

**EIGHTY-SEVENTH GENERAL ASSEMBLY
2018 REGULAR SESSION
DAILY
SENATE CLIP SHEET**

February 12, 2018

Clip Sheet Summary

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

Bill	Amendment	Action	Sponsor
SF 2117	S-5004	Withdrawn	CHARLES SCHNEIDER
SF 2117	S-5005	Adopted	CHARLES SCHNEIDER
SF 2117	S-5006	Lost	HERMAN C. QUIRMBACH
SF 2117	S-5007	Adopted	JOE BOLKCOM
SF 2117	S-5008	Adopted	ROBERT E. DVORSKY

Fiscal Notes

[SF 2198](#) — [Prescription Monitoring Program](#) (LSB5275SV)

SENATE FILE 2117

S-5004

1 Amend Senate File 2117 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <DIVISION I

5 APPROPRIATION REDUCTIONS

6 Section 1. EXECUTIVE AND JUDICIAL BRANCH APPROPRIATION
7 REDUCTIONS.

8 1. For the period beginning on the effective date of this
9 section and ending on June 30, 2018, the following departments
10 and agencies and the judicial branch are subject to a reduction
11 in expenditures made from appropriations from the general fund
12 in the following amounts:

13 a. Department of administrative services	
14	\$ 62,560
15 b. Auditor of state	
16	\$ 8,062
17 c. Department of commerce	
18	\$ 24,866
19 d. Executive council	
20	\$ 777
21 e. Governor's office	
22	\$ 20,888
23 f. Governor's office of drug control policy	
24	\$ 2,058
25 g. Department of human rights	
26	\$ 21,228
27 h. Department of inspections and appeals	
28	\$ 204,748
29 In identifying and implementing the reduction pursuant	
30 to this paragraph, the director of the department shall be	
31 authorized to make allocations between department divisions	
32 in the manner and to the extent as the director determines	
33 appropriate, in consultation with the department of management.	
34 i. State public defender	
35	\$ 236,041

S-5004 (Continued)

1	j. Department of management	
2	.....	\$ 22,629
3	k. Department of revenue	
4	.....	\$ 528,271
5	l. Secretary of state	
6	.....	\$ 31,525
7	m. Treasurer of state	
8	.....	\$ 9,256
9	n. Department of agriculture and land stewardship	
10	.....	\$ 377,376
11	o. Department of natural resources	
12	.....	\$ 123,373
13	p. Department of cultural affairs	
14	.....	\$ 103,786
15	q. Economic development authority	
16	.....	\$ 132,013
17	r. Iowa workforce development	
18	.....	\$ 141,013
19	s. Department for the blind	
20	.....	\$ 19,720
21	t. College student aid commission	
22	.....	\$ 94,172
23	u. Department of education	
24	.....	\$ 1,169,660
25	In identifying and implementing the reduction pursuant to	
26	this paragraph, the department shall not reduce the standing	
27	appropriation under section 285.2, subsection 1, paragraph "b"	
28	for purposes of nonpublic school transportation.	
29	v. Community colleges	
30	.....	\$ 1,813,797
31	w. Vocational rehabilitation	
32	.....	\$ 54,472
33	x. Iowa public television	
34	.....	\$ 160,000
35	y. Board of regents	

S-5004 (Continued)

1 \$ 14,563,265
2 The board shall not use the reduction in this paragraph as
3 the basis for increasing the tuition rate and mandatory fees
4 for the academic year 2018-2019 for institutions of higher
5 learning governed by the board.
6 z. Department on aging
7 \$ 220,024
8 aa. Department of public health
9 \$ 925,742
10 ab. Department of human services
11 \$ 6,237,126
12 In identifying and implementing the reduction pursuant
13 to this paragraph, the department shall not reduce benefits
14 available under the Medicaid state plan and approved waivers.
15 ac. Department of veterans affairs
16 \$ 36,877
17 ad. Iowa veterans home
18 \$ 65,164
19 ae. Department of justice
20 \$ 378,471
21 af. Iowa civil rights commission
22 \$ 31,293
23 ag. Department of corrections
24 \$ 3,405,688
25 ah. Law enforcement academy
26 \$ 8,607
27 ai. Department of public defense
28 \$ 59,193
29 aj. Department of homeland security and emergency
30 management
31 \$ 19,130
32 ak. Department of public safety
33 \$ 200,000
34 The department shall not apply any reduction to expenditures
35 made from appropriations to the division of the state patrol.

1 al. Judicial branch
2 \$ 1,611,815

3 2. The department of management, in consultation with
4 the departments and agencies and the judicial branch listed
5 in subsection 1, shall identify and implement the reductions
6 in subsection 1 with respect to the appropriate general fund
7 appropriations. Within fifteen days of the effective date of
8 this section, the department of management shall transmit a
9 report to the general assembly and legislative services agency
10 listing the appropriation reductions applied.

