

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
CHAIRPERSON MOHR)

A BILL FOR

1 An Act relating to appropriations for health and human
2 services and veterans and including other related provisions
3 and appropriations, providing penalties, and including
4 effective date and retroactive and other applicability date
5 provisions.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

DEPARTMENT ON AGING — FY 2021-2022

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Section 1. DEPARTMENT ON AGING. There is appropriated from the general fund of the state to the department on aging for the fiscal year beginning July 1, 2021, and ending June 30, 2022, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

.....	\$ 11,164,382
.....	FTEs 27.00

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

2. Of the funds appropriated in this section, \$279,000 is transferred to the economic development authority for the Iowa commission on volunteer services to be used for the retired and senior volunteer program.

3. a. The department on aging shall establish and enforce procedures relating to expenditure of state and federal funds by area agencies on aging that require compliance with both

1 state and federal laws, rules, and regulations, including but
2 not limited to all of the following:

3 (1) Requiring that expenditures are incurred only for goods
4 or services received or performed prior to the end of the
5 fiscal period designated for use of the funds.

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

9 (3) Prohibiting prepayment for goods or services not
10 defined specifically by good or service, time period, or
11 recipient.

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

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

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

27 5. Of the funds appropriated in this section, \$812,000 shall
28 be used for the purposes of chapter 231E and to administer
29 the prevention of elder abuse, neglect, and exploitation
30 program pursuant to section 231.56A, in accordance with the
31 requirements of the federal Older Americans Act of 1965, 42
32 U.S.C. §3001 et seq., as amended.

33 6. Of the funds appropriated in this section, \$1,000,000
34 shall be used to fund continuation of the aging and disability
35 resource center lifelong links to provide individuals and

1 caregivers with information and services to plan for and
2 maintain independence.

3 7. Of the funds appropriated in this section, \$250,000
4 shall be used by the department on aging, in collaboration with
5 the department of human services and affected stakeholders,
6 to continue to expand the pilot initiative to provide
7 long-term care options counseling utilizing support planning
8 protocols, to assist non-Medicaid eligible consumers who
9 indicate a preference to return to the community and are
10 deemed appropriate for discharge, to return to their community
11 following a nursing facility stay. The department on aging
12 shall submit a report regarding the outcomes of the pilot
13 initiative to the governor and the general assembly by December
14 15, 2021.

15 DIVISION II

16 OFFICE OF LONG-TERM CARE OMBUDSMAN — FY 2021-2022

17 Sec. 2. OFFICE OF LONG-TERM CARE OMBUDSMAN. There is
18 appropriated from the general fund of the state to the office
19 of long-term care ombudsman for the fiscal year beginning July
20 1, 2021, and ending June 30, 2022, the following amount, or
21 so much thereof as is necessary, to be used for the purposes
22 designated:

23 For salaries, support, administration, maintenance, and
24 miscellaneous purposes, and for not more than the following
25 full-time equivalent positions:

26	\$	1,149,821
27	FTEs	16.00

28 DIVISION III

29 DEPARTMENT OF PUBLIC HEALTH — FY 2021-2022

30 Sec. 3. DEPARTMENT OF PUBLIC HEALTH. There is appropriated
31 from the general fund of the state to the department of public
32 health for the fiscal year beginning July 1, 2021, and ending
33 June 30, 2022, the following amounts, or so much thereof as is
34 necessary, to be used for the purposes designated:

35 1. ADDICTIVE DISORDERS

1 For reducing the prevalence of the use of tobacco, alcohol,
2 and other drugs, and treating individuals affected by addictive
3 behaviors, including gambling, and for not more than the
4 following full-time equivalent positions:

5 \$ 23,659,379
6 FTEs 12.00

7 a. (1) Of the funds appropriated in this subsection,
8 \$4,020,894 shall be used for the tobacco use prevention
9 and control initiative, including efforts at the state and
10 local levels, as provided in chapter 142A. The commission
11 on tobacco use prevention and control established pursuant
12 to section 142A.3 shall advise the director of public health
13 in prioritizing funding needs and the allocation of moneys
14 appropriated for the programs and initiatives. Activities
15 of the programs and initiatives shall be in alignment with
16 the United States centers for disease control and prevention
17 best practices for comprehensive tobacco control programs
18 that include the goals of preventing youth initiation of
19 tobacco usage, reducing exposure to secondhand smoke, and
20 promotion of tobacco cessation. To maximize resources,
21 the department shall determine if third-party sources are
22 available to instead provide nicotine replacement products
23 to an applicant prior to provision of such products to an
24 applicant under the initiative. The department shall track and
25 report to the governor and the general assembly any reduction
26 in the provision of nicotine replacement products realized
27 by the initiative through implementation of the prerequisite
28 screening.

