

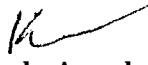


THOMAS J. VILSACK  
GOVERNOR

SALLY J. PEDERSON  
LT. GOVERNOR

DEPARTMENT OF INSPECTIONS AND APPEALS  
KEVIN W. TECHAU, DIRECTOR

**TO:** Members of the Administration and Regulation  
Appropriations Subcommittee

**FROM:** Kevin W. Techau, Director   
Department of Inspections and Appeals

**DATE:** January 24, 2001

**SUBJECT:** Follow Up Information to January 17<sup>th</sup> Presentation

Thank you for the opportunity to present information regarding the Department of Inspections and Appeals before your committee on Wednesday, January 17, 2001. Please find attached materials that address the questions that arose during the presentation.

I hope that the attached materials will answer the various questions and issues raised during the Department's presentation more fully.

If you have any additional questions on any of the topics discussed at our presentation, please contact me at 281-6405 or by e-mail at [Ktechau@dia.state.ia.us](mailto:Ktechau@dia.state.ia.us) or Jennifer Fiihr, the Department's Legislative Liaison at 281-6407 or by e-mail at [Jennifer.Fiihr@dia.state.ia.us](mailto:Jennifer.Fiihr@dia.state.ia.us). We would be glad to visit with you or provide additional information.

I look forward to working with you during this Legislative Session.

### **IPSIDS: A Multilingual Food Safety Web Site**

The Department was requested to comment on the effect English Only Legislation may have on the Integrated Food Safety Information Delivery System.

The Department of Inspections and Appeals received a federal grant from the Food and Drug Administration (FDA) to create this Internet web site. Developed pursuant to Federal guidelines and unveiled at the FDA Regional Conference in October of 2000, the IFSIDS web site provides basic food preparation and sanitation information that *pro-actively* compliments the regulators role as food safety inspector and incorporates an educational factor into the inspection program.

In the month of November alone, the site received 3,256 requests to download information. The information contained on the site is for the *voluntary* use of food safety regulators across the country. All material is disclaimed urging users to contact their local health departments prior to usage.

IFSIDS is simply an online library for food safety regulators. The web site can be duplicated in many jurisdictions and the material is not specific to any one agency. This site is not specific to Iowa.

We have not had an opportunity to review legislation that is expected to be introduced this session on making English Iowa's official language. As that legislation is introduced we would be glad to provide an analysis and report back to the Committee.

### **Samples Distributed in Iowa's Grocery Stores**

Iowa law does not regulate the size or distribution of food samples by grocery stores. If a food inspector is conducting an inspection at the time that samples are being distributed to customers, the food inspector will check the sample station for hygienic practices and proper temperatures.

### **Hospital Inspections**

On page 193 of the Blue Book, the Governor has recommended an additional FTE to inspect non-accredited hospitals every 3 years rather than the current 4 year cycle. The cost of this new FTE will be offset by an increased license fee.

The Governor's recommendation of \$105,464 includes the cost of salary, the cost of benefits, a state vehicle for travel, a computer and support costs. The approximate salary range is \$44,304 - \$62,816 dependent upon experience. In addition, the cost of benefits would be approximately 22% of the salary cost.

**DIA Health Facilities Complaint Unit 1-877-686-0027**

In March 1999, the federal Health Care Financing Administration (HCFA) announced a new initiative designed to ensure high quality nursing home care and make better consumer information available to residents and their families. Included in this initiative was an instruction to state survey agencies to investigate complaints alleging "harm" to residents more quickly. Specifically, that States must begin all complaint investigations within 10 working days of receipt if an allegation of resident harm was asserted. (Complaints alleging immediate jeopardy are to be investigated within two working days of receipt.)

To implement this new initiative, six FTEs were added in FY 2001 to form a special unit dedicated to the investigation of complaints in the approximately 420 federally certified facilities in Iowa. Complaints are received on a toll free number by an intake specialist, a registered nurse and trained health facilities surveyor. As calls are received, they are assigned on a priority basis to one of six possible complaint surveyors.

