at the university of Iowa and \$49,952 is
24 allocated for continuation of an initiative at the
25 state mental health institute at Cherokee to expand
26 and improve the workforce engaged in mental health
27 treatment and services. The initiatives shall receive
28 input from the university of Iowa, the department of
29 human services, the department of public health, and
30 the mental health and disability services commission to
31 address the focus of the initiatives.

32 c. Of the funds appropriated in this subsection,
33 \$582,314 shall be used for essential public health
34 services that promote healthy aging throughout one's
35 lifespan, contracted through a formula for local boards
36 of health, to enhance health promotion and disease
37 prevention services.

38 d. Of the funds appropriated in this section,
39 \$49,643 shall be deposited in the governmental public
40 health system fund created in section 135A.8 to be used
41 for the purposes of the fund.

42 e. Of the funds appropriated in this subsection,
43 \$52,724 shall be used to continue to address the
44 shortage of mental health professionals in the state.

45 f. Of the funds appropriated in this subsection,
46 \$25,000 shall be used for a grant to a statewide
47 association of psychologists that is affiliated
48 with the American psychological association to be
49 used for continuation of a program to rotate intern
50 psychologists in placements in urban and rural mental

1 health professional shortage areas, as defined in
2 section 135.180.

3 g. Of the funds appropriated in this subsection,
4 \$512,742 shall be allocated as a grant to the Iowa
5 primary care association to be used pursuant to
6 section 135.153 for the statewide coordination of
7 the Iowa collaborative safety net provider network.
8 Coordination of the network shall focus on increasing
9 access by underserved populations to health care
10 services, increasing integration of the health system
11 and collaboration across the continuum of care with
12 a focus on safety net services, and enhancing the
13 Iowa collaborative safety net provider network's
14 communication and education efforts. The amount
15 allocated as a grant under this paragraph "g" shall be
16 used for distribution to safety net partners in the
17 state that work to increase access of the underserved
18 population to health services.

19 (1) Of the amount allocated in this paragraph
20 "g", up to \$206,707 shall be distributed to the Iowa
21 prescription drug corporation for continuation of the
22 pharmaceutical infrastructure for safety net providers
23 as described in 2007 Iowa Acts, chapter 218, section
24 108.

25 (2) Of the amount allocated in this paragraph "g",
26 up to \$174,161 shall be distributed to free clinics
27 and free clinics of Iowa for necessary infrastructure,
28 statewide coordination, provider recruitment, service
29 delivery, and provision of assistance to patients in
30 securing a medical home inclusive of oral health care.

31 (3) Of the amount allocated in this paragraph
32 "g", up to \$25,000 shall be distributed to the Iowa
33 coalition against sexual assault to continue a training
34 program for sexual assault response team (SART)
35 members, including representatives of law enforcement,
36 victim advocates, prosecutors, and certified medical
37 personnel.

38 (4) Of the amount allocated in this paragraph
39 "g", up to \$106,874 shall be distributed to the Polk
40 county medical society for continuation of the safety
41 net provider patient access to a specialty health care
42 initiative as described in 2007 Iowa Acts, chapter 218,
43 section 109.

44 h. Of the funds appropriated in this subsection,
45 the department may use up to \$29,087 for up to one
46 full-time equivalent position to administer the
47 volunteer health care provider program pursuant to
48 section 135.24.

49 i. Of the funds appropriated in this subsection,
50 \$25,000 shall be used for a matching dental education

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

5 j. Of the funds appropriated in this subsection,
6 \$52,911 is transferred to the college student aid
7 commission for deposit in the rural Iowa primary care
8 trust fund created in section 261.113 to be used for
9 the purposes of the fund.

10 k. Of the funds appropriated in this subsection,
11 \$75,000 shall be used for the purposes of the Iowa
12 donor registry as specified in section 142C.18.

13 l. Of the funds appropriated in this subsection,
14 \$1,000,000 shall be deposited in the medical residency
15 training account created in section 135.175, subsection
16 5, paragraph "a", and is appropriated from the account
17 to the department of public health to be used for
18 the purposes of the medical residency training state
19 matching grants program as specified in section
20 135.176. However, notwithstanding any provision
21 to the contrary in section 135.176, priority in the
22 awarding of grants shall be given to sponsors that
23 propose preference in the use of the grant funds for
24 psychiatric residency positions and family practice
25 residency positions.

26 5. HEALTHY AGING

27 To provide public health services that reduce risks
28 and invest in promoting and protecting good health over
29 the course of a lifetime with a priority given to older
30 Iowans and vulnerable populations:

31 \$ 3,648,571

32 6. INFECTIOUS DISEASES

33 For reducing the incidence and prevalence of
34 communicable diseases, and for not more than the
35 following full-time equivalent positions:

36 \$ 667,578

37 FTEs 4.00

38 7. PUBLIC PROTECTION

39 For protecting the health and safety of the
40 public through establishing standards and enforcing
41 regulations, and for not more than the following
42 full-time equivalent positions:

43 \$ 2,169,596

44 FTEs 135.50

45 a. Of the funds appropriated in this subsection,
46 not more than \$227,350 shall be credited to the
47 emergency medical services fund created in section
48 135.25. Moneys in the emergency medical services fund
49 are appropriated to the department to be used for the
50 purposes of the fund.

1 b. Of the funds appropriated in this subsection,
 2 \$101,516 shall be used for sexual violence prevention
 3 programming through a statewide organization
 4 representing programs serving victims of sexual
 5 violence through the department's sexual violence
 6 prevention program. The amount allocated in this
 7 paragraph "b" shall not be used to supplant funding
 8 administered for other sexual violence prevention or
 9 victims assistance programs.

10 c. Of the funds appropriated in this subsection,
 11 \$299,375 shall be used for the state poison control
 12 center. Pursuant to the directive under 2014 Iowa
 13 Acts, chapter 1140, section 102, the federal matching
 14 funds available to the state poison control center from
 15 the department of human services under the federal
 16 Children's Health Insurance Program Reauthorization
 17 Act allotment shall be subject to the federal
 18 administrative cap rule of 10 percent applicable to
 19 funding provided under Tit. XXI of the federal Social
 20 Security Act and included within the department's
 21 calculations of the cap.

22 d. Of the funds appropriated in this subsection,
 23 \$268,875 shall be used for childhood lead poisoning
 24 provisions.

25 8. RESOURCE MANAGEMENT

26 For establishing and sustaining the overall
 27 ability of the department to deliver services to the
 28 public, and for not more than the following full-time
 29 equivalent positions:

30	\$	427,536
31	FTEs	4.00

32 The university of Iowa hospitals and clinics under
 33 the control of the state board of regents shall not
 34 receive indirect costs from the funds appropriated in
 35 this section. The university of Iowa hospitals and
 36 clinics billings to the department shall be on at least
 37 a quarterly basis.

38 DIVISION XXIX

39 DEPARTMENT OF VETERANS AFFAIRS - FY 2016-2017

40 Sec. 106. DEPARTMENT OF VETERANS AFFAIRS. There
 41 is appropriated from the general fund of the state to
 42 the department of veterans affairs for the fiscal year
 43 beginning July 1, 2016, and ending June 30, 2017, the
 44 following amounts, or so much thereof as is necessary,
 45 to be used for the purposes designated:

46 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

47 For salaries, support, maintenance, and
 48 miscellaneous purposes, and for not more than the
 49 following full-time equivalent positions:

50	\$	600,273
----------	----	---------

1 FTEs 15.00

2 2. IOWA VETERANS HOME

3 For salaries, support, maintenance, and

4 miscellaneous purposes:

5 \$ 3,797,498

6 a. The Iowa veterans home billings involving the

7 department of human services shall be submitted to the

8 department on at least a monthly basis.

9 b. Within available resources and in conformance

10 with associated state and federal program eligibility

11 requirements, the Iowa veterans home may implement

12 measures to provide financial assistance to or

13 on behalf of veterans or their spouses who are

14 participating in the community reentry program.

15 3. HOME OWNERSHIP ASSISTANCE PROGRAM

16 For transfer to the Iowa finance authority for the

17 continuation of the home ownership assistance program

18 for persons who are or were eligible members of the

19 armed forces of the United States, pursuant to section

20 16.54:

21 \$ 1,250,000

22 Sec. 107. LIMITATION OF COUNTY

23 COMMISSIONS OF VETERAN AFFAIRS FUND STANDING

24 APPROPRIATIONS. Notwithstanding the standing

25 appropriation in section 35A.16 for the fiscal year

26 beginning July 1, 2016, and ending June 30, 2017, the

27 amount appropriated from the general fund of the state

28 pursuant to that section for the following designated

29 purposes shall not exceed the following amount:

30 For the county commissions of veteran affairs fund

31 under section 35A.16:

32 \$ 495,000

33 DIVISION XXX

34 DEPARTMENT OF HUMAN SERVICES - FY 2016-2017

35 Sec. 108. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

36 BLOCK GRANT. There is appropriated from the fund

37 created in section 8.41 to the department of human

38 services for the fiscal year beginning July 1, 2016,

39 and ending June 30, 2017, from moneys received under

40 the federal temporary assistance for needy families

41 (TANF) block grant pursuant to the federal Personal

42 Responsibility and Work Opportunity Reconciliation

43 Act of 1996, Pub. L. No. 104-193, and successor

44 legislation, the following amounts, or so much

45 thereof as is necessary, to be used for the purposes

46 designated:

47 1. To be credited to the family investment program

48 account and used for assistance under the family

49 investment program under chapter 239B:

50 \$ 2,568,497

1 2. To be credited to the family investment program
 2 account and used for the job opportunities and
 3 basic skills (JOBS) program and implementing family
 4 investment agreements in accordance with chapter 239B:
 5 \$ 5,069,089

6 3. To be used for the family development and
 7 self-sufficiency grant program in accordance with
 8 section 216A.107:
 9 \$ 1,449,490

10 Notwithstanding section 8.33, moneys appropriated in
 11 this subsection that remain unencumbered or unobligated
 12 at the close of the fiscal year shall not revert but
 13 shall remain available for expenditure for the purposes
 14 designated until the close of the succeeding fiscal
 15 year. However, unless such moneys are encumbered or
 16 obligated on or before September 30, 2016, the moneys
 17 shall revert.

18 4. For field operations:
 19 \$ 15,648,116

20 5. For general administration:
 21 \$ 1,872,000

22 6. For state child care assistance:
 23 \$ 17,523,555

24 a. Of the funds appropriated in this subsection,
 25 \$13,164,048 is transferred to the child care and
 26 development block grant appropriation made by the
 27 Eighty-sixth General Assembly, 2016 Session, for
 28 the federal fiscal year beginning October 1, 2016,
 29 and ending September 30, 2017. Of this amount,
 30 \$100,000 shall be used for provision of educational
 31 opportunities to registered child care home providers
 32 in order to improve services and programs offered
 33 by this category of providers and to increase the
 34 number of providers. The department may contract
 35 with institutions of higher education or child
 36 care resource and referral centers to provide the
 37 educational opportunities. Allowable administrative
 38 costs under the contracts shall not exceed 5 percent.
 39 The application for a grant shall not exceed two pages
 40 in length.

41 b. Any funds appropriated in this subsection
 42 remaining unallocated shall be used for state child
 43 care assistance payments for families who are employed
 44 including but not limited to individuals enrolled in
 45 the family investment program.

46 7. For distribution to counties and regions through
 47 the property tax relief fund for mental health and
 48 disability services as provided in an appropriation
 49 made for this purpose:
 50 \$ 2,447,026

1 8. For child and family services:
2 \$ 16,042,215

3 9. For child abuse prevention grants:
4 \$ 62,500

5 10. For pregnancy prevention grants on the
6 condition that family planning services are funded:
7 \$ 965,033

8 Pregnancy prevention grants shall be awarded to
9 programs in existence on or before July 1, 2016, if the
10 programs have demonstrated positive outcomes. Grants
11 shall be awarded to pregnancy prevention programs
12 which are developed after July 1, 2016, if the programs
13 are based on existing models that have demonstrated
14 positive outcomes. Grants shall comply with the
15 requirements provided in 1997 Iowa Acts, chapter
16 208, section 14, subsections 1 and 2, including the
17 requirement that grant programs must emphasize sexual
18 abstinence. Priority in the awarding of grants shall
19 be given to programs that serve areas of the state
20 which demonstrate the highest percentage of unplanned
21 pregnancies of females of childbearing age within the
22 geographic area to be served by the grant.

23 11. For technology needs and other resources
24 necessary to meet federal welfare reform reporting,
25 tracking, and case management requirements:
26 \$ 518,593

27 12. For the family investment program share of
28 the costs to continue to develop and maintain a new,
29 integrated eligibility determination system:
30 \$ 3,327,440

31 13. a. Notwithstanding any provision to the
32 contrary, including but not limited to requirements
33 in section 8.41 or provisions in 2015 or 2016 Iowa
34 Acts regarding the receipt and appropriation of
35 federal block grants, federal funds from the temporary
36 assistance for needy families block grant received
37 by the state and not otherwise appropriated in this
38 section and remaining available for the fiscal year
39 beginning July 1, 2016, are appropriated to the
40 department of human services to the extent as may
41 be necessary to be used in the following priority
42 order: the family investment program, for state child
43 care assistance program payments for families who are
44 employed including but not limited to individuals
45 enrolled in the family investment program, and for the
46 family investment program share of costs to develop and
47 maintain a new, integrated eligibility determination
48 system. The federal funds appropriated in this
49 paragraph "a" shall be expended only after all other
50 funds appropriated in subsection 1 for the assistance

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

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

15 14. Of the amounts appropriated in this section,
16 \$6,481,004 for the fiscal year beginning July 1, 2016,
17 is transferred to the appropriation of the federal
18 social services block grant made to the department of
19 human services for that fiscal year.

20 15. For continuation of the program providing
21 categorical eligibility for the food assistance program
22 as specified for the program in the section of this
23 division of this 2016 Act relating to the family
24 investment program account:

25 \$ 12,500

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

35 Sec. 109. FAMILY INVESTMENT PROGRAM ACCOUNT.

36 1. Moneys credited to the family investment program
37 (FIP) account for the fiscal year beginning July
38 1, 2016, and ending June 30, 2017, shall be used to
39 provide assistance in accordance with chapter 239B.

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

44 3. The department may transfer funds allocated
45 in subsection 4 to the appropriations made in this
46 division of this Act for the same fiscal year for
47 general administration and field operations for
48 resources necessary to implement and operate the family
49 investment program services referred to in this section
50 and those funded in the appropriation made in this

1 division of this Act for the same fiscal year for the
2 family investment program from the general fund of the
3 state.

4 4. Moneys appropriated in this division of this Act
5 and credited to the FIP account for the fiscal year
6 beginning July 1, 2016, and ending June 30, 2017, are
7 allocated as follows:

8 a. To be retained by the department of human
9 services to be used for coordinating with the
10 department of human rights to more effectively serve
11 participants in FIP and other shared clients and to
12 meet federal reporting requirements under the federal
13 temporary assistance for needy families block grant:
14 \$ 10,000

15 b. To the department of human rights for staffing,
16 administration, and implementation of the family
17 development and self-sufficiency grant program in
18 accordance with section 216A.107:
19 \$ 3,096,417

20 (1) Of the funds allocated for the family
21 development and self-sufficiency grant program in this
22 paragraph "b", not more than 5 percent of the funds
23 shall be used for the administration of the grant
24 program.

25 (2) The department of human rights may continue to
26 implement the family development and self-sufficiency
27 grant program statewide during fiscal year 2016-2017.

28 (3) The department of human rights may engage in
29 activities to strengthen and improve family outcomes
30 measures and data collection systems under the family
31 development and self-sufficiency grant program.

32 c. For the diversion subaccount of the FIP account:
33 \$ 407,500

34 A portion of the moneys allocated for the subaccount
35 may be used for field operations, salaries, data
36 management system development, and implementation
37 costs and support deemed necessary by the director of
38 human services in order to administer the FIP diversion
39 program. To the extent moneys allocated in this
40 paragraph "c" are not deemed by the department to be
41 necessary to support diversion activities, such moneys
42 may be used for other efforts intended to increase
43 engagement by family investment program participants in
44 work, education, or training activities.

45 d. For the food assistance employment and training
46 program:
47 \$ 33,294

48 (1) The department shall apply the federal
49 supplemental nutrition assistance program (SNAP)
50 employment and training state plan in order to maximize

1 to the fullest extent permitted by federal law the use
2 of the 50 percent federal reimbursement provisions
3 for the claiming of allowable federal reimbursement
4 funds from the United States department of agriculture
5 pursuant to the federal SNAP employment and training
6 program for providing education, employment, and
7 training services for eligible food assistance program
8 participants, including but not limited to related
9 dependent care and transportation expenses.

10 (2) The department shall continue the categorical
11 federal food assistance program eligibility at 160
12 percent of the federal poverty level and continue to
13 eliminate the asset test from eligibility requirements,
14 consistent with federal food assistance program
15 requirements. The department shall include as many
16 food assistance households as is allowed by federal
17 law. The eligibility provisions shall conform to all
18 federal requirements including requirements addressing
19 individuals who are incarcerated or otherwise
20 ineligible.

21 e. For the JOBS program:

22 \$ 8,770,199

23 5. Of the child support collections assigned under
24 FIP, an amount equal to the federal share of support
25 collections shall be credited to the child support
26 recovery appropriation made in this division of this
27 Act. Of the remainder of the assigned child support
28 collections received by the child support recovery
29 unit, a portion shall be credited to the FIP account,
30 a portion may be used to increase recoveries, and a
31 portion may be used to sustain cash flow in the child
32 support payments account. If as a consequence of the
33 appropriations and allocations made in this section
34 the resulting amounts are insufficient to sustain
35 cash assistance payments and meet federal maintenance
36 of effort requirements, the department shall seek
37 supplemental funding. If child support collections
38 assigned under FIP are greater than estimated or are
39 otherwise determined not to be required for maintenance
40 of effort, the state share of either amount may
41 be transferred to or retained in the child support
42 payments account.