11 3. In order to implement the reductions in subsection 1,
12 the departments and agencies and the judicial branch may adjust
13 allocations made from appropriations that are being reduced.

14 4. In order to implement the reductions in subsection 1, the
15 department of management may reduce a standing appropriation to
16 a department or agency required to reduce expenditures pursuant
17 to subsection 1.

18 Sec. 2. LIMITATIONS OF STANDING APPROPRIATION — FY
19 2017-2018. Notwithstanding the standing appropriation in the
20 following designated section for the fiscal year beginning July
21 1, 2017, and ending June 30, 2018, the amount appropriated from
22 the general fund of the state pursuant to the section for the
23 following designated purpose shall not exceed the following
24 amount:

25 For regional tourism marketing under section 99F.11,
26 subsection 3, paragraph "d", subparagraph (2):
27 \$ 750,000

28 Sec. 3. TRANSFER — IOWA SKILLED WORKER AND JOB CREATION
29 FUND. There is transferred from the Iowa skilled worker and
30 job creation fund created in section 8.75 to the general fund
31 of the state for the fiscal year beginning July 1, 2017, and
32 ending June 30, 2018, the following amount:

33 \$ 10,000,000

34 Sec. 4. SUPPLEMENTAL REIMBURSEMENT FOR GROUND EMERGENCY
35 MEDICAL TRANSPORTATION PROVIDED TO MEDICAID BENEFICIARIES. The

1 department of human services shall submit a Medicaid state
2 plan amendment to the centers for Medicare and Medicaid
3 services of the United States department of health and human
4 services to request authorization to establish and administer a
5 methodology to provide supplemental reimbursement to eligible
6 ground emergency medical transportation providers that provide
7 ground emergency medical transportation services to Medicaid
8 beneficiaries. For purposes of this section, "eligible ground
9 emergency medical transportation provider" means a provider who
10 provides ground emergency medical transportation services to
11 Medicaid beneficiaries and is enrolled as a Medicaid provider
12 during the period being claimed.

13 The emergency medical transportation intergovernmental
14 transfer obligation under this section is contingent on
15 continuation of the federal Medicaid funding methodology on the
16 effective date of this Act. Should the federal methodology
17 change after the effective date of this Act, the department
18 will no longer be obligated to fund this intergovernmental
19 transfer.

20 Sec. 5. LEGISLATORS' PER DIEM FOR THE 2018 REGULAR
21 SESSION. Notwithstanding section 2.10, subsection 1, to the
22 contrary, members of the Eighty-seventh General Assembly shall
23 be limited to the receipt of a per diem for expenses of office
24 for the Second Regular Session convening in 2018 for a maximum
25 of ninety calendar days rather than one hundred calendar days.

26 Sec. 6. 2017 Iowa Acts, chapter 169, section 17, subsection
27 1, paragraph a, subparagraph (1) is amended to read as follows:

28 (1) For the purposes of providing assistance under the high
29 quality jobs program as described in section 15.335B:

30 \$ ~~15,900,000~~
31 5,900,000

32 Sec. 7. 2017 Iowa Acts, chapter 170, section 5, subsection
33 1, is amended to read as follows:

34 1. The appropriations made pursuant to section 2.12 for the
35 expenses of the general assembly and legislative agencies for

1 the fiscal year beginning July 1, 2017, and ending June 30,
2 2018, are reduced by the following amount:

3	\$	400,000
4		<u>1,000,000</u>

5 Sec. 8. 2017 Iowa Acts, chapter 174, section 31, subsection
6 1, paragraph c, subparagraph (3), is amended to read as
7 follows:

8 (3) (a) For the fiscal year beginning July 1, 2017, the
9 graduate medical education and disproportionate share hospital
10 fund shall remain at the amount in effect on June 30, 2017,
11 ~~except that the portion of the fund attributable to graduate~~
12 ~~medical education shall be reduced in an amount that reflects~~
13 ~~the elimination of graduate medical education payments made to~~
14 ~~out-of-state hospitals.~~

15 (b) Effective March 1, 2018, a hospital that is located
16 in Iowa, is classified as state government-owned or nonstate
17 government-owned, and qualifies for graduate medical education
18 or disproportionate share hospital payments shall transfer
19 to the medical assistance program an amount equal to provide
20 the nonfederal share for a graduate medical education and
21 disproportionate share hospital payment. Distribution of the
22 payments shall be made on a monthly basis. A hospital that
23 meets the specified conditions shall receive and retain one
24 hundred percent of the total graduate medical education and
25 disproportionate share hospital payments.