29 (2) (a) The department shall collaborate with the
30 alcoholic beverages division of the department of commerce for
31 enforcement of tobacco laws, regulations, and ordinances and to
32 engage in tobacco control activities approved by the division
33 of tobacco use prevention and control of the department of
34 public health as specified in the memorandum of understanding
35 entered into between the divisions.

1 (b) For the fiscal year beginning July 1, 2021, and ending
2 June 30, 2022, the terms of the memorandum of understanding,
3 entered into between the division of tobacco use prevention
4 and control of the department of public health and the
5 alcoholic beverages division of the department of commerce,
6 governing compliance checks conducted to ensure licensed retail
7 tobacco outlet conformity with tobacco laws, regulations, and
8 ordinances relating to persons under 21 years of age, shall
9 continue to restrict the number of such checks to one check per
10 retail outlet, and one additional check for any retail outlet
11 found to be in violation during the first check.

12 b. (1) Of the funds appropriated in this subsection,
13 \$19,638,485 shall be used for problem gambling and
14 substance-related disorder prevention, treatment, and recovery
15 services, including a 24-hour helpline, public information
16 resources, professional training, youth prevention, and program
17 evaluation.

18 (2) Of the amount allocated under this paragraph, \$306,000
19 shall be utilized by the department of public health, in
20 collaboration with the department of human services, to
21 maintain a single statewide 24-hour crisis hotline for the Iowa
22 children's behavioral health system that incorporates warmlines
23 services which may be provided through expansion of existing
24 capabilities maintained by the department of public health as
25 required pursuant to 2018 Iowa Acts, chapter 1056, section 16.

26 c. The requirement of section 123.17, subsection 5, is met
27 by the appropriations and allocations made in this division of
28 this Act for purposes of substance-related disorder treatment
29 and addictive disorders for the fiscal year beginning July 1,
30 2021.

31 2. HEALTHY CHILDREN AND FAMILIES

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

1 \$ 5,816,681

2 FTEs 14.00

3 a. Of the funds appropriated in this subsection, not more
4 than \$734,000 shall be used for the healthy opportunities for
5 parents to experience success (HOPES)-healthy families Iowa
6 (HFI) program established pursuant to section 135.106.

7 b. In order to implement the legislative intent stated
8 in sections 135.106 and 256I.9, priority for home visitation
9 program funding shall be given to programs using evidence-based
10 or promising models for home visitation.

11 c. Of the funds appropriated in this subsection, \$3,075,000
12 shall be used for continuation of the department's initiative
13 to provide for adequate developmental surveillance and
14 screening during a child's first five years. The funds shall
15 be used first to fully fund the current sites to ensure that
16 the sites are fully operational, with the remaining funds
17 to be used for expansion to additional sites. The full
18 implementation and expansion shall include enhancing the scope
19 of the initiative through collaboration with the child health
20 specialty clinics to promote healthy child development through
21 early identification and response to both biomedical and social
22 determinants of healthy development; by monitoring child
23 health metrics to inform practice, document long-term health
24 impacts and savings, and provide for continuous improvement
25 through training, education, and evaluation; and by providing
26 for practitioner consultation particularly for children with
27 behavioral conditions and needs. The department of public
28 health shall also collaborate with the Iowa Medicaid enterprise
29 and the child health specialty clinics to integrate the
30 activities of the first five initiative into the establishment
31 of patient-centered medical homes, community utilities,
32 accountable care organizations, and other integrated care
33 models developed to improve health quality and population
34 health while reducing health care costs. To the maximum extent
35 possible, funding allocated in this paragraph shall be utilized

1 as matching funds for medical assistance program reimbursement.