43 6. The department may adopt emergency rules for the
44 family investment, JOBS, food assistance, and medical
45 assistance programs if necessary to comply with federal
46 requirements.

47 Sec. 110. FAMILY INVESTMENT PROGRAM GENERAL
48 FUND. There is appropriated from the general fund of
49 the state to the department of human services for the
50 fiscal year beginning July 1, 2016, and ending June 30,

1 2017, the following amount, or so much thereof as is
2 necessary, to be used for the purpose designated:

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

6 \$ 24,209,099

7 1. Of the funds appropriated in this section,
8 \$3,701,110 is allocated for the JOBS program.

9 2. Of the funds appropriated in this section,
10 \$1,656,927 is allocated for the family development and
11 self-sufficiency grant program.

12 3. Notwithstanding section 8.39, for the fiscal
13 year beginning July 1, 2016, if necessary to meet
14 federal maintenance of effort requirements or to
15 transfer federal temporary assistance for needy
16 families block grant funding to be used for purposes
17 of the federal social services block grant or to meet
18 cash flow needs resulting from delays in receiving
19 federal funding or to implement, in accordance with
20 this division of this Act, activities currently funded
21 with juvenile court services, county, or community
22 moneys and state moneys used in combination with such
23 moneys, the department of human services may transfer
24 funds within or between any of the appropriations made
25 in this division of this Act and appropriations in law
26 for the federal social services block grant to the
27 department for the following purposes, provided that
28 the combined amount of state and federal temporary
29 assistance for needy families block grant funding for
30 each appropriation remains the same before and after
31 the transfer:

- 32 a. For the family investment program.
- 33 b. For child care assistance.
- 34 c. For child and family services.
- 35 d. For field operations.
- 36 e. For general administration.
- 37 f. For distribution to counties or regions through
38 the property tax relief fund for mental health and
39 disability services as provided in an appropriation for
40 this purpose.

41 This subsection shall not be construed to prohibit
42 the use of existing state transfer authority for other
43 purposes. The department shall report any transfers
44 made pursuant to this subsection to the legislative
45 services agency.

46 4. The department may transfer funds appropriated
47 in this section to the appropriations made in this
48 division of this Act for general administration and
49 field operations as necessary to administer this
50 section and the overall family investment program.

1 Sec. 111. CHILD SUPPORT RECOVERY. There is
2 appropriated from the general fund of the state to
3 the department of human services for the fiscal year
4 beginning July 1, 2016, and ending June 30, 2017, the
5 following amount, or so much thereof as is necessary,
6 to be used for the purposes designated:

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

11	\$	7,308,560
12	FTEs	464.00

13 1. The department shall expend up to \$12,164,
14 including federal financial participation, for the
15 fiscal year beginning July 1, 2016, for a child support
16 public awareness campaign. The department and the
17 office of the attorney general shall cooperate in
18 continuation of the campaign. The public awareness
19 campaign shall emphasize, through a variety of media
20 activities, the importance of maximum involvement of
21 both parents in the lives of their children as well as
22 the importance of payment of child support obligations.

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

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

37 4. With the exception of the funding amount
38 specified, the requirements established under 2001
39 Iowa Acts, chapter 191, section 3, subsection 5,
40 paragraph "c", subparagraph (3), shall be applicable
41 to parental obligation pilot projects for the fiscal
42 year beginning July 1, 2016, and ending June 30,
43 2017. Notwithstanding [441 IAC 100.8](#), providing for
44 termination of rules relating to the pilot projects,
45 the rules shall remain in effect until June 30, 2017.

46 Sec. 112. HEALTH CARE TRUST FUND – MEDICAL
47 ASSISTANCE – FY 2016-2017. Any funds remaining in the
48 health care trust fund created in section 453A.35A for
49 the fiscal year beginning July 1, 2016, and ending June
50 30, 2017, are appropriated to the department of human

1 services to supplement the medical assistance program
2 appropriations made in this division of this Act, for
3 medical assistance reimbursement and associated costs,
4 including program administration and costs associated
5 with program implementation.

6 Sec. 113. MEDICAID FRAUD FUND – MEDICAL ASSISTANCE
7 – FY 2016-2017. Any funds remaining in the Medicaid
8 fraud fund created in section 249A.50 for the fiscal
9 year beginning July 1, 2016, and ending June 30, 2017,
10 are appropriated to the department of human services to
11 supplement the medical assistance appropriations made
12 in this division of this Act, for medical assistance
13 reimbursement and associated costs, including program
14 administration and costs associated with program
15 implementation.

16 Sec. 114. MEDICAL ASSISTANCE.

17 1. There is appropriated from the general fund of
18 the state to the department of human services for the
19 fiscal year beginning July 1, 2016, and ending June 30,
20 2017, the following amount, or so much thereof as is
21 necessary, to be used for the purpose designated:

22 For medical assistance program reimbursement and
23 associated costs as specifically provided in the
24 reimbursement methodologies in effect on June 30,
25 2016, except as otherwise expressly authorized by
26 law, consistent with options under federal law and
27 regulations, and contingent upon receipt of approval
28 from the office of the governor of reimbursement for
29 each abortion performed under the program:
30 \$660,405,499

31 2. Iowans support reducing the number of abortions
32 performed in our state. For an abortion covered under
33 the program, except in the case of a medical emergency,
34 as defined in section 135L.1, for any woman, the
35 physician shall certify both of the following:

36 a. That the woman has been given the opportunity to
37 view an ultrasound image of the fetus as part of the
38 standard of care before an abortion is performed.

39 b. That the woman has been provided information
40 regarding the options relative to a pregnancy,
41 including continuing the pregnancy to term and
42 retaining parental rights following the child's birth,
43 continuing the pregnancy to term and placing the child
44 for adoption, and terminating the pregnancy.

45 3. The provisions of this section relating to
46 abortions shall also apply to the Iowa health and
47 wellness plan created pursuant to chapter 249N.

48 4. The department shall utilize not more than
49 \$30,000 of the funds appropriated in this section
50 to continue the AIDS/HIV health insurance premium

1 payment program as established in 1992 Iowa Acts,
2 Second Extraordinary Session, chapter 1001, section
3 409, subsection 6. Of the funds allocated in this
4 subsection, not more than \$2,500 may be expended for
5 administrative purposes.

6 5. Of the funds appropriated in this Act to the
7 department of public health for addictive disorders,
8 \$475,000 for the fiscal year beginning July 1, 2016,
9 is transferred to the department of human services for
10 an integrated substance-related disorder managed care
11 system. The department shall not assume management
12 of the substance-related disorder system in place
13 of the managed care contractor unless such a change
14 in approach is specifically authorized in law. The
15 departments of human services and public health shall
16 work together to maintain the level of mental health
17 and substance-related disorder treatment services
18 provided by the managed care contractor through the
19 Iowa plan for behavioral health. Each department
20 shall take the steps necessary to continue the federal
21 waivers as necessary to maintain the level of services.

22 6. a. The department shall aggressively pursue
23 options for providing medical assistance or other
24 assistance to individuals with special needs who become
25 ineligible to continue receiving services under the
26 early and periodic screening, diagnostic, and treatment
27 program under the medical assistance program due
28 to becoming 21 years of age who have been approved
29 for additional assistance through the department's
30 exception to policy provisions, but who have health
31 care needs in excess of the funding available through
32 the exception to policy provisions.

33 b. Of the funds appropriated in this section,
34 \$50,000 shall be used for participation in one or more
35 pilot projects operated by a private provider to allow
36 the individual or individuals to receive service in the
37 community in accordance with principles established in
38 *Olmstead v. L.C.*, 527 U.S. 581 (1999), for the purpose
39 of providing medical assistance or other assistance to
40 individuals with special needs who become ineligible
41 to continue receiving services under the early and
42 periodic screening, diagnostic, and treatment program
43 under the medical assistance program due to becoming
44 21 years of age who have been approved for additional
45 assistance through the department's exception to policy
46 provisions, but who have health care needs in excess
47 of the funding available through the exception to the
48 policy provisions.

49 7. Of the funds appropriated in this section, up to
50 \$1,525,041 may be transferred to the field operations

1 or general administration appropriations in this
2 division of this Act for operational costs associated
3 with Part D of the federal Medicare Prescription Drug
4 Improvement and Modernization Act of 2003, Pub. L. No.
5 108-173.

6 8. Of the funds appropriated in this section, up
7 to \$221,050 may be transferred to the appropriation
8 in this division of this Act for medical contracts
9 to be used for clinical assessment services and prior
10 authorization of services.

11 9. A portion of the funds appropriated in this
12 section may be transferred to the appropriations in
13 this division of this Act for general administration,
14 medical contracts, the children's health insurance
15 program, or field operations to be used for the
16 state match cost to comply with the payment error
17 rate measurement (PERM) program for both the medical
18 assistance and children's health insurance programs
19 as developed by the centers for Medicare and Medicaid
20 services of the United States department of health and
21 human services to comply with the federal Improper
22 Payments Information Act of 2002, Pub. L. No. 107-300.

23 10. The department shall continue to implement the
24 recommendations of the assuring better child health
25 and development initiative II (ABCDII) clinical panel
26 to the Iowa early and periodic screening, diagnostic,
27 and treatment services healthy mental development
28 collaborative board regarding changes to billing
29 procedures, codes, and eligible service providers.

30 11. Of the funds appropriated in this section,
31 a sufficient amount is allocated to supplement
32 the incomes of residents of nursing facilities,
33 intermediate care facilities for persons with mental
34 illness, and intermediate care facilities for persons
35 with an intellectual disability, with incomes of less
36 than \$50 in the amount necessary for the residents to
37 receive a personal needs allowance of \$50 per month
38 pursuant to section 249A.30A.

39 12. Of the funds appropriated in this section, the
40 following amounts are transferred to the appropriations
41 made in this division of this Act for the state mental
42 health institutes:

- 43 a. Cherokee mental health
- 44 institute \$ 4,549,212
- 45 b. Independence mental health
- 46 institute \$ 4,522,947

47 13. a. Of the funds appropriated in this section,
48 \$2,041,939 is allocated for the state match for a
49 disproportionate share hospital payment of \$4,544,712
50 to hospitals that meet both of the conditions specified

1 in subparagraphs (1) and (2). In addition, the
2 hospitals that meet the conditions specified shall
3 either certify public expenditures or transfer to
4 the medical assistance program an amount equal to
5 provide the nonfederal share for a disproportionate
6 share hospital payment of \$8,772,003. The hospitals
7 that meet the conditions specified shall receive and
8 retain 100 percent of the total disproportionate share
9 hospital payment of \$13,316,715.

10 (1) The hospital qualifies for disproportionate
11 share and graduate medical education payments.

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

16 b. Distribution of the disproportionate share
17 payments shall be made on a monthly basis. The total
18 amount of disproportionate share payments including
19 graduate medical education, enhanced disproportionate
20 share, and Iowa state-owned teaching hospital payments
21 shall not exceed the amount of the state's allotment
22 under Pub. L. No. 102-234. In addition, the total
23 amount of all disproportionate share payments shall not
24 exceed the hospital-specific disproportionate share
25 limits under Pub. L. No. 103-66.

26 c. The university of Iowa hospitals and clinics
27 shall either certify public expenditures or transfer
28 to the appropriations made in this division of this
29 Act for medical assistance an amount equal to provide
30 the nonfederal share for increased medical assistance
31 payments for inpatient and outpatient hospital services
32 of \$4,950,000. The university of Iowa hospitals and
33 clinics shall receive and retain 100 percent of the
34 total increase in medical assistance payments.

35 14. One hundred percent of the nonfederal share of
36 payments to area education agencies that are medical
37 assistance providers for medical assistance-covered
38 services provided to medical assistance-covered
39 children, shall be made from the appropriation made in
40 this section.

41 15. Any new or renewed contract entered into by the
42 department with a third party to administer behavioral
43 health services under the medical assistance program
44 shall provide that any interest earned on payments
45 from the state during the state fiscal year shall be
46 remitted to the department and treated as recoveries to
47 offset the costs of the medical assistance program.

48 16. A portion of the funds appropriated in this
49 section may be transferred to the appropriation in this
50 division of this Act for medical contracts to be used

1 for administrative activities associated with the money
2 follows the person demonstration project.

3 17. Of the funds appropriated in this section,
4 \$174,505 shall be used for the administration of the
5 health insurance premium payment program, including
6 salaries, support, maintenance, and miscellaneous
7 purposes.

8 18. a. The department may increase the amounts
9 allocated for salaries, support, maintenance, and
10 miscellaneous purposes associated with the medical
11 assistance program, as necessary, to implement cost
12 containment strategies. The department shall report
13 any such increase to the legislative services agency
14 and the department of management.

15 b. If the savings to the medical assistance program
16 from cost containment efforts exceed the cost for the
17 fiscal year beginning July 1, 2016, the department may
18 transfer any savings generated for the fiscal year due
19 to medical assistance program cost containment efforts
20 to the appropriation made in this division of this Act
21 for medical contracts or general administration to
22 defray the increased contract costs associated with
23 implementing such efforts.

24 c. The department shall report the implementation
25 of any cost containment strategies under this
26 subsection to the individuals specified in this
27 division of this Act for submission of reports on a
28 quarterly basis.

29 19. For the fiscal year beginning July 1, 2016,
30 and ending June 30, 2017, the replacement generation
31 tax revenues required to be deposited in the property
32 tax relief fund pursuant to section 437A.8, subsection
33 4, paragraph "d", and section 437A.15, subsection
34 3, paragraph "f", shall instead be credited to and
35 supplement the appropriation made in this section and
36 used for the allocations made in this section.

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

40 21. a. Of the funds appropriated in this section,
41 \$450,000 shall be used for continued implementation
42 of the children's mental health home project proposed
43 by the department of human services and reported to
44 the general assembly's mental health and disability
45 services study committee in December 2011. Of this
46 amount, up to \$25,000 may be transferred by the
47 department to the appropriation made in this division
48 of this Act to the department for the same fiscal year
49 for general administration to be used for associated
50 administrative expenses and for not more than one

1 full-time equivalent position, in addition to those
2 authorized for the same fiscal year, to be assigned to
3 implementing the project.

4 b. Of the funds appropriated in this section, up to
5 \$200,000 may be transferred by the department to the
6 appropriation made to the department in this division
7 of this Act for the same fiscal year for Medicaid
8 program-related general administration planning and
9 implementation activities. The funds may be used for
10 contracts or for personnel in addition to the amounts
11 appropriated for and the positions authorized for
12 general administration for the fiscal year.

13 c. Of the funds appropriated in this section, up
14 to \$1,500,000 may be transferred by the department to
15 the appropriations made in this division of this Act
16 for the same fiscal year for general administration or
17 medical contracts to be used to support the development
18 and implementation of standardized assessment tools
19 for persons with mental illness, an intellectual
20 disability, a developmental disability, or a brain
21 injury.

22 22. Of the funds appropriated in this section,
23 \$125,000 shall be used for lodging expenses associated
24 with care provided at the university of Iowa hospitals
25 and clinics for patients with cancer whose travel
26 distance is 30 miles or more and whose income is at
27 or below 200 percent of the federal poverty level as
28 defined by the most recently revised poverty income
29 guidelines published by the United States department
30 of health and human services. The department of
31 human services shall establish the maximum number
32 of overnight stays and the maximum rate reimbursed
33 for overnight lodging, which may be based on the
34 state employee rate established by the department
35 of administrative services. The funds allocated in
36 this subsection shall not be used as nonfederal share
37 matching funds.

38 23. a. For inpatient and outpatient services
39 provided by hospitals on or after July 1, 2016,
40 the department of human services shall continue
41 to recalculate and prospectively apply an updated
42 cost-to-charge ratio upon the request of a hospital to
43 implement price or charge reductions, if all of the
44 following criteria are met:

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

50 (2) The hospital requesting the price or charge

1 reduction submits a proforma cost report and charge
2 master that reflects the anticipated cost-to-charge
3 reduction.

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

9 24. The department of human services may adopt
10 emergency rules as necessary for the governor's
11 Medicaid modernization initiative to be implemented
12 beginning January 1, 2016.

13 Sec. 115. MEDICAL CONTRACTS. There is appropriated
14 from the general fund of the state to the department of
15 human services for the fiscal year beginning July 1,
16 2016, and ending June 30, 2017, the following amount,
17 or so much thereof as is necessary, to be used for the
18 purpose designated:

19 For medical contracts:

20 \$ 10,306,982

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

27 2. Of the funds appropriated in this section,
28 \$25,000 shall be used for continuation of home and
29 community-based services waiver quality assurance
30 programs, including the review and streamlining of
31 processes and policies related to oversight and quality
32 management to meet state and federal requirements.

33 3. Of the amount appropriated in this section, up
34 to \$100,000 may be transferred to the appropriation for
35 general administration in this division of this Act to
36 be used for additional full-time equivalent positions
37 in the development of key health initiatives such as
38 cost containment, development and oversight of managed
39 care programs, and development of health strategies
40 targeted toward improved quality and reduced costs in
41 the Medicaid program.

42 4. Of the funds appropriated in this section,
43 \$500,000 shall be used for planning and development,
44 in cooperation with the department of public health,
45 of a phased-in program to provide a dental home for
46 children.

47 5. Of the funds appropriated in this section,
48 \$1,500,000 shall be used for the autism support program
49 created in chapter 225D, with the exception of the
50 following amounts of the allocation which shall be used

1 as follows:

2 a. Of the funds allocated in this subsection,
3 \$500,000 shall be deposited in the board-certified
4 behavior analyst and board-certified assistant behavior
5 analyst grants program fund created in section 135.181,
6 as enacted in this Act, to be used for the purposes of
7 the fund.

8 b. Of the funds allocated in this subsection,
9 \$12,500 shall be used for the public purpose of
10 continuation of a grant to a child welfare services
11 provider headquartered in a county with a population
12 between 205,000 and 215,000 in the latest certified
13 federal census that provides multiple services
14 including but not limited to a psychiatric medical
15 institution for children, shelter, residential
16 treatment, after school programs, school-based
17 programming, and an Asperger's syndrome program, to
18 be used for support services for children with autism
19 spectrum disorder and their families.