Complaints are prioritized into three categories:

- Immediate Jeopardy (response time of 2 working days) – Examples may include:
  - High water temperatures being used above 120 degrees (usually around 140 degrees or higher)
  - A resident with a known behavior of wandering leaves the facility without staff awareness and is injured or was at risk of being injured (due to dangerous weather conditions for example). This is defined as an elopement.
  - The failure of staff to conduct a nursing assessment which results in a change to the resident's condition resulting in death because medical attention was not initiated.
- Actual Harm (response time of 10 working days) – Examples may include:
  - Pressure Sores resulting from lack of care such as residents not being repositioned or pressure relieving devices not being used.
  - The spread of infections from poor infection control techniques and practices by staff.
  - Hazards in the environment include situations in which some environmental factor results in the harm of a resident. For example, a "wet floor" sign not being placed on a wet floor to warn residents which results in a resident falling and being injured.
  - Diets not being served correctly resulting in weight losses in residents
- Other – (response time of 20 working days) Examples may include
  - Baths not being given, but residents lack skin problems or odors.
  - Lack of family notification when a resident's condition changes, but not resulting in any negative outcome to the resident.
  - The facility not being clean, but not resulting in any measurable negative outcome to the resident such as infection control issues or safety issues.

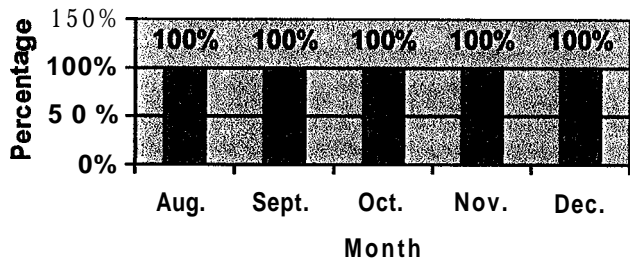
Since the onset of the DIA Complaint Unit, the Unit has received 384 complaint calls to date (as of 1/17/01).

<b>Month</b>	<b>Complaints</b>	<b>Mandatory Reports</b>	<b>Total</b>
September	74	19	93
October	66	17	83
November	61	18	79
December	61	19	80
January * to date	43	6	49

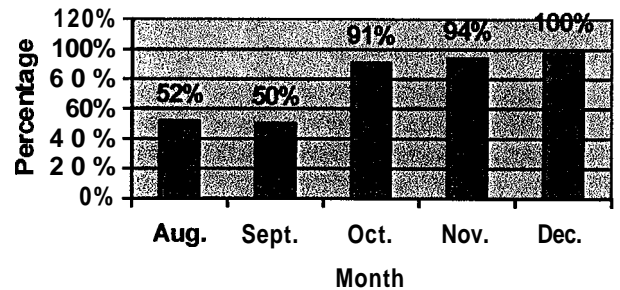
Mandatory Reports are included in the total number of complaints received by the Complaint Unit. Mandatory reports are made by individuals who are required to report alleged abuse of residents. The list of mandatory reporters includes nursing facility staff, doctors, social workers or others having a professional relationship with a resident. If an alleged incidence of abuse occurs in a nursing facility, it must be reported to DIA as soon as it is discovered. Most often, a report of alleged abuse in a nursing facility comes from the administrator or director of nursing.

Prior to the addition of these six FTEs and the development of a complaint unit, complaint investigations were incorporated into existing survey and travel schedules. Prior to additional staffing, 37 surveyors inspected 420 facilities once every 12. months in addition to complaint investigations performed in accordance with the prior federal priority basis. Survey trips scheduled specifically to investigate a complaint were uncommon due to lack of staffing. The department has made dramatic improvement in its complaint response time as illustrated in the following tables.

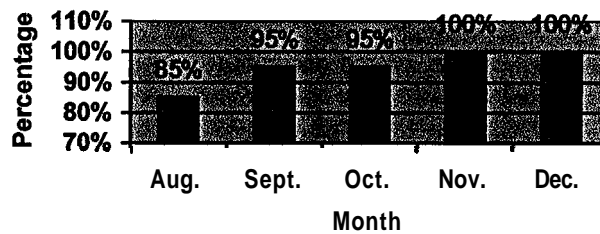
**Percentage of Immediate Jeopardy Complaints Investigated Within Two Days**



**Percentage of Harm Complaints Investigated Within Ten Days**



**Percentage of All Other Complaints Investigated Within Twenty Days**



### Specific Line Item Information Reauests

#### Page 174 Administrative Hearings Division Communications Costs

The budget request has an increase in communications cost over the FYOO actual amount of approximately 27.5% (\$12,479). Other support items in the budget have been reduced to absorb this realignment. The amount budgeted for FY01 is less than actual expenditures for FYOO and will likely be exceeded. The FY01 budget should also be realigned to at least the level of expenditures in FYOO. There is no requested appropriation increase for this division.

#### Page 178 Audits Division Personal Travel In-state Costs

The budget request and the Governor's recommendation include an increase in support costs for this division. In FY 2000 the Audits Division was reduced by \$42,500 and in FY 2001 the Division experienced an additional cut of \$19,409 totaling **\$61,909**.