2 d. Of the funds appropriated in this subsection, \$64,000
3 shall be distributed to a statewide dental carrier to provide
4 funds to continue the donated dental services program patterned
5 after the projects developed by the dental lifeline network to
6 provide dental services to indigent individuals who are elderly
7 or with disabilities.

8 e. Of the funds appropriated in this subsection, \$156,000
9 shall be used to provide audiological services and hearing aids
10 for children.

11 f. Of the funds appropriated in this subsection, \$23,000 is
12 transferred to the university of Iowa college of dentistry for
13 provision of primary dental services to children. State funds
14 shall be matched on a dollar-for-dollar basis. The university
15 of Iowa college of dentistry shall coordinate efforts with the
16 department of public health, oral and health delivery system
17 bureau, to provide dental care to underserved populations
18 throughout the state.

19 g. Of the funds appropriated in this subsection, \$50,000
20 shall be used to address youth suicide prevention.

21 h. Of the funds appropriated in this subsection, \$40,000
22 shall be used to support the Iowa effort to address the survey
23 of children who experience adverse childhood experiences known
24 as ACEs.

25 i. Of the funds appropriated in this subsection, up to
26 \$494,000 shall be used for childhood obesity prevention.

27 3. CHRONIC CONDITIONS

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

31	\$	4,258,373
32	FTEs	10.00

33 a. Of the funds appropriated in this subsection, \$188,000
34 shall be used for grants to individual patients who have an
35 inherited metabolic disorder to assist with the costs of

1 medically necessary foods and formula.

2 b. Of the funds appropriated in this subsection, \$1,055,000
3 shall be used for the brain injury services program pursuant
4 to section 135.22B, including \$861,000 for contracting with an
5 existing nationally affiliated and statewide organization whose
6 purpose is to educate, serve, and support Iowans with brain
7 injury and their families, for resource facilitator services
8 in accordance with section 135.22B, subsection 9, and for
9 contracting to enhance brain injury training and recruitment
10 of service providers on a statewide basis. Of the amount
11 allocated in this paragraph, \$95,000 shall be used to fund
12 1.00 full-time equivalent position to serve as the state brain
13 injury services program manager.

14 c. Of the funds appropriated in this subsection, \$144,000
15 shall be used for the public purpose of continuing to contract
16 with an existing nationally affiliated organization to provide
17 education, client-centered programs, and client and family
18 support for people living with epilepsy and their families.
19 The amount allocated in this paragraph in excess of \$50,000
20 shall be matched dollar-for-dollar by the organization
21 specified. Funds allocated under this paragraph shall be
22 distributed in their entirety for the purpose specified on July
23 1, 2021.

24 d. Of the funds appropriated in this subsection, \$809,000
25 shall be used for child health specialty clinics.

26 e. Of the funds appropriated in this subsection, \$384,000
27 shall be used by the regional autism assistance program
28 established pursuant to section 256.35, and administered by
29 the child health specialty clinic located at the university of
30 Iowa hospitals and clinics. The funds shall be used to enhance
31 interagency collaboration and coordination of educational,
32 medical, and other human services for persons with autism,
33 their families, and providers of services, including delivering
34 regionalized services of care coordination, family navigation,
35 and integration of services through the statewide system of

1 regional child health specialty clinics and fulfilling other
2 requirements as specified in chapter 225D. The university of
3 Iowa shall not receive funds allocated under this paragraph for
4 indirect costs associated with the regional autism assistance
5 program.

6 f. Of the funds appropriated in this subsection, \$577,000
7 shall be used for the comprehensive cancer control program to
8 reduce the burden of cancer in Iowa through prevention, early
9 detection, effective treatment, and ensuring quality of life.
10 Of the funds allocated in this paragraph "f", \$150,000 shall
11 be used to support a melanoma research symposium, a melanoma
12 biorepository and registry, basic and translational melanoma
13 research, and clinical trials.

14 g. Of the funds appropriated in this subsection, \$97,000
15 shall be used for cervical and colon cancer screening, and
16 \$177,000 shall be used to enhance the capacity of the cervical
17 cancer screening program to include provision of recommended
18 prevention and early detection measures to a broader range of
19 low-income women.

20 h. Of the funds appropriated in this subsection, \$506,000
21 shall be used for the center for congenital and inherited
22 disorders.