20 c. Of the funds allocated in this subsection,
21 \$12,500 shall be used for the public purpose of
22 continuing a grant to a hospital-based provider
23 headquartered in a county with a population between
24 90,000 and 95,000 in the latest certified federal
25 census that provides multiple services including but
26 not limited to diagnostic, therapeutic, and behavioral
27 services to individuals with autism spectrum disorder
28 across one's lifespan. The grant recipient shall
29 utilize the funds to continue the pilot project to
30 determine the necessary support services for children
31 with autism spectrum disorder and their families to
32 be included in the children's disabilities services
33 system. The grant recipient shall submit findings and
34 recommendations based upon the results of the pilot
35 project to the individuals specified in this division
36 of this Act for submission of reports by December 31,
37 2016.

38 Sec. 116. STATE SUPPLEMENTARY ASSISTANCE.

39 1. There is appropriated from the general fund of
40 the state to the department of human services for the
41 fiscal year beginning July 1, 2016, and ending June 30,
42 2017, the following amount, or so much thereof as is
43 necessary, to be used for the purpose designated:

44 For the state supplementary assistance program:
45 \$ 5,920,676

46 2. The department shall increase the personal needs
47 allowance for residents of residential care facilities
48 by the same percentage and at the same time as federal
49 supplemental security income and federal social
50 security benefits are increased due to a recognized

1 increase in the cost of living. The department may
 2 adopt emergency rules to implement this subsection.
 3 3. If during the fiscal year beginning July 1,
 4 2016, the department projects that state supplementary
 5 assistance expenditures for a calendar year will not
 6 meet the federal pass-through requirement specified
 7 in Tit. XVI of the federal Social Security Act,
 8 section 1618, as codified in 42 U.S.C. §1382g,
 9 the department may take actions including but not
 10 limited to increasing the personal needs allowance
 11 for residential care facility residents and making
 12 programmatic adjustments or upward adjustments of the
 13 residential care facility or in-home health-related
 14 care reimbursement rates prescribed in this division of
 15 this Act to ensure that federal requirements are met.
 16 In addition, the department may make other programmatic
 17 and rate adjustments necessary to remain within the
 18 amount appropriated in this section while ensuring
 19 compliance with federal requirements. The department
 20 may adopt emergency rules to implement the provisions
 21 of this subsection.

22 Sec. 117. CHILDREN'S HEALTH INSURANCE
 23 PROGRAM. There is appropriated from the general
 24 fund of the state to the department of human services
 25 for the fiscal year beginning July 1, 2016, and ending
 26 June 30, 2017, the following amount, or so much thereof
 27 as is necessary, to be used for the purpose designated:
 28 For maintenance of the healthy and well kids in Iowa
 29 (hawk-i) program pursuant to chapter 514I, including
 30 supplemental dental services, for receipt of federal
 31 financial participation under Tit. XXI of the federal
 32 Social Security Act, which creates the children's
 33 health insurance program:
 34 \$ 10,005,172

35 Sec. 118. CHILD CARE ASSISTANCE. There is
 36 appropriated from the general fund of the state to
 37 the department of human services for the fiscal year
 38 beginning July 1, 2016, and ending June 30, 2017, the
 39 following amount, or so much thereof as is necessary,
 40 to be used for the purpose designated:
 41 For child care programs:
 42 \$ 24,304,334

43 1. Of the funds appropriated in this section,
 44 \$20,444,620 shall be used for state child care
 45 assistance in accordance with section 237A.13.
 46 2. Nothing in this section shall be construed or
 47 is intended as or shall imply a grant of entitlement
 48 for services to persons who are eligible for assistance
 49 due to an income level consistent with the waiting
 50 list requirements of section 237A.13. Any state

1 obligation to provide services pursuant to this section
2 is limited to the extent of the funds appropriated in
3 this section.

4 3. Of the funds appropriated in this section,
5 \$216,226 is allocated for the statewide grant program
6 for child care resource and referral services under
7 section 237A.26. A list of the registered and licensed
8 child care facilities operating in the area served by a
9 child care resource and referral service shall be made
10 available to the families receiving state child care
11 assistance in that area.

12 4. Of the funds appropriated in this section,
13 \$468,487 is allocated for child care quality
14 improvement initiatives including but not limited to
15 the voluntary quality rating system in accordance with
16 section 237A.30.

17 5. Of the funds appropriated in this section,
18 \$3,175,000 shall be credited to the early childhood
19 programs grants account in the early childhood Iowa
20 fund created in section 256I.11. The moneys shall
21 be distributed for funding of community-based early
22 childhood programs targeted to children from birth
23 through five years of age developed by early childhood
24 Iowa areas in accordance with approved community plans
25 as provided in section 256I.8.

26 6. The department may use any of the funds
27 appropriated in this section as a match to obtain
28 federal funds for use in expanding child care
29 assistance and related programs. For the purpose of
30 expenditures of state and federal child care funding,
31 funds shall be considered obligated at the time
32 expenditures are projected or are allocated to the
33 department's service areas. Projections shall be based
34 on current and projected caseload growth, current and
35 projected provider rates, staffing requirements for
36 eligibility determination and management of program
37 requirements including data systems management,
38 staffing requirements for administration of the
39 program, contractual and grant obligations and any
40 transfers to other state agencies, and obligations for
41 decategorization or innovation projects.

42 7. A portion of the state match for the federal
43 child care and development block grant shall be
44 provided as necessary to meet federal matching
45 funds requirements through the state general fund
46 appropriation made for child development grants and
47 other programs for at-risk children in section 279.51.

48 8. If a uniform reduction ordered by the governor
49 under section 8.31 or other operation of law,
50 transfer, or federal funding reduction reduces the

1 appropriation made in this section for the fiscal year,
 2 the percentage reduction in the amount paid out to or
 3 on behalf of the families participating in the state
 4 child care assistance program shall be equal to or
 5 less than the percentage reduction made for any other
 6 purpose payable from the appropriation made in this
 7 section and the federal funding relating to it. The
 8 percentage reduction to the other allocations made in
 9 this section shall be the same as the uniform reduction
 10 ordered by the governor or the percentage change of the
 11 federal funding reduction, as applicable. If there is
 12 an unanticipated increase in federal funding provided
 13 for state child care assistance, the entire amount
 14 of the increase shall be used for state child care
 15 assistance payments. If the appropriations made for
 16 purposes of the state child care assistance program for
 17 the fiscal year are determined to be insufficient, it
 18 is the intent of the general assembly to appropriate
 19 sufficient funding for the fiscal year in order to
 20 avoid establishment of waiting list requirements.

21 9. Notwithstanding section 8.33, moneys advanced
 22 for purposes of the programs developed by early
 23 childhood Iowa areas, advanced for purposes of
 24 wraparound child care, or received from the federal
 25 appropriations made for the purposes of this section
 26 that remain unencumbered or unobligated at the close
 27 of the fiscal year shall not revert to any fund but
 28 shall remain available for expenditure for the purposes
 29 designated until the close of the succeeding fiscal
 30 year.

31 Sec. 119. JUVENILE INSTITUTIONS. There is
 32 appropriated from the general fund of the state to
 33 the department of human services for the fiscal year
 34 beginning July 1, 2016, and ending June 30, 2017, the
 35 following amounts, or so much thereof as is necessary,
 36 to be used for the purposes designated:

37 1. For the costs of security, building and grounds
 38 maintenance, utilities, salary, and support for
 39 the facilities located at the Iowa juvenile home at
 40 Toledo and for salaries, support, maintenance, and
 41 miscellaneous purposes, and for not more than the
 42 following full-time equivalent positions:
 43 \$ 186,383
 44 FTEs 2.00

45 2. For operation of the state training school at
 46 Eldora and for salaries, support, maintenance, and
 47 miscellaneous purposes, and for not more than the
 48 following full-time equivalent positions:
 49 \$ 5,970,665
 50 FTEs 169.30

1 Of the funds appropriated in this subsection,
2 \$45,575 shall be used for distribution to licensed
3 classroom teachers at this and other institutions under
4 the control of the department of human services based
5 upon the average student yearly enrollment at each
6 institution as determined by the department.

7 Sec. 120. CHILD AND FAMILY SERVICES.

8 1. There is appropriated from the general fund of
9 the state to the department of human services for the
10 fiscal year beginning July 1, 2016, and ending June 30,
11 2017, the following amount, or so much thereof as is
12 necessary, to be used for the purpose designated:

13 For child and family services:
14 \$ 43,064,363

15 2. Up to \$2,600,000 of the amount of federal
16 temporary assistance for needy families block grant
17 funding appropriated in this division of this Act for
18 child and family services shall be made available for
19 purposes of juvenile delinquent graduated sanction
20 services.

21 3. The department may transfer funds appropriated
22 in this section as necessary to pay the nonfederal
23 costs of services reimbursed under the medical
24 assistance program, state child care assistance
25 program, or the family investment program which are
26 provided to children who would otherwise receive
27 services paid under the appropriation in this section.
28 The department may transfer funds appropriated in this
29 section to the appropriations made in this division
30 of this Act for general administration and for field
31 operations for resources necessary to implement and
32 operate the services funded in this section.

33 4. a. Of the funds appropriated in this section,
34 up to \$17,910,893 is allocated as the statewide
35 expenditure target under section 232.143 for group
36 foster care maintenance and services. If the
37 department projects that such expenditures for the
38 fiscal year will be less than the target amount
39 allocated in this paragraph "a", the department may
40 reallocate the excess to provide additional funding for
41 shelter care or the child welfare emergency services
42 addressed with the allocation for shelter care.

43 b. If at any time after September 30, 2016,
44 annualization of a service area's current expenditures
45 indicates a service area is at risk of exceeding its
46 group foster care expenditure target under section
47 232.143 by more than 5 percent, the department and
48 juvenile court services shall examine all group
49 foster care placements in that service area in order
50 to identify those which might be appropriate for

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

11 5. In accordance with the provisions of section
12 232.188, the department shall continue the child
13 welfare and juvenile justice funding initiative during
14 fiscal year 2016-2017. Of the funds appropriated in
15 this section, \$858,876 is allocated specifically for
16 expenditure for fiscal year 2016-2017 through the
17 decategorization services funding pools and governance
18 boards established pursuant to section 232.188.

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

25 7. Notwithstanding section 234.35 or any other
26 provision of law to the contrary, state funding for
27 shelter care and the child welfare emergency services
28 contracting implemented to provide for or prevent the
29 need for shelter care shall be limited to \$3,842,130.

30 8. Federal funds received by the state during
31 the fiscal year beginning July 1, 2016, as the
32 result of the expenditure of state funds appropriated
33 during a previous state fiscal year for a service or
34 activity funded under this section are appropriated
35 to the department to be used as additional funding
36 for services and purposes provided for under this
37 section. Notwithstanding section 8.33, moneys
38 received in accordance with this subsection that remain
39 unencumbered or unobligated at the close of the fiscal
40 year shall not revert to any fund but shall remain
41 available for the purposes designated until the close
42 of the succeeding fiscal year.

43 9. a. Of the funds appropriated in this section,
44 up to \$1,645,000 is allocated for the payment of
45 the expenses of court-ordered services provided to
46 juveniles who are under the supervision of juvenile
47 court services, which expenses are a charge upon
48 the state pursuant to section 232.141, subsection
49 4. Of the amount allocated in this paragraph "a",
50 up to \$778,143 shall be made available to provide

1 school-based supervision of children adjudicated under
2 chapter 232, of which not more than \$7,500 may be used
3 for the purpose of training. A portion of the cost of
4 each school-based liaison officer shall be paid by the
5 school district or other funding source as approved by
6 the chief juvenile court officer.

7 b. Of the funds appropriated in this section, up to
8 \$374,492 is allocated for the payment of the expenses
9 of court-ordered services provided to children who are
10 under the supervision of the department, which expenses
11 are a charge upon the state pursuant to section
12 232.141, subsection 4.

13 c. Notwithstanding section 232.141 or any other
14 provision of law to the contrary, the amounts allocated
15 in this subsection shall be distributed to the
16 judicial districts as determined by the state court
17 administrator and to the department's service areas
18 as determined by the administrator of the department
19 of human services' division of child and family
20 services. The state court administrator and the
21 division administrator shall make the determination of
22 the distribution amounts on or before June 15, 2016.

23 d. Notwithstanding chapter 232 or any other
24 provision of law to the contrary, a district or
25 juvenile court shall not order any service which is
26 a charge upon the state pursuant to section 232.141
27 if there are insufficient court-ordered services
28 funds available in the district court or departmental
29 service area distribution amounts to pay for the
30 service. The chief juvenile court officer and the
31 departmental service area manager shall encourage use
32 of the funds allocated in this subsection such that
33 there are sufficient funds to pay for all court-related
34 services during the entire year. The chief juvenile
35 court officers and departmental service area managers
36 shall attempt to anticipate potential surpluses and
37 shortfalls in the distribution amounts and shall
38 cooperatively request the state court administrator
39 or division administrator to transfer funds between
40 the judicial districts' or departmental service areas'
41 distribution amounts as prudent.

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

48 f. Of the funds allocated in this subsection, not
49 more than \$41,500 may be used by the judicial branch
50 for administration of the requirements under this

1 subsection.

2 g. Of the funds allocated in this subsection,
3 \$8,500 shall be used by the department of human
4 services to support the interstate commission for
5 juveniles in accordance with the interstate compact for
6 juveniles as provided in section 232.173.

7 10. Of the funds appropriated in this section,
8 \$4,026,613 is allocated for juvenile delinquent
9 graduated sanctions services. Any state funds saved as
10 a result of efforts by juvenile court services to earn
11 a federal Tit. IV-E match for juvenile court services
12 administration may be used for the juvenile delinquent
13 graduated sanctions services.

14 11. Of the funds appropriated in this section,
15 \$804,142 is transferred to the department of public
16 health to be used for the child protection center grant
17 program for child protection centers located in Iowa
18 in accordance with section 135.118. The grant amounts
19 under the program shall be equalized so that each
20 center receives a uniform base amount of \$122,500, and
21 the remaining funds shall be awarded through a funding
22 formula based upon the volume of children served.

23 12. If the department receives federal approval
24 to implement a waiver under Tit. IV-E of the federal
25 Social Security Act to enable providers to serve
26 children who remain in the children's families and
27 communities, for purposes of eligibility under the
28 medical assistance program through 25 years of age,
29 children who participate in the waiver shall be
30 considered to be placed in foster care.

31 13. Of the funds appropriated in this section,
32 \$2,012,583 is allocated for the preparation for adult
33 living program pursuant to section 234.46.

34 14. Of the funds appropriated in this section,
35 \$260,075 shall be used for juvenile drug courts.
36 The amount allocated in this subsection shall be
37 distributed as follows:

38 To the judicial branch for salaries to assist with
39 the operation of juvenile drug court programs operated
40 in the following jurisdictions:

41 a. Marshall county:		
42	\$	31,354
43 b. Woodbury county:		
44	\$	62,841
45 c. Polk county:		
46	\$	97,946
47 d. The third judicial district:		
48	\$	33,967
49 e. The eighth judicial district:		
50	\$	33,967

1 15. Of the funds appropriated in this section,
2 \$113,668 shall be used for the public purpose of
3 continuing a grant to a nonprofit human services
4 organization providing services to individuals and
5 families in multiple locations in southwest Iowa and
6 Nebraska for support of a project providing immediate,
7 sensitive support and forensic interviews, medical
8 exams, needs assessments, and referrals for victims of
9 child abuse and their nonoffending family members.

10 16. Of the funds appropriated in this section,
11 \$150,310 is allocated for the foster care youth council
12 approach of providing a support network to children
13 placed in foster care.

14 17. Of the funds appropriated in this section,
15 \$101,000 is allocated for use pursuant to section
16 235A.1 for continuation of the initiative to address
17 child sexual abuse implemented pursuant to 2007 Iowa
18 Acts, chapter 218, section 18, subsection 21.

19 18. Of the funds appropriated in this section,
20 \$315,120 is allocated for the community partnership for
21 child protection sites.

22 19. Of the funds appropriated in this section,
23 \$185,625 is allocated for the department's minority
24 youth and family projects under the redesign of the
25 child welfare system.

26 20. Of the funds appropriated in this section,
27 \$554,973 is allocated for funding of the community
28 circle of care collaboration for children and youth in
29 northeast Iowa.

30 21. Of the funds appropriated in this section,
31 at least \$73,579 shall be used for the continuation
32 of the child welfare provider training academy, a
33 collaboration between the coalition for family and
34 children's services in Iowa and the department.

35 22. Of the funds appropriated in this section,
36 \$105,936 shall be used for continuation of the central
37 Iowa system of care program grant through June 30,
38 2017.

39 23. Of the funds appropriated in this section,
40 \$67,500 shall be used for the public purpose of the
41 continuation and expansion of a system of care program
42 grant implemented in Cerro Gordo and Linn counties
43 to utilize a comprehensive and long-term approach
44 for helping children and families by addressing the
45 key areas in a child's life of childhood basic needs,
46 education and work, family, and community.

47 24. Of the funds appropriated in this section,
48 at least \$12,500 shall be used to continue and to
49 expand the foster care respite pilot program in which
50 postsecondary students in social work and other human

1 services-related programs receive experience by
2 assisting family foster care providers with respite and
3 other support.

4 25. Of the funds appropriated in this section,
5 \$55,000 shall be used for the public purpose of funding
6 community-based services and other supports with a
7 system of care approach for children with a serious
8 emotional disturbance and their families through a
9 nonprofit provider of child welfare services that has
10 been in existence for more than 115 years, is located
11 in a county with a population of more than 200,000
12 but less than 220,000 according to the latest census
13 information issued by the United States census bureau,
14 is licensed as a psychiatric medical institution for
15 children, and was a system of care grantee prior to
16 July 1, 2016.