Several FTE are required to travel extensively around the state to perform audits at the 99 local DHS (Department of Human Services) offices and at health care facilities. In addition to recent budget reductions in this division, there have been several increases that were implemented with no additional budget dollars. These increase were ordered by the Department of Revenue and Finance and the Department of General Services and were not discretionary for the department.

#### *New Rates effective January 1, 2000 by the Department of Revenue and Finance*

In-state meals increased 22.7%.

In-state Lodging increased 12.5%

#### *New Rates effective July 1, 2000 by the Department of Revenue and Finance*

Personal mileage reimbursement increased 20% when a state vehicle was not available, and 4.8% when the employee elected to drive their own vehicle without checking for a state vehicle.

If just these increases are applied to the FYOO costs in this division, the total increased need is \$5,217. This would be in addition to the FYOO actual coats of \$49,028. The FY01 budgeted cost should be at least \$54,245. The recommended increase in general fund support of \$28,371 would allow for absorption of these unbudgeted increases and would attract additional federal reimbursement dollars to the division (approximately \$16,167 increase in federal reimbursements).

#### Page 186 Excursion Boat **Gambling** Rentals

Rental charges were increased on the Excursion Boat side and decreased in Pari -Mutel to more accurately split these costs. Total appropriation amounts have not changed.

#### Page 190 Foster Care Review Board Office Supplies

In addition to the 9 full time employees using office supplies, the Foster Care Review Board utilizes approximately 300 volunteers across the state to carry out its responsibilities. Office supplies include postage, paper and photocopying. The Board provides volunteers with copies of all papers on each child being reviewed in addition to notices being sent to all interested parties. This can include parents, foster parents, children, social workers and private providers. After the completion of a review, a full report is mailed to the court and again to all interested parties.

Page 194 Health Facilities Division Personal Travel In-state Costs

***New Rates effective January 1, 2000 by the Department of Revenue and Finance***

In-state meals increased 22.7%.

In-state Lodging increased 12.5%

***New Rates effective July 1, 2000 by the Department of Revenue and Finance***

Personal mileage reimbursement increased 20% when a state vehicle was not available and 4.8% when the employee elected to drive their own vehicle without checking for a state vehicle.

If these increases are applied to FYOO costs in this division, the total increased need is approximately \$39,740. In addition, we added 6.00 new FTE at the end of FYOO that are funded for all of FY01. The federal budget has funding for three additional 100% federal positions in FY01 and FY02. DIA is also requesting an additional position for hospital licensing. The out-of-state travel line is also significant in this division. Nearly all out-of state travel is required training and is paid with 100% federal funds.

Page 198 Inspections Division State Vehicle Operation

The same unbudgeted travel increases impact this division. The food inspectors in this division are traveling almost constantly. Three new inspectors were added at the beginning of FY01. This is a 50% increase in traveling staff. It appears that the line item for state vehicle operation may be overstated in the budget request and that these funds should be spread to other line items, especially to in-state travel expense which appears to be significantly understated.

***New Rates effective January 1, 2000 by the Department of Revenue and Finance***

In-state meals increased 22.7%.

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Personal mileage reimbursement increased 20% when a state vehicle was not available and 4.8% when the employee elected to drive their own vehicle without checking for a state vehicle.

Page 205 **Pari-Mutuel** Professional and Scientific Services

This line item includes animal drug testing, veterinarian services, fingerprint cash receipts, Division of Criminal Investigation (DCI) and Federal Bureau of Investigations (FBI) fingerprint charges and consulting.

**PROFESSIONAL SERVICES CONTRACTS**  
**DEPARTMENT OF INSPECTIONS AND APPEALS**  
**Administration and Regulation Appropriation Subcommittee**