23 4. COMMUNITY CAPACITY

24 For strengthening the health care delivery system at the
25 local level, and for not more than the following full-time
26 equivalent positions:

27	\$	6,319,306
28	FTEs	13.00

29 a. Of the funds appropriated in this subsection, \$95,000
30 is allocated for continuation of the child vision screening
31 program implemented through the university of Iowa hospitals
32 and clinics in collaboration with early childhood Iowa areas.
33 The program shall submit a report to the department regarding
34 the use of funds allocated under this paragraph "a". The
35 report shall include the objectives and results for the

1 program year including the target population and how the funds
2 allocated assisted the program in meeting the objectives; the
3 number, age, and location within the state of individuals
4 served; the type of services provided to the individuals
5 served; the distribution of funds based on service provided;
6 and the continuing needs of the program.

7 b. Of the funds appropriated in this subsection,
8 \$48,000 shall be used for a grant to a statewide association
9 of psychologists, that is affiliated with the American
10 psychological association, to be used for continuation of a
11 program to rotate intern psychologists in placements that
12 serve urban and rural mental health professional shortage
13 areas. Once an intern psychologist begins service, the intern
14 psychologist may continue serving in the location of the intern
15 psychologist's placement, notwithstanding any change in the
16 mental health professional shortage area designation of such
17 location. The intern psychologist may also provide services
18 via telehealth, to underserved populations, and to Medicaid
19 members. For the purposes of this paragraph "b", "mental
20 health professional shortage area" means a geographic area
21 in this state that has been designated by the United States
22 department of health and human services, health resources and
23 services administration, bureau of health professionals, as
24 having a shortage of mental health professionals.

25 c. Of the funds appropriated in this subsection, the
26 following amounts are allocated to be used as follows
27 to support the goals of increased access, health system
28 integration, and engagement:

29 (1) Not less than \$600,000 is allocated to the Iowa
30 prescription drug corporation for continuation of the
31 pharmaceutical infrastructure for safety net providers as
32 described in 2007 Iowa Acts, chapter 218, section 108, and for
33 the prescription drug donation repository program created in
34 chapter 135M.

35 (2) Not less than \$334,000 is allocated to free clinics and

1 free clinics of Iowa for necessary infrastructure, statewide
2 coordination, provider recruitment, service delivery, and
3 provision of assistance to patients in securing a medical home
4 inclusive of oral health care. Funds allocated under this
5 subparagraph shall be distributed in their entirety for the
6 purpose specified on July 1, 2021.

7 (3) Not less than \$25,000 is allocated to the Iowa
8 association of rural health clinics for necessary
9 infrastructure and service delivery transformation. Funds
10 allocated under this subparagraph shall be distributed in their
11 entirety for the purpose specified on July 1, 2021.

12 (4) Not less than \$225,000 is allocated to the Polk county
13 medical society for continuation of the safety net provider
14 patient access to specialty health care initiative as described
15 in 2007 Iowa Acts, chapter 218, section 109. Funds allocated
16 under this subparagraph shall be distributed in their entirety
17 for the purpose specified on July 1, 2021.

18 d. Of the funds appropriated in this subsection, \$191,000
19 is allocated for the purposes of health care and public health
20 workforce initiatives.

21 e. Of the funds appropriated in this subsection, \$96,000
22 shall be used for a matching dental education loan repayment
23 program to be allocated to a dental nonprofit health service
24 corporation to continue to develop the criteria and implement
25 the loan repayment program.

26 f. Of the funds appropriated in this subsection, \$100,000
27 shall be used for the purposes of the Iowa donor registry as
28 specified in section 142C.18.

29 g. Of the funds appropriated in this subsection, \$96,000
30 shall be used for continuation of a grant to a nationally
31 affiliated volunteer eye organization that has an established
32 program for children and adults and that is solely dedicated to
33 preserving sight and preventing blindness through education,
34 nationally certified vision screening and training, and
35 community and patient service programs. The contractor shall

1 submit a report to the general assembly regarding the use
2 of funds allocated under this paragraph "g". The report
3 shall include the objectives and results for the program year
4 including the target population and how the funds allocated
5 assisted the program in meeting the objectives; the number,
6 age, grade level if appropriate, and location within the state
7 of individuals served; the type of services provided to the
8 individuals served; the distribution of funds based on services
9 provided; and the continuing needs of the program.