17 Sec. 121. ADOPTION SUBSIDY.

18 1. There is appropriated from the general fund of
19 the state to the department of human services for the
20 fiscal year beginning July 1, 2016, and ending June 30,
21 2017, the following amount, or so much thereof as is
22 necessary, to be used for the purpose designated:

23 For adoption subsidy payments and services:
24 \$ 21,499,143

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

30 3. Federal funds received by the state during the
31 fiscal year beginning July 1, 2016, as the result of
32 the expenditure of state funds during a previous state
33 fiscal year for a service or activity funded under
34 this section are appropriated to the department to
35 be used as additional funding for the services and
36 activities funded under this section. Notwithstanding
37 section 8.33, moneys received in accordance with this
38 subsection that remain unencumbered or unobligated at
39 the close of the fiscal year shall not revert to any
40 fund but shall remain available for expenditure for the
41 purposes designated until the close of the succeeding
42 fiscal year.

43 Sec. 122. JUVENILE DETENTION HOME FUND. Moneys
44 deposited in the juvenile detention home fund
45 created in section 232.142 during the fiscal year
46 beginning July 1, 2016, and ending June 30, 2017, are
47 appropriated to the department of human services for
48 the fiscal year beginning July 1, 2016, and ending
49 June 30, 2017, for distribution of an amount equal
50 to a percentage of the costs of the establishment,

1 improvement, operation, and maintenance of county or
 2 multicounty juvenile detention homes in the fiscal
 3 year beginning July 1, 2015. Moneys appropriated for
 4 distribution in accordance with this section shall be
 5 allocated among eligible detention homes, prorated on
 6 the basis of an eligible detention home's proportion
 7 of the costs of all eligible detention homes in the
 8 fiscal year beginning July 1, 2015. The percentage
 9 figure shall be determined by the department based on
 10 the amount available for distribution for the fund.
 11 Notwithstanding section 232.142, subsection 3, the
 12 financial aid payable by the state under that provision
 13 for the fiscal year beginning July 1, 2016, shall be
 14 limited to the amount appropriated for the purposes of
 15 this section.

16 Sec. 123. FAMILY SUPPORT SUBSIDY PROGRAM.

17 1. There is appropriated from the general fund of
 18 the state to the department of human services for the
 19 fiscal year beginning July 1, 2016, and ending June 30,
 20 2017, the following amount, or so much thereof as is
 21 necessary, to be used for the purpose designated:

22 For the family support subsidy program subject
 23 to the enrollment restrictions in section 225C.37,
 24 subsection 3:

25 \$ 536,966

26 2. The department shall use at least \$320,750 of
 27 the moneys appropriated in this section for the family
 28 support center component of the comprehensive family
 29 support program under section 225C.47. Not more than
 30 \$12,500 of the amount allocated in this subsection
 31 shall be used for administrative costs.

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

41 Sec. 124. CONNER DECREE. There is appropriated
 42 from the general fund of the state to the department of
 43 human services for the fiscal year beginning July 1,
 44 2016, and ending June 30, 2017, the following amount,
 45 or so much thereof as is necessary, to be used for the
 46 purpose designated:

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

1 \$ 16,816

2 Sec. 125. MENTAL HEALTH INSTITUTES. There is
3 appropriated from the general fund of the state to
4 the department of human services for the fiscal year
5 beginning July 1, 2016, and ending June 30, 2017, the
6 following amounts, or so much thereof as is necessary,
7 to be used for the purposes designated:

8 1. For the state mental health institute at
9 Cherokee for salaries, support, maintenance, and
10 miscellaneous purposes, and for not more than the
11 following full-time equivalent positions:

12 \$ 2,772,808

13 FTEs 169.20

14 2. For the state mental health institute at
15 Independence for salaries, support, maintenance, and
16 miscellaneous purposes, and for not more than the
17 following full-time equivalent positions:

18 \$ 5,162,105

19 FTEs 233.00

20 Sec. 126. STATE RESOURCE CENTERS.

21 1. There is appropriated from the general fund of
22 the state to the department of human services for the
23 fiscal year beginning July 1, 2016, and ending June 30,
24 2017, the following amounts, or so much thereof as is
25 necessary, to be used for the purposes designated:

26 a. For the state resource center at Glenwood for
27 salaries, support, maintenance, and miscellaneous
28 purposes:

29 \$ 10,762,241

30 b. For the state resource center at Woodward for
31 salaries, support, maintenance, and miscellaneous
32 purposes:

33 \$ 7,291,903

34 2. The department may continue to bill for state
35 resource center services utilizing a scope of services
36 approach used for private providers of intermediate
37 care facilities for persons with an intellectual
38 disability services, in a manner which does not shift
39 costs between the medical assistance program, counties,
40 or other sources of funding for the state resource
41 centers.

42 3. The state resource centers may expand the
43 time-limited assessment and respite services during the
44 fiscal year.

45 4. If the department's administration and the
46 department of management concur with a finding by a
47 state resource center's superintendent that projected
48 revenues can reasonably be expected to pay the salary
49 and support costs for a new employee position, or
50 that such costs for adding a particular number of new

1 positions for the fiscal year would be less than the
2 overtime costs if new positions would not be added, the
3 superintendent may add the new position or positions.
4 If the vacant positions available to a resource center
5 do not include the position classification desired to
6 be filled, the state resource center's superintendent
7 may reclassify any vacant position as necessary to
8 fill the desired position. The superintendents of the
9 state resource centers may, by mutual agreement, pool
10 vacant positions and position classifications during
11 the course of the fiscal year in order to assist one
12 another in filling necessary positions.

13 5. If existing capacity limitations are reached
14 in operating units, a waiting list is in effect
15 for a service or a special need for which a payment
16 source or other funding is available for the service
17 or to address the special need, and facilities for
18 the service or to address the special need can be
19 provided within the available payment source or other
20 funding, the superintendent of a state resource center
21 may authorize opening not more than two units or
22 other facilities and begin implementing the service
23 or addressing the special need during fiscal year
24 2016-2017.

25 Sec. 127. SEXUALLY VIOLENT PREDATORS.

26 1. There is appropriated from the general fund of
27 the state to the department of human services for the
28 fiscal year beginning July 1, 2016, and ending June 30,
29 2017, the following amount, or so much thereof as is
30 necessary, to be used for the purpose designated:

31 For costs associated with the commitment and
32 treatment of sexually violent predators in the unit
33 located at the state mental health institute at
34 Cherokee, including costs of legal services and
35 other associated costs, including salaries, support,
36 maintenance, and miscellaneous purposes, and for not
37 more than the following full-time equivalent positions:
38 \$ 4,946,540
39 FTEs 132.50

40 2. Unless specifically prohibited by law, if the
41 amount charged provides for recoupment of at least
42 the entire amount of direct and indirect costs, the
43 department of human services may contract with other
44 states to provide care and treatment of persons placed
45 by the other states at the unit for sexually violent
46 predators at Cherokee. The moneys received under such
47 a contract shall be considered to be repayment receipts
48 and used for the purposes of the appropriation made in
49 this section.

50 Sec. 128. FIELD OPERATIONS. There is appropriated

1 from the general fund of the state to the department of
2 human services for the fiscal year beginning July 1,
3 2016, and ending June 30, 2017, the following amount,
4 or so much thereof as is necessary, to be used for the
5 purposes designated:

6 For field operations, including salaries, support,
7 maintenance, and miscellaneous purposes, and for not
8 more than the following full-time equivalent positions:
9 \$ 29,460,488
10 FTEs 1,837.00

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

26 2. Priority in filling full-time equivalent
27 positions shall be given to those positions related to
28 child protection services and eligibility determination
29 for low-income families.

30 Sec. 129. GENERAL ADMINISTRATION. There is
31 appropriated from the general fund of the state to
32 the department of human services for the fiscal year
33 beginning July 1, 2016, and ending June 30, 2017, the
34 following amount, or so much thereof as is necessary,
35 to be used for the purpose designated:

36 For general administration, including salaries,
37 support, maintenance, and miscellaneous purposes, and
38 for not more than the following full-time equivalent
39 positions:
40 \$ 6,424,099
41 FTEs 309.00

42 1. The department shall report at least monthly
43 to the legislative services agency concerning the
44 department's operational and program expenditures.

45 2. Of the funds appropriated in this section,
46 \$75,000 shall be used to continue the contract for the
47 provision of a program to provide technical assistance,
48 support, and consultation to providers of habilitation
49 services and home and community-based services waiver
50 services for adults with disabilities under the medical

1 assistance program.

2 3. Of the funds appropriated in this section,
3 \$12,500 is transferred to the Iowa finance authority
4 to be used for administrative support of the council
5 on homelessness established in section 16.2D and for
6 the council to fulfill its duties in addressing and
7 reducing homelessness in the state.

8 4. Of the funds appropriated in this section,
9 \$125,000 is allocated to an Iowa food bank association
10 selected by the department for the purchase of food on
11 behalf of an Iowa emergency feeding organization or
12 for the distribution of moneys to the Iowa emergency
13 feeding organization for the purchase of food. The
14 moneys allocated in this subsection shall be allocated
15 only to the extent that the allocated moneys are
16 matched on a dollar-for-dollar basis. Notwithstanding
17 section 8.33, moneys allocated in this subsection that
18 remain unencumbered or unobligated at the close of the
19 fiscal year shall not revert but shall remain available
20 for expenditure for the purposes designated until the
21 close of the following fiscal year.

22 Sec. 130. VOLUNTEERS. There is appropriated from
23 the general fund of the state to the department of
24 human services for the fiscal year beginning July 1,
25 2016, and ending June 30, 2017, the following amount,
26 or so much thereof as is necessary, to be used for the
27 purpose designated:

28 For development and coordination of volunteer
29 services:
30 \$ 42,343

31 Sec. 131. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
32 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED
33 UNDER THE DEPARTMENT OF HUMAN SERVICES.

34 1. a. (1) For the fiscal year beginning July
35 1, 2016, nursing facilities shall be reimbursed in
36 accordance with the methodology in effect on June 30,
37 2016.

38 (2) For the fiscal year beginning July 1, 2016,
39 special population nursing facilities shall be
40 reimbursed in accordance with the methodology in effect
41 on June 30, 2016.

42 b. (1) For the fiscal year beginning July 1, 2016,
43 the department shall establish the pharmacy dispensing
44 fee reimbursement at \$11.73 per prescription, until a
45 cost of dispensing survey is completed. The actual
46 dispensing fee shall be determined by a cost of
47 dispensing survey performed by the department and
48 required to be completed by all medical assistance
49 program participating pharmacies every two years,
50 adjusted as necessary to maintain expenditures within

1 the amount appropriated to the department for this
2 purpose for the fiscal year.

3 (2) The department shall utilize an average
4 acquisition cost reimbursement methodology for all
5 drugs covered under the medical assistance program in
6 accordance with 2012 Iowa Acts, chapter 1133, section
7 33.

8 (3) Notwithstanding subparagraph (2), if the
9 centers for Medicare and Medicaid services of the
10 United States department of health and human services
11 (CMS) requires, as a condition of federal Medicaid
12 funding, that the department implement an aggregate
13 federal upper limit (FUL) for drug reimbursement
14 based on the average manufacturer's price (AMP), the
15 department may utilize a reimbursement methodology for
16 all drugs covered under the Medicaid program based on
17 the national average drug acquisition cost (NADAC)
18 methodology published by CMS, in order to assure
19 compliance with the aggregate FUL, minimize outcomes
20 of drug reimbursements below pharmacy acquisition
21 costs, limit administrative costs, and minimize any
22 change in the aggregate reimbursement for drugs. The
23 department may adopt emergency rules to implement this
24 subparagraph.

25 c. (1) For fee-for-service claims for the fiscal
26 year beginning July 1, 2016, reimbursement rates for
27 outpatient hospital services shall remain at the rates
28 in effect on June 30, 2016, subject to Medicaid program
29 upper payment limit rules.

30 (2) For fee-for-service claims for the fiscal
31 year beginning July 1, 2016, reimbursement rates for
32 inpatient hospital services shall remain at the rates
33 in effect on June 30, 2016, subject to Medicaid program
34 upper payment limit rules.

35 (3) For the fiscal year beginning July 1, 2016,
36 the graduate medical education and disproportionate
37 share hospital fund amount shall remain at the amount
38 in effect on June 30, 2016, except that the portion of
39 the fund attributable to graduate medical education
40 shall be reduced in an amount that reflects the
41 elimination of graduate medical education payments made
42 to out-of-state hospitals.

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

50 d. For fee-for-service claims for the fiscal year

1 beginning July 1, 2016, reimbursement rates for rural
2 health clinics, hospices, and acute mental hospitals
3 shall be increased in accordance with increases under
4 the federal Medicare program or as supported by their
5 Medicare audited costs.

6 e. For fee-for-service claims for the fiscal year
7 beginning July 1, 2016, independent laboratories and
8 rehabilitation agencies shall be reimbursed based on
9 the same methodology in effect on June 30, 2016.

10 f. (1) For fee-for-service claims for the fiscal
11 year beginning July 1, 2016, reimbursement rates for
12 home health agencies shall continue to be based on the
13 Medicare low utilization payment adjustment (LUPA)
14 methodology with state geographic wage adjustments, and
15 shall remain at the rates in effect on June 30, 2016.

16 (2) For fee-for-service claims for the fiscal year
17 beginning July 1, 2016, rates for private duty nursing
18 and personal care services under the early and periodic
19 screening, diagnostic, and treatment program benefit
20 shall be calculated based on the methodology in effect
21 on June 30, 2016.

22 g. For fee-for-service claims for the fiscal year
23 beginning July 1, 2016, federally qualified health
24 centers shall receive cost-based reimbursement for 100
25 percent of the reasonable costs for the provision of
26 services to recipients of medical assistance.

27 h. For fee-for-service claims for the fiscal year
28 beginning July 1, 2016, the reimbursement rates for
29 dental services shall remain at the rates in effect on
30 June 30, 2016.

31 i. (1) For the fiscal year beginning July 1, 2016,
32 the nonstate-owned psychiatric medical institutions for
33 children, reimbursement rates shall be based on the
34 reimbursement methodology developed by the department
35 as required for federal compliance.

36 (2) As a condition of participation in the medical
37 assistance program, enrolled providers shall accept the
38 medical assistance reimbursement rate for any covered
39 goods or services provided to recipients of medical
40 assistance who are children under the custody of a
41 psychiatric medical institution for children.

42 j. For fee-for-service claims for the fiscal year
43 beginning July 1, 2016, unless otherwise specified
44 in this Act, all noninstitutional medical assistance
45 provider reimbursement rates shall remain at the rates
46 in effect on June 30, 2016, except for area education
47 agencies, local education agencies, infant and toddler
48 services providers, home and community-based services
49 providers including consumer-directed attendant care
50 providers under a section 1915(c) or 1915(i) waiver,

1 targeted case management providers, and those providers
2 whose rates are required to be determined pursuant to
3 section 249A.20.

4 k. Notwithstanding any provision to the contrary,
5 for fee-for-service claims for the fiscal year
6 beginning July 1, 2016, the reimbursement rate for
7 anesthesiologists shall remain at the rate in effect
8 on June 30, 2016.

9 l. Notwithstanding section 249A.20, for
10 fee-for-service claims for the fiscal year beginning
11 July 1, 2016, the average reimbursement rate for health
12 care providers eligible for use of the federal Medicare
13 resource-based relative value scale reimbursement
14 methodology under section 249A.20 shall remain at the
15 rate in effect on June 30, 2016; however, this rate
16 shall not exceed the maximum level authorized by the
17 federal government.

18 m. For the fiscal year beginning July 1, 2016, the
19 reimbursement rate for residential care facilities
20 shall not be less than the minimum payment level as
21 established by the federal government to meet the
22 federally mandated maintenance of effort requirement.
23 The flat reimbursement rate for facilities electing not
24 to file annual cost reports shall not be less than the
25 minimum payment level as established by the federal
26 government to meet the federally mandated maintenance
27 of effort requirement.

28 n. For fee-for-service claims for the fiscal
29 year beginning July 1, 2016, the reimbursement rates
30 for inpatient mental health services provided at
31 hospitals shall remain at the rates in effect on June
32 30, 2016, subject to Medicaid program upper payment
33 limit rules; and for fee-for-service claims for the
34 fiscal year beginning July 1, 2016, psychiatrists
35 shall be reimbursed at the medical assistance program
36 fee-for-service rate in effect on June 30, 2016.

37 o. For the fiscal year beginning July 1, 2016,
38 community mental health centers may choose to be
39 reimbursed for the services provided to recipients of
40 medical assistance through either of the following
41 options:

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

44 (2) In accordance with the alternative
45 reimbursement rate methodology established by the
46 medical assistance program's managed care contractor
47 for mental health services and approved by the
48 department of human services.

49 p. For the fiscal year beginning July 1, 2016, the
50 upper limits on reimbursement rates for providers of

1 home and community-based services waiver services shall
2 remain at the limits in effect on June 30, 2016, except
3 that the department shall implement cost containment
4 strategies related to modified payment limits for
5 waiver services as recommended by the governor for the
6 fiscal year.

7 q. For fee-for-service claims for the fiscal year
8 beginning July 1, 2016, the reimbursement rates for
9 emergency medical service providers shall remain at the
10 rates in effect on June 30, 2016.

11 2. For the fiscal year beginning July 1, 2016, the
12 reimbursement rate for providers reimbursed under the
13 in-home-related care program shall not be less than the
14 minimum payment level as established by the federal
15 government to meet the federally mandated maintenance
16 of effort requirement.

17 3. Unless otherwise directed in this section, when
18 the department's reimbursement methodology for any
19 provider reimbursed in accordance with this section
20 includes an inflation factor, this factor shall not
21 exceed the amount by which the consumer price index for
22 all urban consumers increased during the calendar year
23 ending December 31, 2002.

24 4. For the fiscal year beginning July 1, 2016,
25 the foster family basic daily maintenance rate and
26 the maximum adoption subsidy rate for children ages 0
27 through 5 years shall be \$16.78, the rate for children
28 ages 6 through 11 years shall be \$17.45, the rate for
29 children ages 12 through 15 years shall be \$19.10,
30 and the rate for children and young adults ages 16
31 and older shall be \$19.35. For youth ages 18 to
32 21 who have exited foster care, the preparation for
33 adult living program maintenance rate shall be \$602.70
34 per month. The maximum payment for adoption subsidy
35 nonrecurring expenses shall be limited to \$500 and the
36 disallowance of additional amounts for court costs and
37 other related legal expenses implemented pursuant to
38 2010 Iowa Acts, chapter 1031, section 408, shall be
39 continued.