BUDGET UNIT Contractor	Purpose	FY2000 Expended
<b>FOSTER CARE REVIEW BOARD (53% General Fund)</b>  Merit Resources	This contractor provides office staff at various offices around the state. This contractor is necessary until sufficient FTE can be requested and authorized to provide necessary support to local board activities. The services provided are continuously reviewed and reliance on this contractor is being reduced wherever and whenever possible.	<b>\$588,726</b>
Silicon Plains Technologies Inc.	Utilized for specialized computer programming and Registry overhaul. An information Technology specialist is currently in the process of being hired. This should reduce reliance on this contractor in the future.	<b>\$18,576</b>
Olsten Temporary Services	Utilized primarily to provide temporary clerical support.	<b>\$27,054</b>
<b>EMPLOYMENT APPEAL BOARD (5% General Fund)</b>  Bryant Computer Services	Utilized for updating software and keeping the word processing network running smoothly and provide other computer programming services that departmental employees could not provide due to lack of expertise.	<b>\$1,603</b>
<b>ADMINISTRATION DIVISION (45% General Fund)</b>  Olsten Temporary Services	Utilized to provide temporary clerical support.	<b>\$6,063</b>
<b>AUDITS DIVISION (71% General Fund)</b>  Bryant Computer Services	Utilized for updating software and keeping the word processing network running smoothly and provide other computer programming services that departmental employees could not provide due to lack of expertise.	<b>\$450</b>
<b>ADMINISTRATIVE HEARINGS (24% General Fund)</b>  Bryant Computer Services	Utilized for updating software and keeping the word processing network running smoothly and provide other computer programming services that departmental employees could not provide due to lack of expertise.	<b>\$3,375</b>

**PROFESSIONAL SERVICES CONTRACTS**  
**DEPARTMENT OF INSPECTIONS AND APPEALS**  
**Administration and Regulation Appropriation Subcommittee**

BUDGET UNIT Contractor	Purpose	FY2000 Expended
<b>INVESTIGATIONS DIVISION (36% General Fund)</b>		
O'Brien and Associates	Contractor conducts fraud prevention and front end investigations relative to DHS benefits eligibility applications, reapplications, and complaints. This contract allows Investigations Division employees to focus cases of criminal fraud and restitution settlements,	\$213,684
PAYCO Collections Services	8E agreement with the Department of Revenue and Finance for services of this collection agent. Accounts that have been deemed as uncollectable by the division are referred here for collection. \$647,870 was collected in FY00. This covers entitlement programs administered by DHS. Fee is 10% of amounts collected.	\$64,787
<b>HEALTH FACILITIES DIVISION (31% General Fund)</b>		
Olsten Temporary Services	Utilized primarily to provide temporary clerical support.	<b>\$3,296</b>
Silicon Plains Technologies, Inc	Provides Computer Technical Services to the Division including development of the Report Card for Health Care Facilities, Single Contact Repository, web hosting fees, and Nurse Aide Registry software updates.	\$187,220
Iowa Foundation for Medical Care	Provides data management and reporting of statistical information required by the Health Care Financing Administration (HCFA) so that Iowa will be in compliance with mandated reporting requirements.	\$42,491
<b>RACING &amp; GAMING COMMISSION (100% General Fund)</b>		
Merit Resources	Employ seasonal gaming stewards for the live Racing seasons at the race tracks. The seasonal nature of these positions does not allow for hiring of permanent staff and layoff procedures would apply each year. These individuals would be considered employees under IRS rules and must receive benefits while employed. The vet at Dubuque Greyhound Park and a vet at Prairie Meadows are also paid through Merit Resources.	\$218,587
GE Capital	This vendor is utilized to keep the computer network up and running efficiently. Regulation of the industry mandates a reliable, dependable, sophisticated communications network.	\$66,970



**PROFESSIONAL SERVICES CONTRACTS**  
**DEPARTMENT OF INSPECTIONS AND APPEALS**  
**Administration and Regulation Appropriation Subcommittee**

BUDGET UNIT Contactor	Purpose	FY2000 Expended
<b>RACING AND GAMING COMMISSION (con't)</b>  <b>Prickett</b> Veterinary Clinic	Provides vet services at Bluffs Run Racetrack. A vet must be on duty during all live races, for pre-race weigh-ins, and for all official schooling races.	\$88,910
<b>Avondale</b> Large Animal Clinic	Provides vet services at Prairie Meadows Racetrack during live racing seasons. A vet is required to perform all pre-race exams, supervise post-race sample collections, observe and examine horses in the paddock and on the racetrack as well as pre-race and post-race observations.	\$44,825
Will Cummings	Preparation of Gaming Market studies for the Commission	\$22,793
Iowa State University	Analysis of drug testing during the live racing seasons	\$461,647

Governor Thomas J. Vilsack  
Lt. Governor Sally J. Pederson

**Chief of Staff**

John Norris

**Assistant to the Chief of Staff**

Monica Fischer

**Policy Division: Responsible** for all policy and legislative agendas for the Governor and Lt. Governor.

John Cacciatore – Director

Jean Cooper – Administrative Assistant to the Director

Greg Nichols – Legislative Director

Jo Oldson – Intergovernmental Affairs Director & Policy Advisor

Stephanie Pickens – Policy Advisor

Dusky Terry – Policy Advisor

Dawn Wilson – Policy Advisor

**Communications Division: Responsible** for communicating the Governor and Lt. Governor's message to Iowa citizens.

Joe Shannahan – Communications Director

Kristin Mackey – Deputy Communications Director

Molly Culbertson – Assistant to the Governor & Lt. Governor

**Scheduling Division: Responsible** for scheduling and coordinating the lives of the Governor, Lt. Governor and First Lady.