26 Sec. 9. REPEAL. 2017 Iowa Acts, chapter 170, section 18,
27 is repealed.

28 DIVISION II

29 SUPPLEMENTAL APPROPRIATIONS

30 Sec. 10. INDIGENT DEFENSE. There is appropriated from the
31 general fund of the state to the office of the state public
32 defender of the department of inspections and appeals for the
33 fiscal year beginning July 1, 2017, and ending June 30, 2018,
34 the following amount, or so much thereof as is necessary to
35 supplement appropriations made for the following designated

1 purpose:

2 For payments on behalf of eligible adults and juveniles from
3 the indigent defense fund in accordance with section 815.11:
4 \$ 1,700,000

5 Sec. 11. UTILITY COSTS. There is appropriated from the
6 general fund of the state to the department of administrative
7 services for the fiscal year beginning July 1, 2017, and ending
8 June 30, 2018, the following amount, or so much thereof as is
9 necessary, to supplement appropriations made for the following
10 designated purpose:

11 For payment of utility costs:
12 \$ 451,871

13 Sec. 12. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
14 appropriated from the pharmaceutical settlement account created
15 in section 249A.33 to the department of human services for the
16 fiscal year beginning July 1, 2017, and ending June 30, 2018,
17 the following amount, or so much thereof as is necessary, to be
18 used for the purpose designated:

19 Notwithstanding any provision of law to the contrary, to
20 supplement the appropriations made in this Act for medical
21 contracts under the medical assistance program for the fiscal
22 year beginning July 1, 2017, and ending June 30, 2018:
23 \$ 800,000
24 864,257

25 DIVISION III

26 EFFECTIVE DATE

27 Sec. 13. EFFECTIVE DATE. This Act, being deemed of
28 immediate importance, takes effect upon enactment.>

By CHARLES SCHNEIDER

S-5004 FILED FEBRUARY 8, 2018

WITHDRAWN

SENATE FILE 2117

S-5005

1 Amend Senate File 2117 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

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30 to this paragraph, the director of the department shall be
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S-5005 (Continued)

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S-5005 (Continued)

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10 transfer obligation under this section is contingent on
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12 effective date of this Act. Should the federal methodology
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16 Sec. 5. LEGISLATORS' PER DIEM FOR THE 2018 REGULAR
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33 2018, are reduced by the following amount:

34 \$ ~~400,000~~
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8 ~~medical education shall be reduced in an amount that reflects~~
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10 ~~out-of-state hospitals.~~

11 (b) Effective March 1, 2018, a hospital that is located
12 in Iowa, is classified as state government-owned or nonstate
13 government-owned, and qualifies for graduate medical education
14 or disproportionate share hospital payments shall transfer
15 to the medical assistance program an amount equal to provide
16 the nonfederal share for a graduate medical education and
17 disproportionate share hospital payment. Distribution of the
18 payments shall be made on a monthly basis. A hospital that
19 meets the specified conditions shall receive and retain one
20 hundred percent of the total graduate medical education and
21 disproportionate share hospital payments.

22 Sec. 9. REPEAL. 2017 Iowa Acts, chapter 170, section 18,
23 is repealed.

24 DIVISION II

25 SUPPLEMENTAL APPROPRIATIONS

26 Sec. 10. INDIGENT DEFENSE. There is appropriated from the
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28 defender of the department of inspections and appeals for the
29 fiscal year beginning July 1, 2017, and ending June 30, 2018,
30 the following amount, or so much thereof as is necessary to
31 supplement appropriations made for the following designated
32 purpose:

33 For payments on behalf of eligible adults and juveniles from
34 the indigent defense fund in accordance with section 815.11:
35 \$ 1,700,000

1 Sec. 11. UTILITY COSTS. There is appropriated from the
2 general fund of the state to the department of administrative
3 services for the fiscal year beginning July 1, 2017, and ending
4 June 30, 2018, the following amount, or so much thereof as is
5 necessary, to supplement appropriations made for the following
6 designated purpose:

7 For payment of utility costs:
8 \$ 451,871

9 Sec. 12. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
10 appropriated from the pharmaceutical settlement account created
11 in section 249A.33 to the department of human services for the
12 fiscal year beginning July 1, 2017, and ending June 30, 2018,
13 the following amount, or so much thereof as is necessary, to be
14 used for the purpose designated:

15 Notwithstanding any provision of law to the contrary, to
16 supplement the appropriations made in this Act for medical
17 contracts under the medical assistance program for the fiscal
18 year beginning July 1, 2017, and ending June 30, 2018:
19 \$ ~~800,000~~
20 864,257

21 DIVISION III
22 EFFECTIVE DATE

23 Sec. 13. EFFECTIVE DATE. This Act, being deemed of
24 immediate importance, takes effect upon enactment.>

By CHARLES SCHNEIDER

S-5005 FILED FEBRUARY 8, 2018
ADOPTED

SENATE FILE 2117

S-5006

1 Amend the amendment, S-5005, to Senate File 2117 as follows:

2 1. Page 2, by striking line 30 and inserting:

3 <..... \$ 63,797>

By HERMAN C. QUIRMBACH

S-5006 FILED FEBRUARY 8, 2018

LOST

SENATE FILE 2117

S-5007

1 Amend the amendment, S-5005, to Senate File 2117 as follows:

2 1. By striking page 4, line 30, through page 5, line 15, and
3 inserting:

4 <Sec. _____. SUPPLEMENTAL REIMBURSEMENT FOR GROUND EMERGENCY
5 MEDICAL TRANSPORTATION PROVIDED TO MEDICAID BENEFICIARIES. The
6 department of human services shall submit a Medicaid state
7 plan amendment to the centers for Medicare and Medicaid
8 services of the United States department of health and human
9 services to request authorization to establish and administer a
10 methodology to provide supplemental reimbursement to eligible
11 ground emergency medical transportation providers that provide
12 ground emergency medical transportation services to Medicaid
13 beneficiaries. For purposes of this section, "eligible ground
14 emergency medical transportation provider" means a provider who
15 provides ground emergency medical transportation services to
16 Medicaid beneficiaries and is enrolled as a Medicaid provider
17 during the period being claimed.

18 The emergency medical transportation intergovernmental
19 transfer obligation established under this section is
20 contingent upon the continuation of the federal Medicaid
21 funding methodology in effect on the effective date of this
22 Act. If the federal methodology is changed after the effective
23 date of this Act in a manner that negatively impacts the
24 intergovernmental transfer obligation, as determined by the
25 department, the department shall no longer be obligated to
26 continue the intergovernmental transfer.>

27 2. Page 5, line 21, by striking <ninety> and inserting
28 <eighty-five>

29 3. By renumbering as necessary.

By JOE BOLKCOM

S-5007 FILED FEBRUARY 8, 2018

S-5007 (Continued)

ADOPTED

SENATE FILE 2117

S-5008

1 Amend the amendment, S-5005, to Senate File 2117 as follows:

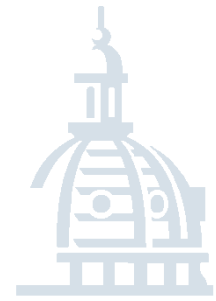
2 1. Page 3, after line 16 by inserting:

3 <In identifying and implementing the reduction pursuant to
4 this paragraph, the department shall not reduce expenditures
5 made from appropriations for victim assistance grants.>

By ROBERT E. DVORSKY

S-5008 FILED FEBRUARY 8, 2018

ADOPTED



SF 2198 – Prescription Monitoring Program (LSB5275SV)
Analyst: Kenneth Ohms (515.971.7053) kenneth.ohms@legis.iowa.gov
Fiscal Note Version – New

Description

Senate File 2198 amends the **Prescription Monitoring Program** (PMP) in the following ways:

- Expands information collection and required proactive reporting regarding a patient who is suspected to be practitioner shopping or pharmacy shopping or at risk of abusing or misusing a controlled substance.
- Creates an advisory committee appointed by the Board of Pharmacy, as opposed to the current advisory council appointed by the Governor. This advisory committee assists the Board of Pharmacy in establishing the thresholds and other criteria to be used in identifying at-risk patients.
- Authorizes the Board of Pharmacy to establish a surcharge of up to 25.0% on Controlled Substances Act (CSA) registration in Iowa Code section [124.302](#). Revenues are required to be deposited in the Drug Information Program Fund.
- Adds dispensing prescribers to the list of people required to report to the PMP.

Background

The PMP provides authorized prescribers and pharmacists with information regarding their patients' use of controlled substances. It is used as a tool in determining appropriate prescribing and treatment of patients without fear of contributing to a patient's abuse of or dependence on addictive drugs or diversion of those drugs to illicit use. Iowa-licensed pharmacies, including both in-state and nonresident pharmacies, are required to report to the Iowa PMP all Schedule II, III, and IV controlled substances dispensed by the pharmacy to ambulatory patients.

There are approximately 19,500 Controlled Substance Act registrants in Iowa. CSA registration is done biennially, so approximately half renew every year.

Assumptions

- The Board of Pharmacy will establish a surcharge of 14.0%, which will amount to approximately \$12 per registrant.
- The Board of Pharmacy will require 0.5 full-time equivalent (FTE) position for implementing and administering the expanded PMP, including proactive notification issuances. There will also be office equipment costs for additional staff.
- The advisory committee membership will increase from six people to 10 people, and the advisory committee will meet twice per year rather than once per year.

Fiscal Impact

No impact to the General Fund is expected.

The Drug Information Program Fund will receive increased revenue of approximately \$117,000 per year beginning in FY 2019. Increased expenditures from the Fund for staff and board meetings are estimated to total \$105,000 per year beginning in FY 2019.

Source

Board of Pharmacy

/s/ Holly M. Lyons

February 8, 2018

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.