40 5. For the fiscal year beginning July 1, 2016,
41 the maximum reimbursement rates under the supervised
42 apartment living program and for social services
43 providers under contract shall remain at the rates
44 in effect on June 30, 2016, or the provider's actual
45 and allowable cost plus inflation for each service,
46 whichever is less. However, if a new service or
47 service provider is added after June 30, 2016, the
48 initial reimbursement rate for the service or provider
49 shall be based upon a weighted average of provider
50 rates for similar services.

1 6. For the fiscal year beginning July 1, 2016,
2 the reimbursement rates for family-centered service
3 providers, family foster care service providers,
4 and the resource family recruitment and retention
5 contractor shall remain at the rates in effect on June
6 30, 2016.

7 7. a. For the purposes of this subsection,
8 "combined reimbursement rate" means the combined
9 service and maintenance reimbursement rate for a
10 service level under the department's reimbursement
11 methodology. Effective July 1, 2016, the combined
12 reimbursement rate for a group foster care service
13 level shall be the amount designated in this
14 subsection. However, if a group foster care provider's
15 reimbursement rate for a service level as of June
16 30, 2016, is more than the rate designated in this
17 subsection, the provider's reimbursement shall remain
18 at the higher rate.

19 b. Unless a group foster care provider is subject
20 to the exception provided in paragraph "a", effective
21 July 1, 2016, the combined reimbursement rates for the
22 service levels under the department's reimbursement
23 methodology shall be as follows:

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

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

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

30 8. The group foster care reimbursement rates
31 paid for placement of children out of state shall
32 be calculated according to the same rate-setting
33 principles as those used for in-state providers,
34 unless the director of human services or the director's
35 designee determines that appropriate care cannot be
36 provided within the state. The payment of the daily
37 rate shall be based on the number of days in the
38 calendar month in which service is provided.

39 9. a. For the fiscal year beginning July 1, 2016,
40 the reimbursement rate paid for shelter care and
41 the child welfare emergency services implemented to
42 provide or prevent the need for shelter care shall be
43 established by contract.

44 b. For the fiscal year beginning July 1, 2016,
45 the combined service and maintenance components of
46 the reimbursement rate paid for shelter care services
47 shall be based on the financial and statistical report
48 submitted to the department. The maximum reimbursement
49 rate shall be \$96.98 per day. The department shall
50 reimburse a shelter care provider at the provider's

1 actual and allowable unit cost, plus inflation, not to
2 exceed the maximum reimbursement rate.

3 c. Notwithstanding section 232.141, subsection 8,
4 for the fiscal year beginning July 1, 2016, the amount
5 of the statewide average of the actual and allowable
6 rates for reimbursement of juvenile shelter care homes
7 that is utilized for the limitation on recovery of
8 unpaid costs is \$143.63.

9 10. For the fiscal year beginning July 1, 2016,
10 the department shall calculate reimbursement rates
11 for intermediate care facilities for persons with
12 an intellectual disability at the 80th percentile.
13 Beginning July 1, 2016, the rate calculation
14 methodology shall utilize the consumer price index
15 inflation factor applicable to the fiscal year
16 beginning July 1, 2016.

17 11. For the fiscal year beginning July 1, 2016,
18 for child care providers reimbursed under the state
19 child care assistance program, the department shall
20 set provider reimbursement rates based on the rate
21 reimbursement survey completed in December 2004.
22 Effective July 1, 2016, the child care provider
23 reimbursement rates shall remain at the rates in effect
24 on June 30, 2016. The department shall set rates in a
25 manner so as to provide incentives for a nonregistered
26 provider to become registered by applying the increase
27 only to registered and licensed providers.

28 12. The department may adopt emergency rules to
29 implement this section.

30 Sec. 132. EMERGENCY RULES.

31 1. If specifically authorized by a provision
32 of this division of this Act, the department of
33 human services or the mental health and disability
34 services commission may adopt administrative rules
35 under section 17A.4, subsection 3, and section
36 17A.5, subsection 2, paragraph "b", to implement
37 the provisions of this division of this Act and the
38 rules shall become effective immediately upon filing
39 or on a later effective date specified in the rules,
40 unless the effective date of the rules is delayed or
41 the applicability of the rules is suspended by the
42 administrative rules review committee. Any rules
43 adopted in accordance with this section shall not
44 take effect before the rules are reviewed by the
45 administrative rules review committee. The delay
46 authority provided to the administrative rules review
47 committee under section 17A.4, subsection 7, and
48 section 17A.8, subsection 9, shall be applicable to a
49 delay imposed under this section, notwithstanding a
50 provision in those sections making them inapplicable

1 to section 17A.5, subsection 2, paragraph "b". Any
2 rules adopted in accordance with the provisions of this
3 section shall also be published as a notice of intended
4 action as provided in section 17A.4.

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

21 Sec. 133. REPORTS. Any reports or other
22 information required to be compiled and submitted under
23 this Act during the fiscal year beginning July 1, 2016,
24 shall be submitted to the chairpersons and ranking
25 members of the joint appropriations subcommittee on
26 health and human services, the legislative services
27 agency, and the legislative caucus staffs on or before
28 the dates specified for submission of the reports or
29 information.

30 Sec. 134. EFFECTIVE UPON ENACTMENT. The following
31 provisions of this division of this Act, being deemed
32 of immediate importance, take effect upon enactment:

33 1. The provision relating to section 232.141
34 and directing the state court administrator and the
35 division administrator of the department of human
36 services division of child and family services to
37 make the determination, by June 15, 2016, of the
38 distribution of funds allocated for the payment of
39 the expenses of court-ordered services provided to
40 juveniles which are a charge upon the state.

41 DIVISION XXXI

42 HEALTH CARE ACCOUNTS AND FUNDS – FY 2016-2017

43 Sec. 135. PHARMACEUTICAL SETTLEMENT ACCOUNT. There
44 is appropriated from the pharmaceutical settlement
45 account created in section 249A.33 to the department of
46 human services for the fiscal year beginning July 1,
47 2016, and ending June 30, 2017, the following amount,
48 or so much thereof as is necessary, to be used for the
49 purpose designated:

50 Notwithstanding any provision of law to the

1 contrary, to supplement the appropriations made in this
2 Act for medical contracts under the medical assistance
3 program for the fiscal year beginning July 1, 2016, and
4 ending June 30, 2017:

5 \$ 1,001,088

6 Sec. 136. QUALITY ASSURANCE TRUST FUND –
7 DEPARTMENT OF HUMAN SERVICES. Notwithstanding
8 any provision to the contrary and subject to the
9 availability of funds, there is appropriated from the
10 quality assurance trust fund created in section 249L.4
11 to the department of human services for the fiscal year
12 beginning July 1, 2016, and ending June 30, 2017, the
13 following amounts, or so much thereof as is necessary,
14 for the purposes designated:

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

19 \$ 18,352,604

20 Sec. 137. HOSPITAL HEALTH CARE ACCESS TRUST FUND
21 – DEPARTMENT OF HUMAN SERVICES. Notwithstanding
22 any provision to the contrary and subject to the
23 availability of funds, there is appropriated from
24 the hospital health care access trust fund created in
25 section 249M.4 to the department of human services for
26 the fiscal year beginning July 1, 2016, and ending June
27 30, 2017, the following amounts, or so much thereof as
28 is necessary, for the purposes designated:

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

33 \$ 17,350,000

34 Sec. 138. MEDICAL ASSISTANCE PROGRAM –
35 NONREVERSION FOR FY 2016-2017. Notwithstanding
36 section 8.33, if moneys appropriated for purposes of
37 the medical assistance program for the fiscal year
38 beginning July 1, 2016, and ending June 30, 2017, from
39 the general fund of the state, the quality assurance
40 trust fund and the hospital health care access trust
41 fund, are in excess of actual expenditures for the
42 medical assistance program and remain unencumbered or
43 unobligated at the close of the fiscal year, the excess
44 moneys shall not revert but shall remain available for
45 expenditure for the purposes of the medical assistance
46 program until the close of the succeeding fiscal year.

47 DIVISION XXXII

48 PROPERTY TAX RELIEF FUND – BLOCK GRANT MONEYS –
49 APPROPRIATION FY 2016-2017

50 Sec. 139. PROPERTY TAX RELIEF FUND – BLOCK GRANT

1 MONEYS – APPROPRIATIONS. The moneys transferred
2 to the property tax relief fund for the fiscal year
3 beginning July 1, 2016, from the federal social
4 services block grant pursuant to 2015 Iowa Acts, House
5 File 630, if enacted, and from the federal temporary
6 assistance for needy families block grant, totaling at
7 least \$11,774,275, are appropriated to the department
8 of human services for the fiscal year beginning July
9 1, 2016, and ending June 30, 2017, to be used for the
10 purposes designated:

11 1. To be transferred to the appropriation in this
12 Act for child and family services for the fiscal year
13 beginning July 1, 2016, to be used for the purposes of
14 that appropriation:
15 \$ 4,355,902

16 2. For family planning activities in accordance
17 with the provisions of this Act creating a state family
18 planning services program:
19 \$ 1,531,235

20 DIVISION XXXIII

21 PERSONNEL SETTLEMENT AGREEMENT PAYMENTS

22 Sec. 140. PERSONNEL SETTLEMENT AGREEMENT

23 PAYMENTS. As a condition of the appropriations in this
24 2016 Act, the moneys appropriated and any other moneys
25 available shall not be used for payment of a personnel
26 settlement agreement that contains a confidentiality
27 provision intended to prevent public disclosure of the
28 agreement or any terms of the agreement.>

RECEIVED FROM THE HOUSE

SENATE FILE 510

S-3188

1 Amend Senate File 510 as follows:

2 1. Page 9, after line 1 by inserting:

3 <Sec. _____. Section 256.9, Code 2015, is amended by
4 adding the following new subsection:

5 NEW SUBSECTION. 66. Dedicate at least one-half of
6 one of the department's authorized full-time equivalent
7 positions to maintain a fine arts consultant to provide
8 guidance and assistance, including but not limited to
9 professional development, strategies, and materials,
10 to the department, school districts, and accredited
11 nonpublic schools relating to music, visual art, drama
12 and theater, and other fine and applied arts programs
13 and coursework.>

14 2. Page 9, after line 8 by inserting:

15 <Sec. _____. Section 418.9, subsection 8, Code 2015,
16 is amended to read as follows:

17 8. If, following approval of a project application
18 under the program, it is determined that the amount
19 of federal financial assistance exceeds the amount
20 of federal financial assistance specified in the
21 application, the board shall reduce the award of
22 financial assistance from the flood mitigation fund or
23 reduce the amount of sales tax revenue to be received
24 for the project by a corresponding amount. However,
25 a reduction in the amount of sales tax revenue to be
26 received for the project shall not be reduced if the
27 additional federal financial assistance does not reduce
28 the need for sales tax revenue due to an increase in
29 project costs incurred following the approval of the
30 project application under the program.>

31 3. Page 9, after line 16 by inserting:

32 <Sec. _____. Section 441.37A, subsection 1, paragraph
33 a, Code 2015, is amended to read as follows:

34 a. For the assessment year beginning January 1,
35 2007, and all subsequent assessment years beginning
36 before January 1, ~~2018~~ 2021, appeals may be taken from
37 the action of the board of review with reference to
38 protests of assessment, valuation, or application of an
39 equalization order to the property assessment appeal
40 board created in section 421.1A. However, a property
41 owner or aggrieved taxpayer or an appellant described
42 in section 441.42 may bypass the property assessment
43 appeal board and appeal the decision of the local board
44 of review to the district court pursuant to section
45 441.38.>

46 4. Page 12, after line 8 by inserting:

47 <Sec. _____. Section 715A.9A, subsection 1, paragraph
48 a, Code 2015, is amended to read as follows:

49 a. Is a victim of identity theft in this state ~~as~~
50 ~~described in section 715A.8~~ or resides in this state at

S-3188

1 the time the person is a victim of identity theft.>

2 5. Page 27, line 7, by striking <September 2015>
3 and inserting <the month following the date eligible
4 employees shall be required to agree to separate from
5 employment with the state as provided in subsection 2,
6 paragraph "e">

7 6. Page 28, by striking lines 5 and 6 and inserting
8 <equal to, for eligible employees with at least>

9 7. Page 28, line 14, by striking <July 31, 2015>
10 and inserting <the eligible enrollment date>

11 8. Page 28, line 16, after <program.> by inserting
12 <For purposes of this paragraph, "eligible enrollment
13 date" shall be the date, established by the department
14 that is not a weekend or holiday, that is at least
15 forty-five days after the effective date of this
16 division of this Act.>

17 9. Page 28, line 30, by striking <August 27,
18 2015> and inserting <thirty days after the eligible
19 enrollment date as established in this subsection>

20 10. Page 29, line 2, by striking <August 27, 2015>
21 and inserting <the date as determined in subsection 2,
22 paragraph "e">

23 11. Page 29, by striking lines 8 through 11 and
24 inserting <participant.>

25 12. Page 40, by striking lines 27 and 28 and
26 inserting <the department shall include an opioid
27 antagonist as preferred on the preferred>

28 13. Page 40, line 29, after <list> by inserting
29 <and provide for reimbursement of any device integral
30 to its administration>

31 14. Page 40, by striking lines 31 through 34.

32 15. By striking page 45, line 8, through page 47,
33 line 29, and inserting:

34 <Sec. _____. Section 456.1, Code 2015, is amended by
35 striking the section and inserting in lieu thereof the
36 following:

37 456.1 Geological survey created.

38 A geological survey of the state is created within
39 the university of Iowa.

40 Sec. _____. Section 456.2, Code 2015, is amended to
41 read as follows:

42 456.2 State geologist – qualifications.

43 The ~~director~~ board of regents shall appoint the
44 state geologist. The state geologist must, at a
45 minimum, have a masters degree in geology from an
46 accredited college or university and must have at least
47 five years of geological experience. The annual salary
48 of the state geologist shall be determined by the
49 ~~director~~ board of regents.

50 Sec. _____. Section 456.4, Code 2015, is amended to

1 read as follows:

2 456.4 Investigations – collection – renting space.

3 The state geologist shall investigate the
4 characters of the various soils and their capacities
5 for agricultural purposes, the streams, and other
6 scientific and natural resource matters that may be of
7 practical importance and interest. ~~For the purpose of~~
8 ~~preserving well drilling samples, rock cores, fossils,~~
9 ~~and other materials as may be necessary to carry on~~
10 ~~investigations, the state geologist shall have the~~
11 ~~authority to lease or rent sufficient space for storage~~
12 ~~of these materials with the approval of the director of~~
13 ~~the department of administrative services.~~ A complete
14 cabinet collection ~~may~~ shall be made to illustrate the
15 natural products of the state, and the state geologist
16 may also furnish suites of materials, rocks, and
17 fossils for colleges and public museums within the
18 state, if it can be done without impairing the general
19 state collection.

20 Sec. _____. Section 456.7, Code 2015, is amended to
21 read as follows:

22 456.7 Annual report.

23 The state geologist shall, annually, at the time
24 provided by law, make to the governor and the general
25 assembly a full report of the work in the preceding
26 year, which report shall be accompanied by such other
27 reports and papers as may be considered desirable for
28 publication.

29 Sec. _____. Section 456.10, Code 2015, is amended to
30 read as follows:

31 456.10 Distribution and sale of reports.

32 All publications of the geological survey shall
33 be distributed by the state as are other published
34 reports of state officers when no special provision is
35 made. When such distribution has been made the state
36 geologist shall retain a sufficient number of copies
37 to supply probable future demands and any copies in
38 excess of such number shall be sold to persons making
39 application therefor at the cost price of publication,
40 the money thus accruing to be turned into the treasury
41 of the state made available electronically via an
42 internet site maintained by the university of Iowa.>

43 16. By striking page 48, line 18, through page 49,
44 line 8, and inserting:

45 <Sec. _____. ENVIRONMENT FIRST FUND – FY 2015-2016.

46 1. There is appropriated from the environment first
47 fund created in section 8.57A to the university of
48 Iowa for the fiscal year beginning July 1, 2015, and
49 ending June 30, 2016, the following amount, or so much
50 thereof as is necessary, to be used for the purposes

1 designated:

2 For the state geological survey, including salaries,
3 support, maintenance, and miscellaneous purposes:

4 \$ 695,000

5 2. Moneys appropriated to the department of natural
6 resources in 2015 Iowa Acts, [Senate File 494](#), if
7 enacted, for the fiscal year beginning July 1, 2015,
8 for purposes of regulating water quantity from surface
9 and subsurface sources are reduced by \$495,000.

10 3. Moneys appropriated to the department of natural
11 resources in 2015 Iowa Acts, [Senate File 494](#), if
12 enacted, for the fiscal year beginning July 1, 2015,
13 for purposes of continuing the operations of the
14 department's geological and water survey are reduced
15 by \$200,000.

16 Sec. ____ ENVIRONMENT FIRST FUND – FY 2016-2017.

17 1. There is appropriated from the environment first
18 fund created in section 8.57A to the university of
19 Iowa for the fiscal year beginning July 1, 2016, and
20 ending June 30, 2017, the following amount, or so much
21 thereof as is necessary, to be used for the purposes
22 designated:

23 For the state geological survey, including salaries,
24 support, maintenance, and miscellaneous purposes:

25 \$ 347,500

26 2. Moneys appropriated to the department of natural
27 resources in 2015 Iowa Acts, [Senate File 494](#), if
28 enacted, for the fiscal year beginning July 1, 2016,
29 for purposes of regulating water quantity from surface
30 and subsurface sources are reduced by \$247,500.