Matt Paul – Governor's Scheduler

Carrie Morris – Administrative Coordinator

Jada Collier – Lt. Governor's Scheduler

Cyndi Pederson – First Lady's Assistant

**Administrative Division:** Responsible for all areas of the office which deal with citizen contacts; correspondence, casework, board and commission appointments, volunteers and proclamations.

Elisabeth Buck – Director of Administration

Mary Brunkhorst Administrative Assistant

Cindy Jones – Constituent Caseworker

Cathy Jury – Appointments Coordinator

Deb Madison – Governor’s Executive Assistant

Mike Milligan – Volunteer Coordinator

Rose Mary Pratt – Receptionist

Kelly Thompson – Administrative Assistant to Director of Administration

**Legal Division: Responsible** for filing of administrative rules, pardon requests, clemency applications, Executive Orders, extraditions and legal issues.

Brian Gentry -- General Counsel

Kristin Hardt -- Legal Assistant

Kelly Thompson -- Administrative Assistant

**Terrace Hill: Responsible** for the Governor's mansion and Victorian museum, giftshop and tours.

\*David Cordes – Terrace Hill Administrator

Cyndi Pederson – Assistant to First Lady

\*Bonnie McElroy Volunteer Coordinator

\*Beth Wright – Administrative Assistant

\*Brian Browning – Maintenance Technician

\*Monty Love11 – Nursery Worker

Sharon Van Verth – Chef for First Family

Samol Thlang – Housekeeper

\*Paid out of General Services Account where operational costs of Terrace Hill are handled.

**State-Federal Relations:** Responsible for promoting the interests of Iowa State Government before Congress, federal agencies, national associations and other such organizations; influence the development of national policies which affect Iowa State Government, Iowa business and industry and Iowa citizens.

Phil Buchan – Director

Jeff Hood – Administrative Assistant

Nancy Payne – Policy Analyst



# OFFICE OF THE GOVERNOR

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SALLY J. PEDERSON  
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To e-mail the Governor/Lt. Governor, please use the Comment Desk on our web page. Web page address: [www.state.ia.us/governor](http://www.state.ia.us/governor)

Last	First	Direct	
Brunkhorst	Mary	281-5832	Administrative Assistant
Buck	Elisabeth	281-0201	Administration Director
Cacciatore	John	281-0150	Policy Director
Cooper	Jean	281-0144	Administrative Assistant to Policy Director
Collier	Jada	281-0225	Lieutenant Governor's Scheduler
Cordes	David	242-5841	Terrace Hill Administrator
Culbertson	Molly	281-4504	Special Assistant to Lieutenant Governor
Fischer	Monica	281-0159	Assistant to the Chief of Staff
Gentry	N. Brian	281-0208	General Counsel
Hardt	Kristin	281-3502	Legal Assistant
Jones	Cindy	281-0165	Constituent Caseworker Coordinator
Jury	Catherine	281-0215	Appointments Coordinator
Kaus	Kavcee	281-0168	Correspondence Coordinator
Mackey	Kristin	281-0176	Deputy Communications Director
Madison	Deb	281-0561	Governor's Executive Assistant
Milligan	Michael	281-0161	Volunteer Coordinator
Morris	Carrie	281-4756	Administrative Coordinator
Nichols	Greg	281-0130	Legislative Director & Policy Advisor
Norris	John	281-0159	Chief of Staff
Oldson	Jo	281-0137	Intergovernmental Affairs Director & Policy Advisor
Paul	Matthew	28 1-0440	Governor's Scheduler
Pederson	Cyndi	281-6565	Administrative Assistant to First Lady
Pickens	Stephanie	281-0182	Technology Policy Advisor
Pratt	Rose Marv	28 1-0222	Receptionist
Shannahan	Joe	281-0173	Communications Director
Terry	Dusky	281-0141	Agriculture, Environment & Transportation Policy Advisor
Thompson	Kelly	281-0188	Adm. Asst. to Director of Administration
Wilson	Dawn	281-0167	Sr. Advisor to Lieutenant Governor