10 h. Of the funds appropriated in this subsection, \$2,100,000
11 shall be deposited in the medical residency training account
12 created in section 135.175, subsection 5, paragraph "a", and
13 is appropriated from the account to the department of public
14 health to be used for the purposes of the medical residency
15 training state matching grants program as specified in section
16 135.176.

17 i. Of the funds appropriated in this subsection, \$250,000
18 shall be used for the public purpose of providing funding to
19 Des Moines university to continue a provider education project
20 to provide primary care physicians with the training and skills
21 necessary to recognize the signs of mental illness in patients.

22 j. Of the funds appropriated in this subsection, \$600,000
23 shall be used for rural psychiatric residencies to support the
24 annual creation and training of four psychiatric residents who
25 will provide mental health services in underserved areas of
26 the state. Notwithstanding section 8.33, moneys that remain
27 unencumbered or unobligated at the close of the fiscal year
28 shall not revert but shall remain available for expenditure for
29 the purposes designated for subsequent fiscal years.

30 k. Of the funds appropriated in this subsection, \$150,000
31 shall be used for psychiatric training to increase access to
32 mental health care services by expanding the mental health
33 workforce via training of additional physician assistants and
34 nurse practitioners.

35 l. Of the funds appropriated in this subsection, \$425,000

1 shall be used for the creation of a center of excellence
2 program to encourage innovation and collaboration among
3 regional health care providers in a rural area based upon the
4 results of a regional community needs assessment to transform
5 health care delivery in order to provide quality, sustainable
6 care that meets the needs of the local communities. An
7 applicant for the funds shall specify how the funds will be
8 expended to accomplish the goals of the program and shall
9 provide a detailed five-year sustainability plan prior to
10 being awarded any funding. Following the receipt of funding,
11 a recipient shall submit periodic reports as specified by the
12 department to the governor and the general assembly regarding
13 the recipient's expenditure of the funds and progress in
14 accomplishing the program goals.

15 5. ESSENTIAL PUBLIC HEALTH SERVICES

16 To provide public health services that reduce risks and
17 invest in promoting and protecting good health over the
18 course of a lifetime with a priority given to older Iowans and
19 vulnerable populations:

20 \$ 7,662,464

21 6. INFECTIOUS DISEASES

22 For reducing the incidence and prevalence of communicable
23 diseases, and for not more than the following full-time
24 equivalent positions:

25 \$ 1,796,206

26 FTEs 6.00

27 7. PUBLIC PROTECTION

28 For protecting the health and safety of the public through
29 establishing standards and enforcing regulations, and for not
30 more than the following full-time equivalent positions:

31 \$ 4,466,601

32 FTEs 142.00

33 a. Of the funds appropriated in this subsection, not more
34 than \$304,000 shall be credited to the emergency medical
35 services fund created in section 135.25. Moneys in the

1 emergency medical services fund are appropriated to the
2 department to be used for the purposes of the fund.

3 b. Of the funds appropriated in this subsection, up
4 to \$243,000 shall be used for sexual violence prevention
5 programming through a statewide organization representing
6 programs serving victims of sexual violence through the
7 department's sexual violence prevention program, and for
8 continuation of a training program for sexual assault
9 response team (SART) members, including representatives of
10 law enforcement, victim advocates, prosecutors, and certified
11 medical personnel. The amount allocated in this paragraph "b"
12 shall not be used to supplant funding administered for other
13 sexual violence prevention or victims assistance programs.

14 c. Of the funds appropriated in this subsection, up to
15 \$500,000 shall be used for the state poison control center.
16 Pursuant to the directive under 2014 Iowa Acts, chapter
17 1140, section 102, the federal matching funds available to
18 the state poison control center from the department of human
19 services under the federal Children's Health Insurance Program
20 Reauthorization Act allotment shall be subject to the federal
21 administrative cap rule of 10 percent applicable to funding
22 provided under Tit. XXI of the federal Social Security Act and
23 included within the department's calculations of the cap.

24 d. Of the funds appropriated in this subsection, up to
25 \$504,000 shall be used for childhood lead poisoning provisions.