31 3. Moneys appropriated to the department of natural
32 resources in 2015 Iowa Acts, [Senate File 494](#), if
33 enacted, for the fiscal year beginning July 1, 2016,
34 for purposes of continuing the operations of the
35 department's geological and water survey are reduced
36 by \$100,000.

37 Sec. ____ GENERAL FUND – FY 2015-2016.

38 1. There is appropriated from the general fund of
39 the state to the university of Iowa for the fiscal year
40 beginning July 1, 2015, and ending June 30, 2016, the
41 following amount, or so much thereof as is necessary,
42 to be used for the purposes designated:

43 For the state geological survey, including salaries,
44 support, maintenance, and miscellaneous purposes:

45 \$ 132,000

46 2. Moneys appropriated to the department of natural
47 resources in 2015 Iowa Acts, [Senate File 494](#), if
48 enacted, for the fiscal year beginning July 1, 2015,
49 for purposes of supporting the department, including
50 its divisions, for administration, regulation, and

1 programs are reduced by \$132,000.

2 Sec. ____ . GENERAL FUND – FY 2016-2017.

3 1. There is appropriated from the general fund of
4 the state to the university of Iowa for the fiscal year
5 beginning July 1, 2016, and ending June 30, 2017, the
6 following amount, or so much thereof as is necessary,
7 to be used for the purposes designated:

8 For the state geological survey, including salaries,
9 support, maintenance, and miscellaneous purposes:

10 \$ 66,000

11 2. Moneys appropriated to the department of natural
12 resources in 2015 Iowa Acts, [Senate File 494](#), if
13 enacted, for the fiscal year beginning July 1, 2016,
14 for purposes of supporting the department, including
15 its divisions, for administration, regulation, and
16 programs are reduced by \$66,000.

17 Sec. ____ . REBUILD IOWA INFRASTRUCTURE FUND. There
18 is appropriated from the rebuild Iowa infrastructure
19 fund to the university of Iowa for the fiscal year
20 beginning July 1, 2015, and ending June 30, 2016, the
21 following amount, or so much thereof as is necessary,
22 to be used for the purposes designated:

23 For the state geological survey, including salaries,
24 support, maintenance, and miscellaneous purposes,
25 notwithstanding section 8.57, subsection 5, paragraph
26 "c":

27 \$ 300,000>

28 17. Page 50, line 30, by striking <in a
29 declaration>

30 18. Page 68, line 22, after <date> by inserting <of
31 this division>

32 19. Page 92, after line 28 by inserting:

33 <DIVISION ____
34 RESIDENTIAL SWIMMING POOLS

35 Sec. ____ . RESIDENTIAL SWIMMING POOLS – PRIVATE
36 SWIMMING LESSONS. Notwithstanding any provision of
37 law to the contrary, the department of public health
38 shall require that a residential swimming pool used
39 for private swimming lessons for up to two hundred
40 seven hours in a calendar month, or the number of
41 hours prescribed by local ordinance applicable to
42 such use of a residential swimming pool, whichever is
43 greater, be regulated as a residential swimming pool
44 used for commercial purposes pursuant to chapter 135I.
45 The department of public health may adopt rules to
46 implement this section.

47 Sec. ____ . EFFECTIVE UPON ENACTMENT. This division
48 of this Act, being deemed of immediate importance,
49 takes effect upon enactment.>

50 20. By renumbering, redesignating, and correcting

S-3188

Page 6

1 internal references as necessary.

By ROBERT E. DVORSKY

S-3188 FILED MAY 14, 2015

RULED OUT OF ORDER

SENATE FILE 510

S-3190

1 Amend Senate File 510 as follows:

2 1. Page 9, after line 1 by inserting:

3 <Sec. ____ Section 249M.5, Code 2015, is amended to
4 read as follows:

5 249M.5 Future repeal.

6 This chapter is repealed ~~June 30, 2016~~ December 31,
7 2015.>

8 2. By renumbering as necessary.

By ROBERT E. DVORSKY

S-3190 FILED MAY 14, 2015

ADOPTED

SENATE FILE 510

S-3191

1 Amend the amendment, S-3188, to Senate File 510 as
2 follows:

3 1. Page 2, by striking lines 47 through 49 and
4 inserting <five years of geological experience.

5 ~~The annual salary of the state geologist shall be
6 determined by the director.~~>

By ROBERT E. DVORSKY

S-3191 FILED MAY 14, 2015

ADOPTED

SENATE FILE 510

S-3192

1 Amend Senate File 510 as follows:

2 1. Page 3, after line 12 by inserting:

3 <Sec. ____ SILOS AND SMOKESTACKS. There is
4 appropriated from the state bond repayment fund created
5 in section 8.57F to the department of agriculture and
6 land stewardship for the fiscal year beginning July 1,
7 2015, and ending June 30, 2016, the following amount,
8 or so much thereof as is necessary, to be used for the
9 purposes designated:

10 For support of the silos and smokestacks national
11 heritage area to provide continued agricultural-related
12 education and preservation:

13 \$ 250,000>

14 2. By renumbering as necessary.

By TIM L. KAPUCIAN

S-3192 FILED MAY 14, 2015

ADOPTED

SENATE FILE 510

S-3193

1 Amend Senate File 510 as follows:

2 1. Page 92, before line 29 by inserting:

3 <DIVISION ____

4 AUTOMATED TRAFFIC LAW ENFORCEMENT SYSTEMS

5 Sec. ____ . Section 321.1, Code 2015, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 06A. "Automated traffic law

8 enforcement system" means a system that operates in

9 conjunction with an official traffic-control signal,

10 as described in section 321.257, or a speed measuring

11 device to produce recorded images of motor vehicles

12 being operated in violation of traffic or speed laws.

13 Sec. ____ . NEW SECTION. 321.5A Automated traffic

14 law enforcement systems prohibited.

15 The department or a local authority shall not place,

16 cause to be placed, maintain, or employ the use of an

17 automated traffic law enforcement system on or adjacent

18 to a highway of this state for the enforcement of

19 any provision of this chapter or any local ordinance

20 relating to the operation of motor vehicles.

21 Sec. ____ . REMOVAL OF AUTOMATED TRAFFIC LAW

22 ENFORCEMENT SYSTEMS – VALIDITY OF PRIOR NOTICES

23 AND CITATIONS. On or before July 1, 2015, a local

24 authority using an automated traffic law enforcement

25 system shall discontinue using the system and remove

26 the system equipment. Effective July 1, 2015, all

27 local ordinances authorizing the use of an automated

28 traffic law enforcement system are void. However,

29 notices of violations mailed or citations issued

30 pursuant to such an ordinance prior to July 1, 2015,

31 shall not be invalidated by the enactment of this

32 division of this Act and shall be processed according

33 to the provisions of the law under which they were

34 authorized.

35 Sec. ____ . EFFECTIVE UPON ENACTMENT. This division

36 of this Act, being deemed of immediate importance,

37 takes effect upon enactment.>

38 2. By renumbering as necessary.

By MARK CHELGREN

JERRY BEHN

JASON SCHULTZ

JACK WHITVER

TOM SHIPLEY

S-3193 FILED MAY 14, 2015

WITHDRAWN

SENATE FILE 510

S-3194

1 Amend Senate File 510 as follows:

2 1. Page 92, after line 28 by inserting:

3 <DIVISION ____

4 IOWA EDUCATION SAVINGS PLAN TRUST

5 Sec. ____ . Section 422.7, subsection 32, paragraph
6 a, Code 2015, is amended to read as follows:

7 a. Subtract the maximum contribution that may be
8 deducted for Iowa income tax purposes as a participant
9 in the Iowa educational savings plan trust pursuant
10 to section 12D.3, subsection 1, paragraph "a". For
11 purposes of this paragraph, a participant who makes
12 a contribution on or before the date prescribed in
13 section 422.21 for making and filing an individual
14 income tax return, excluding extensions, may elect to
15 be deemed to have made the contribution on the last
16 day of the preceding calendar year. The director,
17 after consultation with the treasurer of state, shall
18 prescribe by rule the manner and method by which a
19 participant may make an election authorized by the
20 preceding sentence.

21 Sec. ____ . RETROACTIVE APPLICABILITY. This division
22 of this Act applies retroactively to January 1, 2015,
23 for tax years beginning on or after that date.>

24 2. By renumbering as necessary.

By ROBY SMITH

S-3194 FILED MAY 14, 2015

ADOPTED

SENATE FILE 510

S-3195

1 Amend Senate File 510 as follows:

2 1. Page 42, line 22, by striking <\$40,000> and
3 inserting <\$10,000>

By ROBERT E. DVORSKY

S-3195 FILED MAY 14, 2015

ADOPTED

SENATE FILE 510

S-3196

1 Amend Senate File 510 as follows:

2 1. Page 92, before line 29 by inserting:

3 <DIVISION ____

4 BUSINESS-TRADE TRUCKS

5 Sec. ____ Section 321.120, Code 2015, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 6. If a law or rule of another
8 state or a foreign country imposes a tax or fee
9 on a business-trade truck which is registered in
10 Iowa and operated in that other state or foreign
11 country, the department shall impose a tax or fee
12 on a business-trade truck which is registered in
13 that state or foreign country and operated in Iowa
14 in the same amount as the tax or fee imposed by the
15 state or country in which the business-trade truck is
16 registered.>

17 2. By renumbering as necessary.

By RICK BERTRAND

S-3196 FILED MAY 14, 2015

ADOPTED

S-3197

1 Amend Senate File 510 as follows:

2 1. Page 92, after line 28 by inserting:

3 <DIVISION ____

4 EXPERIMENTAL MEDICAL TREATMENTS

5 Sec. ____ . NEW SECTION. 144E.1 Title.

6 This chapter shall be known and may be cited as the

7 "Right to Try Act".

8 Sec. ____ . NEW SECTION. 144E.2 Definitions.

9 As used in this chapter:

10 1. "Eligible patient" means an individual who meets
11 all of the following conditions:

12 a. Has a terminal illness, attested to by the
13 patient's treating physician.

14 b. Has considered all other treatment options
15 approved by the United States food and drug
16 administration.

17 c. Has received a recommendation from the
18 individual's physician for an investigational drug,
19 biological product, or device.

20 d. Has given written informed consent for the use
21 of the investigational drug, biological product, or
22 device.

23 e. Has documentation from the individual's
24 physician that the individual meets the requirements
25 of this subsection.

26 2. "Investigational drug, biological product, or
27 device" means a drug, biological product, or device
28 that has successfully completed phase 1 of a United
29 States food and drug administration-approved clinical
30 trial but has not yet been approved for general use
31 by the United States food and drug administration and
32 remains under investigation in a United States food and
33 drug administration-approved clinical trial.

34 3. "Terminal illness" means a progressive disease
35 or medical or surgical condition that entails
36 significant functional impairment, that is not
37 considered by a treating physician to be reversible
38 even with administration of treatments approved by the
39 United States food and drug administration, and that,
40 without life-sustaining procedures, will soon result
41 in death.

42 4. "Written informed consent" means a written
43 document that is signed by the patient, a parent of
44 a minor patient, or a legal guardian or other legal
45 representative of the patient and attested to by the
46 patient's treating physician and a witness and that
47 includes all of the following:

48 a. An explanation of the products and treatments
49 approved by the United States food and drug
50 administration for the disease or condition from which

S-3197

1 the patient suffers.

2 b. An attestation that the patient concurs with
3 the patient's treating physician in believing that all
4 products and treatments approved by the United States
5 food and drug administration are unlikely to prolong
6 the patient's life.

7 c. Clear identification of the specific proposed
8 investigational drug, biological product, or device
9 that the patient is seeking to use.

10 d. A description of the best and worst potential
11 outcomes of using the investigational drug, biological
12 product, or device and a realistic description of the
13 most likely outcome. The description shall include
14 the possibility that new, unanticipated, different, or
15 worse symptoms might result and that death could be
16 hastened by use of the proposed investigational drug,
17 biological product, or device. The description shall
18 be based on the treating physician's knowledge of the
19 proposed investigational drug, biological product,
20 or device in conjunction with an awareness of the
21 patient's condition.

22 e. A statement that the patient's health plan
23 or third-party administrator and provider are not
24 obligated to pay for any care or treatments consequent
25 to the use of the investigational drug, biological
26 product, or device, unless they are specifically
27 required to do so by law or contract.

28 f. A statement that the patient's eligibility for
29 hospice care may be withdrawn if the patient begins
30 curative treatment with the investigational drug,
31 biological product, or device and that care may be
32 reinstated if this treatment ends and the patient meets
33 hospice eligibility requirements.

34 g. A statement that the patient understands that
35 the patient is liable for all expenses consequent
36 to the use of the investigational drug, biological
37 product, or device and that this liability extends to
38 the patient's estate unless a contract between the
39 patient and the manufacturer of the investigational
40 drug, biological product, or device states otherwise.

41 Sec. ____ . NEW SECTION. 144E.3 Manufacturer rights.

42 1. A manufacturer of an investigational drug,
43 biological product, or device may make available and
44 an eligible patient may request the manufacturer's
45 investigational drug, biological product, or device
46 under this chapter. This chapter does not require a
47 manufacturer of an investigational drug, biological
48 product, or device to provide or otherwise make
49 available the investigational drug, biological product,
50 or device to an eligible patient.

1 2. A manufacturer described in subsection 1 may do
2 any of the following:

3 a. Provide an investigational drug, biological
4 product, or device to an eligible patient without
5 receiving compensation.

6 b. Require an eligible patient to pay the costs of,
7 or the costs associated with, the manufacture of the
8 investigational drug, biological product, or device.

9 Sec. _____. NEW SECTION. 144E.4 Treatment coverage.

10 1. This chapter does not expand the coverage
11 required of an insurer under Title XIII, subtitle 1.

12 2. A health plan, third-party administrator, or
13 governmental agency may provide coverage for the cost
14 of an investigational drug, biological product, or
15 device, or the cost of services related to the use of
16 an investigational drug, biological product, or device
17 under this chapter.

18 3. This chapter does not require any governmental
19 agency to pay costs associated with the use, care, or
20 treatment of a patient with an investigational drug,
21 biological product, or device.

22 4. This chapter does not require a hospital
23 licensed under chapter 135B or other health care
24 facility to provide new or additional services.

25 Sec. _____. NEW SECTION. 144E.5 Heirs not liable for
26 treatment debts.

27 If a patient dies while being treated by an
28 investigational drug, biological product, or device,
29 the patient's heirs are not liable for any outstanding
30 debt related to the treatment or lack of insurance due
31 to the treatment, unless otherwise required by law.

32 Sec. _____. NEW SECTION. 144E.6 Provider recourse.

33 1. The board of medicine created under chapter
34 147 shall not revoke, fail to renew, suspend, or take
35 any action against a physician's license based solely
36 on the physician's recommendations to an eligible
37 patient regarding access to or treatment with an
38 investigational drug, biological product, or device.

39 2. To the extent consistent with federal law,
40 an entity responsible for Medicare certification
41 shall not take action against a physician's Medicare
42 certification based solely on the physician's
43 recommendation that a patient have access to an
44 investigational drug, biological product, or device.

45 Sec. _____. NEW SECTION. 144E.7 State interference.

46 An official, employee, or agent of this state shall
47 not block or attempt to block an eligible patient's
48 access to an investigational drug, biological product,
49 or device. Counseling, advice, or a recommendation
50 consistent with medical standards of care from a

1 licensed physician is not a violation of this section.
2 Sec. ____ . NEW SECTION. 144E.8 Private cause of
3 action.

4 1. This chapter shall not create a private cause
5 of action against a manufacturer of an investigational
6 drug, biological product, or device or against
7 any other person or entity involved in the care
8 of an eligible patient using the investigational
9 drug, biological product, or device for any harm
10 done to the eligible patient resulting from the
11 investigational drug, biological product, or device, if
12 the manufacturer or other person or entity is complying
13 in good faith with the terms of this chapter and has
14 exercised reasonable care.

15 2. This chapter shall not affect any mandatory
16 health care coverage for participation in clinical
17 trials under Title XIII, subtitle 1.>

18 2. By renumbering as necessary.

By RICK BERTRAND

SENATE FILE 510

S-3198

1 Amend Senate File 510 as follows:

2 1. Page 92, after line 28 by inserting:

3 <DIVISION ____

4 INDIVIDUAL INCOME TAX EXEMPTION

5 Sec. ____ . NEW SECTION. 422.5A Exempt individuals.

6 1. Notwithstanding any other provision of law to
7 the contrary, an individual who is at least sixty-five
8 years old on December 31 of the tax year shall be
9 exempt from the taxes imposed under this division.

10 2. Notwithstanding any other provision of law
11 to the contrary, an individual exempt from the taxes
12 imposed under this division pursuant to subsection
13 1 shall not be required to make and file a return
14 pursuant to section 422.13.

15 3. Notwithstanding any other provision of law to
16 the contrary, a withholding agent, employer, or other
17 person shall not be required to deduct and withhold any
18 amounts as required in section 422.16 for or from an
19 individual who is exempt from the taxes imposed under
20 this division pursuant to subsection 1.

21 Sec. ____ . Section 422.12, subsection 2, paragraph
22 a, subparagraph (4), Code 2015, is amended by striking
23 the subparagraph.

24 Sec. ____ . EFFECTIVE UPON ENACTMENT. This division
25 of this Act, being deemed of immediate importance,
26 takes effect upon enactment.

27 Sec. ____ . RETROACTIVE APPLICABILITY. This division
28 of this Act applies retroactively to January 1, 2015,
29 for tax years beginning on or after that date.>

30 2. By renumbering as necessary.

By MARK CHELGREN
JASON SCHULTZ

MARK SEGEBART
JACK WHITVER

S-3198 FILED MAY 14, 2015
WITHDRAWN

SENATE FILE 510

S-3199

1 Amend Senate File 510 as follows:

2 1. Page 92, after line 28 by inserting:

3 <DIVISION ____
4 HATE CRIMES

5 Sec. ____ NEW SECTION. 718A.1B Intimidation
6 by desecration of flag or insignia in violation of
7 individual rights.

8 For the purposes of this section, "intimidation
9 by desecration of flag or insignia in violation of
10 individual rights" means a violation of section 718A.1A
11 with intent to intimidate a person on the basis of that
12 person's veteran status or on the basis of a person's
13 association with a veteran, and shall be classified as
14 a hate crime as defined in section 729A.2. A person
15 who commits intimidation by desecration of flag or
16 insignia in violation of individual rights is guilty of
17 a simple misdemeanor.

18 Sec. ____ Section 729A.1, Code 2015, is amended to
19 read as follows:

20 729A.1 Violations of an individual's rights
21 prohibited.

22 1. Persons within the state of Iowa have the right
23 to be free from any violence, or intimidation by
24 threat of violence, committed against their persons
25 or property because of their race, color, religion,
26 ancestry, national origin, political affiliation, sex,
27 sexual orientation, age, or disability.

28 2. Persons within the state of Iowa have the
29 right to be free from any violence or intimidation
30 committed against their persons or property because
31 of their veteran status or on the basis of a person's
32 association with a veteran.

33 Sec. ____ Section 729A.2, unnumbered paragraph 1,
34 Code 2015, is amended to read as follows:

35 "Hate crime" means one of the following public
36 offenses when committed against a person or a person's
37 property because of the person's race, color, religion,
38 ancestry, national origin, political affiliation, sex,
39 sexual orientation, age, veteran status, or disability,
40 or the person's association with a person of a certain
41 race, color, religion, ancestry, national origin,
42 political affiliation, sex, sexual orientation, age,
43 veteran status, or disability:

44 Sec. ____ Section 729A.2, Code 2015, is amended by
45 adding the following new subsection:

46 NEW SUBSECTION. 5. Intimidation by desecration
47 of flag or insignia in violation of individual rights
48 under section 718A.1B.>

49 2. By renumbering as necessary.

By MARK CHELGREN
MICHAEL BREITBACH
KEN ROZENBOOM
AMY SINCLAIR
MARK COSTELLO

TIM L. KAPUCIAN
JACK WHITVER
TIM KRAAYENBRINK
BILL ANDERSON
DENNIS GUTH

[S-3199](#) FILED MAY 14, 2015
WITHDRAWN

S-3201

1 Amend Senate File 510 as follows:

2 1. Page 9, after line 1 by inserting:

3 <Sec. ____ Section 155A.27, Code 2015, is amended
4 to read as follows:

5 155A.27 Requirements for prescription.

6 To be valid, each prescription drug order issued
7 or dispensed in this state must be based on a valid
8 patient-practitioner relationship, and shall comply
9 with all of the following:

10 1. If written, ~~electronic~~, or facsimile, shall
11 contain:

12 a. The date of issue.

13 b. The name and address of the patient for whom,
14 or the owner of the animal for which, the drug is
15 dispensed.

16 c. The name, strength, and quantity of the drug,
17 medicine, or device prescribed.

18 d. The directions for use of the drug, medicine, or
19 device prescribed.

20 e. The name, address, and written or electronic
21 signature of the practitioner issuing the prescription.

22 f. The federal drug enforcement administration
23 number, if required under chapter 124.

24 2. If ~~electronic~~, the practitioner issuing the
25 prescription shall furnish the same information
26 required for a written prescription under subsection 1,
27 except for the written or electronic signature of the
28 practitioner unless otherwise required by federal law
29 or chapter 124, and shall:

30 a. ~~The practitioner shall ensure~~ Ensure that the
31 electronic system used to transmit the electronic
32 prescription has adequate security and system
33 safeguards designed to prevent and detect unauthorized
34 access, modification, or manipulation of the
35 prescription.

36 b. ~~The practitioner shall provide~~ Provide verbal
37 verification of the electronic prescription upon the
38 request of the pharmacy.

39 3. a. If facsimile, in addition to the
40 requirements of subsection 1, shall contain all of the
41 following:

42 (1) The identification number of the facsimile
43 machine which is used to transmit the prescription.

44 (2) The time and date of transmission of the
45 prescription.

46 (3) The name, address, telephone number, and
47 facsimile number of the pharmacy to which the
48 prescription is being transmitted.

49 b. A practitioner shall provide verbal verification
50 of the facsimile prescription upon the request of the

1 pharmacy.

2 4. If oral, the practitioner issuing the
3 prescription shall furnish the same information
4 required for a written prescription under subsection
5 1, except for the written signature and address of the
6 practitioner. Upon receipt of an oral prescription,
7 the pharmacist shall promptly reduce the oral
8 prescription to a written format by recording the
9 information required in a written prescription.

10 <Sec. _____. Section 256.9, Code 2015, is amended by
11 adding the following new subsection:

12 NEW SUBSECTION. 66. Dedicate at least one-half of
13 one of the department's authorized full-time equivalent
14 positions to maintain a fine arts consultant to provide
15 guidance and assistance, including but not limited to
16 professional development, strategies, and materials,
17 to the department, school districts, and accredited
18 nonpublic schools relating to music, visual art, drama
19 and theater, and other fine and applied arts programs
20 and coursework.>

21 2. Page 9, after line 8 by inserting:

22 <Sec. _____. Section 418.9, subsection 8, Code 2015,
23 is amended to read as follows:

24 8. If, following approval of a project application
25 under the program, it is determined that the amount
26 of federal financial assistance exceeds the amount
27 of federal financial assistance specified in the
28 application, the board shall reduce the award of
29 financial assistance from the flood mitigation fund or
30 reduce the amount of sales tax revenue to be received
31 for the project by a corresponding amount. However,
32 a reduction in the amount of sales tax revenue to be
33 received for the project shall not be reduced if the
34 additional federal financial assistance does not reduce
35 the need for sales tax revenue due to an increase in
36 project costs incurred following the approval of the
37 project application under the program.>

38 3. Page 9, after line 16 by inserting:

39 <Sec. _____. Section 441.37A, subsection 1, paragraph
40 a, Code 2015, is amended to read as follows:

41 a. For the assessment year beginning January 1,
42 2007, and all subsequent assessment years beginning
43 before January 1, ~~2018~~ 2021, appeals may be taken from
44 the action of the board of review with reference to
45 protests of assessment, valuation, or application of an
46 equalization order to the property assessment appeal
47 board created in section 421.1A. However, a property
48 owner or aggrieved taxpayer or an appellant described
49 in section 441.42 may bypass the property assessment
50 appeal board and appeal the decision of the local board

1 of review to the district court pursuant to section
2 441.38.>

3 4. Page 12, after line 8 by inserting:

4 <Sec. _____. Section 715A.9A, subsection 1, paragraph
5 a, Code 2015, is amended to read as follows:

6 a. Is a victim of identity theft in this state ~~as~~
7 ~~described in section 715A.8~~ or resides in this state at
8 the time the person is a victim of identity theft.>

9 5. Page 27, line 7, by striking <September 2015>
10 and inserting <the month following the date eligible
11 employees shall be required to agree to separate from
12 employment with the state as provided in subsection 2,
13 paragraph "e">

14 6. Page 28, by striking lines 5 and 6 and inserting
15 <equal to, for eligible employees with at least>

16 7. Page 28, line 14, by striking <July 31, 2015>
17 and inserting <the eligible enrollment date>

18 8. Page 28, line 16, after <program.> by inserting
19 <For purposes of this paragraph, "eligible enrollment
20 date" shall be the date, established by the department
21 that is not a weekend or holiday, that is at least
22 forty-five days after the effective date of this
23 division of this Act.>

24 9. Page 28, line 30, by striking <August 27,
25 2015> and inserting <thirty days after the eligible
26 enrollment date as established in this subsection>

27 10. Page 29, line 2, by striking <August 27, 2015>
28 and inserting <the date as determined in subsection 2,
29 paragraph "e">

30 11. Page 29, by striking lines 8 through 11 and
31 inserting <participant.>

32 12. Page 40, by striking lines 27 and 28 and
33 inserting <the department shall include an opioid
34 antagonist as preferred on the preferred>

35 13. Page 40, line 29, after <list> by inserting
36 <and provide for reimbursement of any device integral
37 to its administration>

38 14. Page 40, by striking lines 31 through 34.

39 15. By striking page 45, line 8, through page 47,
40 line 29, and inserting:

41 <Sec. _____. Section 456.1, Code 2015, is amended by
42 striking the section and inserting in lieu thereof the
43 following:

44 456.1 Geological survey created.

45 A geological survey of the state is created within
46 the university of Iowa.

47 Sec. _____. Section 456.2, Code 2015, is amended to
48 read as follows:

49 456.2 State geologist – qualifications.

50 The ~~director~~ board of regents shall appoint the

1 state geologist. The state geologist must, at a
2 minimum, have a masters degree in geology from an
3 accredited college or university and must have at
4 least five years of geological experience. ~~The annual~~
5 ~~salary of the state geologist shall be determined by~~
6 ~~the director.~~

7 Sec. _____. Section 456.4, Code 2015, is amended to
8 read as follows:

9 456.4 Investigations – collection – renting space.

10 The state geologist shall investigate the
11 characters of the various soils and their capacities
12 for agricultural purposes, the streams, and other
13 scientific and natural resource matters that may be of
14 practical importance and interest. ~~For the purpose of~~
15 ~~preserving well drilling samples, rock cores, fossils,~~
16 ~~and other materials as may be necessary to carry on~~
17 ~~investigations, the state geologist shall have the~~
18 ~~authority to lease or rent sufficient space for storage~~
19 ~~of these materials with the approval of the director of~~
20 ~~the department of administrative services.~~ A complete
21 cabinet collection ~~may~~ shall be made to illustrate the
22 natural products of the state, and the state geologist
23 may also furnish suites of materials, rocks, and
24 fossils for colleges and public museums within the
25 state, if it can be done without impairing the general
26 state collection.

27 Sec. _____. Section 456.7, Code 2015, is amended to
28 read as follows:

29 456.7 Annual report.

30 The state geologist shall, annually, at the time
31 provided by law, make to the governor and the general
32 assembly a full report of the work in the preceding
33 year, which report shall be accompanied by such other
34 reports and papers as may be considered desirable for
35 publication.

36 Sec. _____. Section 456.10, Code 2015, is amended to
37 read as follows:

38 456.10 Distribution and sale of reports.

39 All publications of the geological survey shall
40 be distributed ~~by the state as are other published~~
41 ~~reports of state officers when no special provision is~~
42 ~~made. When such distribution has been made the state~~
43 ~~geologist shall retain a sufficient number of copies~~
44 ~~to supply probable future demands and any copies in~~
45 ~~excess of such number shall be sold to persons making~~
46 ~~application therefor at the cost price of publication,~~
47 ~~the money thus accruing to be turned into the treasury~~
48 ~~of the state made available electronically via an~~
49 internet site maintained by the university of Iowa.>

50 16. By striking page 48, line 18, through page 49,

1 line 8, and inserting:

2 <Sec. _____. ENVIRONMENT FIRST FUND – FY 2015-2016.

3 1. There is appropriated from the environment first
4 fund created in section 8.57A to the university of
5 Iowa for the fiscal year beginning July 1, 2015, and
6 ending June 30, 2016, the following amount, or so much
7 thereof as is necessary, to be used for the purposes
8 designated:

9 For the state geological survey, including salaries,
10 support, maintenance, and miscellaneous purposes:

11 \$ 695,000

12 2. Moneys appropriated to the department of natural
13 resources in 2015 Iowa Acts, [Senate File 494](#), if
14 enacted, for the fiscal year beginning July 1, 2015,
15 for purposes of regulating water quantity from surface
16 and subsurface sources are reduced by \$495,000.

17 3. Moneys appropriated to the department of natural
18 resources in 2015 Iowa Acts, [Senate File 494](#), if
19 enacted, for the fiscal year beginning July 1, 2015,
20 for purposes of continuing the operations of the
21 department's geological and water survey are reduced
22 by \$200,000.

23 Sec. _____. ENVIRONMENT FIRST FUND – FY 2016-2017.

24 1. There is appropriated from the environment first
25 fund created in section 8.57A to the university of
26 Iowa for the fiscal year beginning July 1, 2016, and
27 ending June 30, 2017, the following amount, or so much
28 thereof as is necessary, to be used for the purposes
29 designated:

30 For the state geological survey, including salaries,
31 support, maintenance, and miscellaneous purposes:

32 \$ 347,500

33 2. Moneys appropriated to the department of natural
34 resources in 2015 Iowa Acts, [Senate File 494](#), if
35 enacted, for the fiscal year beginning July 1, 2016,
36 for purposes of regulating water quantity from surface
37 and subsurface sources are reduced by \$247,500.

38 3. Moneys appropriated to the department of natural
39 resources in 2015 Iowa Acts, [Senate File 494](#), if
40 enacted, for the fiscal year beginning July 1, 2016,
41 for purposes of continuing the operations of the
42 department's geological and water survey are reduced
43 by \$100,000.

44 Sec. _____. GENERAL FUND – FY 2015-2016.

45 1. There is appropriated from the general fund of
46 the state to the university of Iowa for the fiscal year
47 beginning July 1, 2015, and ending June 30, 2016, the
48 following amount, or so much thereof as is necessary,
49 to be used for the purposes designated:

50 For the state geological survey, including salaries,

1 support, maintenance, and miscellaneous purposes:
2 \$ 132,000

3 2. Moneys appropriated to the department of natural
4 resources in 2015 Iowa Acts, Senate File 494, if
5 enacted, for the fiscal year beginning July 1, 2015,
6 for purposes of supporting the department, including
7 its divisions, for administration, regulation, and
8 programs are reduced by \$132,000.

9 Sec. ____ GENERAL FUND - FY 2016-2017.

10 1. There is appropriated from the general fund of
11 the state to the university of Iowa for the fiscal year
12 beginning July 1, 2016, and ending June 30, 2017, the
13 following amount, or so much thereof as is necessary,
14 to be used for the purposes designated:

15 For the state geological survey, including salaries,
16 support, maintenance, and miscellaneous purposes:
17 \$ 66,000

18 2. Moneys appropriated to the department of natural
19 resources in 2015 Iowa Acts, Senate File 494, if
20 enacted, for the fiscal year beginning July 1, 2016,
21 for purposes of supporting the department, including
22 its divisions, for administration, regulation, and
23 programs are reduced by \$66,000.

24 Sec. ____ REBUILD IOWA INFRASTRUCTURE FUND. There
25 is appropriated from the rebuild Iowa infrastructure
26 fund to the university of Iowa for the fiscal year
27 beginning July 1, 2015, and ending June 30, 2016, the
28 following amount, or so much thereof as is necessary,
29 to be used for the purposes designated:

30 For the state geological survey, including salaries,
31 support, maintenance, and miscellaneous purposes,
32 notwithstanding section 8.57, subsection 5, paragraph
33 "c":
34 \$ 300,000>

35 17. Page 50, line 30, by striking <in a
36 declaration>

37 18. Page 68, line 22, after <date> by inserting <of
38 this division>

39 19. Page 92, after line 28 by inserting:
40 <DIVISION ____

41 RESIDENTIAL SWIMMING POOLS

42 Sec. ____ RESIDENTIAL SWIMMING POOLS - PRIVATE
43 SWIMMING LESSONS. Notwithstanding any provision of
44 law to the contrary, the department of public health
45 shall require that a residential swimming pool used
46 for private swimming lessons for up to two hundred
47 seven hours in a calendar month, or the number of
48 hours prescribed by local ordinance applicable to
49 such use of a residential swimming pool, whichever is
50 greater, be regulated as a residential swimming pool

S-3201

Page 7

1 used for commercial purposes pursuant to chapter 135I.
2 The department of public health may adopt rules to
3 implement this section.

4 Sec. ____ . EFFECTIVE UPON ENACTMENT. This division
5 of this Act, being deemed of immediate importance,
6 takes effect upon enactment.>

7 20. By renumbering, redesignating, and correcting
8 internal references as necessary.

By ROBERT E. DVORSKY

S-3201 FILED MAY 14, 2015

ADOPTED

HOUSE FILE 550

S-3189

1 Amend House File 550, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, line 10, by striking <shall> and
4 inserting <may>

5 2. Page 1, line 15, by striking <and> and inserting
6 <or>

By JEFF DANIELSON

S-3189 FILED MAY 14, 2015

S-3200

1 Amend House File 654, as passed by the House, as
2 follows:

3 1. Page 8, after line 6 by inserting:

4 <DIVISION ____

5 REINVESTMENT DISTRICTS AND FLOOD MITIGATION

6 Sec. _____. Section 15J.4, subsection 3, paragraph a,
7 Code 2015, is amended to read as follows:

8 a. The municipality shall submit a copy of the
9 resolution, the proposed district plan, and all
10 accompanying materials adopted pursuant to this section
11 to the board for evaluation. The board shall not
12 approve a proposed district plan ~~or an amendment to an~~
13 ~~existing district's plan~~ on or after July 1, 2018.

14 Sec. _____. Section 28F.12, Code 2015, is amended to
15 read as follows:

16 28F.12 Additional powers of the entity.

17 1. If the entity is comprised solely of cities,
18 counties, and sanitary districts established under
19 chapter 358, or any combination thereof, the entity
20 shall have in addition to all the powers enumerated in
21 this chapter, the powers ~~which~~ that a county has with
22 respect to solid waste disposal projects.

23 2. If the entity is comprised solely of cities,
24 counties, and sanitary districts established under
25 chapter 358, or any combination thereof, it is a
26 governmental entity with respect to projects undertaken
27 pursuant to chapter 418 and may exercise all of the
28 powers of a governmental entity under that chapter in
29 connection with the flood mitigation project. Unless
30 otherwise provided in chapter 418, if undertaking a
31 flood mitigation project as a governmental entity
32 under chapter 418, the provisions of chapter 418 shall
33 prevail over any conflicting provision in this chapter.

34 Sec. _____. Section 418.1, subsection 4, paragraph c,
35 unnumbered paragraph 1, Code 2015, is amended to read
36 as follows:

37 A joint board or other legal or administrative
38 entity established or designated in an agreement
39 pursuant to chapter 28E or 28F between any of the
40 following:

41 Sec. _____. Section 418.1, subsection 4, paragraph
42 c, Code 2015, is amended by adding the following new
43 subparagraph:

44 NEW SUBPARAGRAPH. (4) One or more counties, one or
45 more cities that are located in whole or in part within
46 those counties, and one or more sanitary districts
47 established under chapter 358 or a combined water and
48 sanitary district as provided for in sections 357.1B
49 and 358.1B, located in whole or in part within those
50 counties.

S-3200

1 Sec. _____. Section 418.4, subsection 1, paragraph b,
2 Code 2015, is amended to read as follows:

3 b. A governmental entity as defined in section
4 418.1, subsection 4, paragraph "c", shall have the
5 power to construct, acquire, own, repair, improve,
6 operate, and maintain a project, may sue and be sued,
7 contract, and acquire and hold real and personal
8 property, subject to the limitation in paragraph
9 "c", and shall have such other powers as may be
10 included in the chapter 28E or 28F agreement. Such a
11 governmental entity may contract with a city or the
12 county participating in the ~~chapter 28E~~ agreement
13 to perform any governmental service, activity, or
14 undertaking that the city or county is authorized by
15 law to perform, including but not limited to contracts
16 for administrative services.

17 Sec. _____. Section 418.11, subsection 3, paragraph
18 c, Code 2015, is amended to read as follows:

19 c. For projects approved for a governmental
20 entity as defined in section 418.1, subsection 4,
21 paragraph "c", the area used to determine the sales
22 tax increment shall include the incorporated areas
23 of each participating city ~~that is participating in~~
24 ~~the chapter 28E agreement~~, the unincorporated areas
25 of the each participating county, ~~and~~ the area of any
26 participating drainage district not otherwise included
27 in the areas of the participating cities or county, and
28 the area served by any sanitary district or combined
29 water and sanitary district and not otherwise included
30 in the areas of the participating cities or counties,
31 as applicable.

32 Sec. _____. Section 418.11, subsection 3, Code 2015,
33 is amended by adding the following new paragraph:

34 NEW PARAGRAPH. d. For all projects, the area used
35 to determine the sales tax increment shall not include
36 any parcels of real property that are included in a
37 reinvestment district designated pursuant to chapter
38 15J.

39 Sec. _____. Section 418.14, subsection 3, paragraph
40 a, Code 2015, is amended to read as follows:

41 a. Except as otherwise provided in this section,
42 bonds issued pursuant to this section shall not be
43 subject to the provisions of any other law or charter
44 relating to the authorization, issuance, or sale of
45 bonds. Bonds issued under this section shall not limit
46 or restrict the authority of a governmental entity as
47 defined in section 418.1, subsection 4, paragraphs
48 "a" and "b", or a city, county, ~~or~~ drainage district,
49 sanitary district, or combined water and sanitary
50 district participating in a governmental entity as

1 defined in section 418.1, subsection 4, paragraph "c",
2 to issue bonds for the project under other provisions
3 of the Code.

4 Sec. _____. Section 418.14, subsection 4, paragraph
5 b, Code 2015, is amended to read as follows:

6 b. If the moneys in the governmental entity's
7 flood project fund are insufficient to pay the
8 governmental entity's costs related to bonds, notes,
9 or other obligations issued under this chapter, the
10 amounts necessary to pay such costs may be levied and
11 transferred for deposit in the governmental entity's
12 flood project fund from the debt service fund of
13 the governmental entity or, if applicable, the debt
14 service fund of a participating city or county for
15 a governmental entity as defined in section 418.1,
16 subsection 4, paragraph "c", but only if and to the
17 extent provided in the resolution authorizing the
18 issuance of bonds and, if applicable, the chapter 28E
19 or 28F agreement.

20 Sec. _____. Section 418.15, subsection 4, Code 2015,
21 is amended to read as follows:

22 4. All property and improvements acquired by
23 a governmental entity as defined in section 418.1,
24 subsection 4, paragraph "c", relating to a project
25 shall be transferred to the county, city, ~~or~~ drainage
26 district, sanitary district, or combined water and
27 sanitary district designated in the chapter 28E or 28F
28 agreement to receive such property and improvements.
29 The county, city, ~~or~~ drainage district, sanitary
30 district, or combined water and sanitary district to
31 which such property or improvements are transferred
32 shall, unless otherwise provided in the chapter
33 28E or 28F agreement, be solely responsible for the
34 ongoing maintenance and support of such property and
35 improvements.

36 Sec. _____. Section 423.2, subsection 11, paragraph
37 b, Code 2015, is amended by adding the following new
38 subparagraph:

39 NEW SUBPARAGRAPH. (05) Beginning the first day
40 of the calendar quarter beginning on the reinvestment
41 district's commencement date, subject to remittance
42 limitations established by the economic development
43 authority board pursuant to section 15J.4, subsection
44 3, transfer to a district account created in the state
45 reinvestment district fund for each reinvestment
46 district established under chapter 15J, the amount of
47 new state sales tax revenue, determined in section
48 15J.5, subsection 1, paragraph "b", in the district,
49 that remains after the prior transfers required
50 under this paragraph "b". Such transfers shall cease

1 pursuant to section 15J.8.

2 Sec. _____. Section 423.2, subsection 11, paragraph
3 b, subparagraph (6), Code 2015, is amended by striking
4 the subparagraph.

5 Sec. _____. Section 423.2, Code 2015, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 11A. Of the amount of sales tax
8 revenue actually transferred per quarter pursuant to
9 subsection 11, paragraph "b", subparagraphs (05) and
10 (5), the department shall retain an amount equal to
11 the actual cost of administering the transfers under
12 subsection 11, paragraph "b", subparagraphs (05) and
13 (5), or twenty-five thousand dollars, whichever is
14 less. The amount retained by the department pursuant
15 to this subsection shall be divided pro rata each
16 quarter between the amounts that would have been
17 transferred pursuant to subsection 11, paragraph "b",
18 subparagraphs (05) and (5), without the deduction made
19 by operation of this subsection. Revenues retained by
20 the department pursuant to this subsection shall be
21 considered repayment receipts as defined in section
22 8.2.

23 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
24 of this Act, being deemed of immediate importance,
25 takes effect upon enactment.

26 Sec. _____. RETROACTIVE AND OTHER APPLICABILITY.

27 1. Except as provided in subsection 3, this
28 division of this Act applies retroactively to
29 reinvestment districts designated under chapter 15J in
30 existence on or after July 1, 2014.

31 2. Except as provided in subsection 3, this
32 division of this Act applies to flood mitigation
33 project plan applications received under chapter
34 418 before, on, or after the effective date of this
35 division of this Act.

36 3. The sections of this division of this Act
37 amending section 423.2, subsection 11, and enacting
38 section 423.2, subsection 11A, apply to transfers of
39 sales tax revenues made on or after July 1, 2015.

40 DIVISION ____

41 NUISANCE PROPERTIES AND ABANDONED BUILDINGS

42 Sec. _____. Section 15.335B, subsection 2, paragraph
43 a, Code 2015, is amended by adding the following new
44 subparagraph:

45 NEW SUBPARAGRAPH. (8) For deposit in the nuisance
46 property remediation fund created pursuant to section
47 15.338.

48 Sec. _____. NEW SECTION. 15.338 Nuisance property
49 remediation assistance – fund.

50 1. a. The economic development authority shall

1 establish a nuisance property remediation fund pursuant
2 to section 15.106A, subsection 1, paragraph "o",
3 for purposes of providing financial assistance to
4 cities for the remediation of nuisance properties
5 and abandoned buildings and other structures. The
6 authority shall administer the fund in a manner
7 designed to make funds annually available to cities for
8 purposes of this section.

9 b. The authority may administer a fund established
10 for purposes of this section as a revolving fund. The
11 fund may consist of any moneys appropriated by the
12 general assembly for purposes of this section and
13 any other moneys that are lawfully available to the
14 authority, including moneys transferred or deposited
15 from other funds created pursuant to section 15.106A,
16 subsection 1, paragraph "o".

17 c. The authority shall use any moneys specifically
18 appropriated for purposes of this section only for the
19 purposes of this section. The authority may use all
20 other moneys in the fund, including interest, earnings,
21 recaptures, and repayments for purposes of this section
22 or the authority may transfer the other moneys to other
23 funds created pursuant to section 15.106A, subsection
24 1, paragraph "o".

25 d. Notwithstanding section 8.33, moneys in the
26 nuisance property remediation fund at the end of each
27 fiscal year shall not revert to any other fund but
28 shall remain in the fund for expenditure for subsequent
29 fiscal years.

30 e. The authority may use not more than five percent
31 of the moneys in the fund at the beginning of the
32 fiscal year for purposes of administrative costs,
33 finance, compliance, marketing, and program support.

34 2. The authority shall use moneys in the fund
35 to provide financial assistance to cities for the
36 remediation of nuisance properties and abandoned
37 buildings and other structures. Such financial
38 assistance may include grants, loans, forgivable loans,
39 or other forms of financial assistance as necessary to
40 effectuate the purposes of this section. The authority
41 may provide financial assistance under this section
42 using a competitive scoring process.

43 3. In providing financial assistance under this
44 section, the authority may give priority to cities
45 with severe blighted areas, widespread dilapidated
46 housing stock, or high rates of low or moderate income
47 residents.

48 4. The authority shall enter into an agreement with
49 each city for the receipt of financial assistance under
50 this section. The authority may negotiate the terms

1 of the agreement.

2 5. In providing financial assistance under this
3 section, the authority shall coordinate with a city to
4 develop a plan for the use of funds that is consistent
5 with the community development, housing, and economic
6 development goals of the city. The terms of the
7 agreement entered into pursuant to subsection 3 and the
8 use of financial assistance provided under this section
9 shall reflect the plan developed based on a city's
10 goals.

11 6. If a city receives financial assistance under
12 this section, the amount of any lien created for
13 costs related to remediation of the property shall not
14 include any moneys that the city received pursuant to
15 this section to remediate the property.

16 7. The authority shall submit a report to the
17 general assembly and the governor's office on or
18 before January 31, 2019, describing the results of the
19 program implemented pursuant to this section and making
20 recommendations for additional program changes.

21 Sec. _____. Section 657A.1, subsections 1 and 3, Code
22 2015, are amended to read as follows:

23 1. "Abandoned" or "abandonment" means that a
24 building has remained vacant and has been in violation
25 of the housing code or building code of the city in
26 which the property is located or the housing code or
27 building code applicable in the county in which the
28 property is located if outside the limits of a city for
29 a period of six consecutive months.

30 3. "Building" means a building or structure located
31 in a city or outside the limits of a city in a county,
32 which is used or intended to be used for commercial
33 or industrial purposes or which is used or intended
34 to be used for residential purposes, and includes a
35 building or structure in which some floors may be used
36 for retail stores, shops, salesrooms, markets, or
37 similar commercial uses, or for offices, banks, civic
38 administration activities, professional services, or
39 similar business or civic uses, and other floors are
40 used, designed, or intended to be used for residential
41 purposes.

42 Sec. _____. Section 657A.10A, subsection 1, paragraph
43 b, Code 2015, is amended to read as follows:

44 b. The petition shall be filed in the district
45 court of the county in which the property is located.
46 Service on the owner and any other named respondents
47 shall be by personal service or certified mail and or,
48 if service cannot be made by either method, by posting
49 the notice in a conspicuous place on the building and
50 by publication in a newspaper of general circulation in

1 the city. The action shall be in equity.

2 Sec. _____. Section 657A.10A, subsection 3,
3 paragraphs d, f, and j, Code 2015, are amended to read
4 as follows:

5 d. Whether the building meets the city's housing
6 code ~~for~~ as being fit for human habitation, occupancy,
7 or use.

8 f. Whether the building is boarded up or otherwise
9 secured from unauthorized entry.

10 j. Past and current compliance with orders of the
11 local housing or building code official.

12 Sec. _____. Section 657A.10A, subsection 3,
13 Code 2015, is amended by adding the following new
14 paragraphs:

15 NEW PARAGRAPH. 0e. Whether the building meets the
16 city's building code as being fit for occupancy or use.

17 NEW PARAGRAPH. 0h. Whether those claiming an
18 interest in the property have, prior to the filing
19 of the petition, demonstrated a good-faith effort to
20 restore the property to productive use.

21 Sec. _____. Section 657A.10A, subsections 4 and 5,
22 Code 2015, are amended to read as follows:

23 4. In lieu of the considerations in subsection 3,
24 if the city can establish to the court's satisfaction
25 that all parties with an interest in the property have
26 received proper notice and either consented to the
27 entry of an order awarding title to the property to the
28 city or did not make a ~~good-faith~~ good-faith effort to
29 comply with the order of the local housing or building
30 code official within sixty days after the filing of the
31 petition, the court shall enter judgment against the
32 respondents granting the city title to the property.

33 5. If the court determines that the property has
34 been abandoned or that subsection 4 applies, the court
35 shall enter judgment and order awarding title to the
36 city. The title awarded to the city shall be free and
37 clear of any claims, liens, or encumbrances held by the
38 respondents.>

39 2. Title page, line 3, after <retroactive> by
40 inserting <and other>

41 3. By renumbering, redesignating, and correcting
42 internal references as necessary.

COMMITTEE ON WAYS AND MEANS
JOE BOLKCOM, CHAIRPERSON



SF 509 – Fuel Pumps, American with Disabilities Act (ADA) Compliant (LSB1864SZ)
Analyst: Deb Kozel (Phone: (515) 281-6767) (deb.kozel@legis.iowa.gov)
Fiscal Note Version – New

Description

Senate File 509 requires retail dealers that sell gasoline or diesel fuel to comply with the federal American with Disabilities Act. This Bill specifies the following:

Retail motor fuel sites that sell gasoline or diesel fuel will:

- Comply with the federal ADA standards.
- Provide a refueling assistance device that allows the retailer to communicate with an individual requesting refueling assistance.
- Provide assistance to disabled customers to obtain fuel without charging an additional fee.
- Post two signs that the site offers refueling assistance.

The Bill provides an exemption for refueling assistance for retail stations that operate on a remote control basis or when there are fewer than two employees on duty.

The Department of Agriculture and Land Stewardship (DALs) is required to:

- Inspect each of approximately 3,500 Iowa gas stations for compliance with the ADA requirements during the course of a normal inspection.
- Inspect a retail operation when three or more complaints are received.
- Deliver notice to the retail dealer if a violation exists and follow up in six months to ensure corrective action has been taken. If no corrective action has been taken, the Department can suspend the dealer's license.

The Iowa Department of Revenue (DR) will implement a Motor Fuel Pump Tax Credit and specifies the following provisions:

- The credit will be made available for the installation and maintenance of at least one refueling assistance device.
- The taxpayer must be the proprietor of the eligible small business as defined in federal code ([26 U.S.C. §44](#)) and is not required to provide refueling assistance under this Bill.
- A small fuel retailer is defined as having either annual gross receipts of less than \$1.0 million or 30 or fewer employees.
- The taxpayer must file a claim for a tax credit and any required supporting documentation as prescribed by the DR.
- The amount of the tax credit claim cannot exceed actual and necessary expenditures incurred for preparing and displaying signs and installing one or more refueling assistive devices.
- The tax credit cannot exceed \$500 for each retail motor fuel site where the dealer provides refueling assistance.

Background

The federal Department of Justice updated ADA accessibility standards in 2010 to include a number of establishments, including gas stations, and the requirements became applicable in March 2011.

Assumptions

DALS: It is unknown how much additional time will be needed by fuel pump inspectors to implement the requirements of this Bill. Cost estimates include one-time costs and 2.0 FTE positions to inspect gasoline pumps.

DR: The following assumptions were made regarding the tax credit:

- According to employment data collected from Iowa Workforce Development combined with the DR Annual Motor Fuels Sales Report statistics, there are approximately 680 retail stations that will meet the small business qualifications required for this tax credit. It is assumed none of these stations will undertake any major construction and will therefore not be required to install a refueling assistance device under this Bill.
- Eligible stations will make the required upgrades over the span of five years and the upgrades will split evenly over the next five years.
- Based on the DR Retailers Motor Fuels Gallons Annual Report, the number of motor fuel stations in Iowa is estimated to be decreasing at an average rate of 0.4% per year. It is assumed that the growth rate of eligible stations will continue to decrease each year.
- The tax credit claims will have the same timing as the School Tuition Organization and Endow Iowa Tax Credits. These are other nonrefundable tax credits that also have a five-year carryforward and are predominantly claimed by individual income taxpayers.
- Based on this timing, it is assumed that almost 10.0% of the tax credits will expire before they are used. Based on information from the DR Individual Micro Tax Model, the school surtax averages 3.0% of tax liability. Assuming that these credits will predominately be claimed by sole proprietors or partnerships against individual income tax liability, the impact on school surtax collections was also included below.

Fiscal Impact

DALS: The DALS estimated the following costs:

- \$85,000 in one-time costs for FY 2016. This includes \$25,000 for ADA compliance consulting and training and \$60,000 to purchase trucks and equipment.
- \$108,000 and 2.00 FTE positions to inspect gasoline pumps.

DR: The Department of Revenue estimates the one-time cost to implement the tax credit is \$42,000.

Summary of Fiscal Impact:

Expenditures: Implementation of this Bill is estimated to increase General Fund expenditures by \$235,000 in FY 2016 and \$108,000 per year thereafter.

Tax Credit: The tax credit created in this Bill is estimated to decrease General Fund revenue as shown in the table below. The fiscal impact to the school surtax is expected to be a minimal reduction.

ADA Compliant Fuel Pumps Tax Credit		
	Estimated General Fund	Estimated 3% School
<u>Fiscal Year</u>	<u>Reduction</u>	<u>Surtax Reduction</u>
FY 2017	\$ 41,054	\$ 1,232
FY 2018	\$ 56,596	\$ 1,698
FY 2019	\$ 58,790	\$ 1,764
FY 2020	\$ 59,436	\$ 1,783
FY 2021	\$ 59,929	\$ 1,798
FY 2022	\$ 19,885	\$ 597

Sources
 Department of Agriculture and Land Stewardship
 Department of Revenue

/s/ Holly M. Lyons

May 13, 2015

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.