26 8. RESOURCE MANAGEMENT

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

30	\$	933,871
31	FTEs	4.00

32 9. MISCELLANEOUS PROVISIONS

33 The university of Iowa hospitals and clinics under the
34 control of the state board of regents shall not receive
35 indirect costs from the funds appropriated in this section.

1 The university of Iowa hospitals and clinics billings to the
2 department shall be on at least a quarterly basis.

3 Sec. 4. DEPARTMENT OF PUBLIC HEALTH — SPORTS WAGERING
4 RECEIPTS FUND. There is appropriated from the sports wagering
5 receipts fund created in section 8.57, subsection 6, to the
6 department of public health for the fiscal year beginning July
7 1, 2021, and ending June 30, 2022, the following amount, or
8 so much thereof as is necessary, to be used for the purposes
9 designated:

10 For problem gambling and substance-related disorder
11 prevention, treatment, and recovery services, including a
12 24-hour helpline, public information resources, professional
13 training, youth prevention, and program evaluation:
14 \$ 1,750,000

15 DIVISION IV

16 DEPARTMENT OF VETERANS AFFAIRS — FY 2021-2022

17 Sec. 5. DEPARTMENT OF VETERANS AFFAIRS. There is
18 appropriated from the general fund of the state to the
19 department of veterans affairs for the fiscal year beginning
20 July 1, 2021, and ending June 30, 2022, the following amounts,
21 or so much thereof as is necessary, to be used for the purposes
22 designated:

23 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

24 For salaries, support, maintenance, and miscellaneous
25 purposes, and for not more than the following full-time
26 equivalent positions:
27 \$ 1,229,763
28 FTEs 15.00

29 2. IOWA VETERANS HOME

30 For salaries, support, maintenance, and miscellaneous
31 purposes:
32 \$ 7,131,552

33 a. The Iowa veterans home billings involving the department
34 of human services shall be submitted to the department on at
35 least a monthly basis.

1 b. The Iowa veterans home expenditure report shall be
2 submitted monthly to the general assembly.

3 c. The Iowa veterans home shall continue to include in the
4 annual discharge report applicant information to provide for
5 the collection of demographic information including but not
6 limited to the number of individuals applying for admission and
7 admitted or denied admittance and the basis for the admission
8 or denial; the age, gender, and race of such individuals;
9 and the level of care for which such individuals applied for
10 admission including residential or nursing level of care.

11 3. HOME OWNERSHIP ASSISTANCE PROGRAM

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

16 \$ 2,000,000

17 Sec. 6. LIMITATION OF COUNTY COMMISSIONS OF VETERAN AFFAIRS
18 FUND STANDING APPROPRIATIONS. Notwithstanding the standing
19 appropriation in section 35A.16 for the fiscal year beginning
20 July 1, 2021, and ending June 30, 2022, the amount appropriated
21 from the general fund of the state for the following designated
22 purposes shall not exceed the following amount, and shall be
23 allocated to each county commission of veterans affairs or to
24 each county sharing the services of an executive director or
25 administrator pursuant to chapter 28E, in equal amounts:

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

28 \$ 1,289,970

29 DIVISION V

30 DEPARTMENT OF HUMAN SERVICES — FY 2021-2022

31 Sec. 7. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
32 GRANT. There is appropriated from the fund created in section
33 8.41 to the department of human services for the fiscal year
34 beginning July 1, 2021, and ending June 30, 2022, from moneys
35 received under the federal temporary assistance for needy

1 families (TANF) block grant pursuant to the federal Personal
2 Responsibility and Work Opportunity Reconciliation Act of 1996,
3 Pub. L. No. 104-193, and successor legislation, the following
4 amounts, or so much thereof as is necessary, to be used for the
5 purposes designated:

6 1. To be credited to the family investment program account
7 and used for assistance under the family investment program
8 under chapter 239B:

9 \$ 5,002,006

10 2. To be credited to the family investment program account
11 and used for the job opportunities and basic skills (JOBS)
12 program and implementing family investment agreements in
13 accordance with chapter 239B:

14 \$ 5,412,060

15 3. To be used for the family development and
16 self-sufficiency grant program in accordance with section
17 216A.107:

18 \$ 2,888,980

19 Notwithstanding section 8.33, moneys appropriated in this
20 subsection that remain unencumbered or unobligated at the close
21 of the fiscal year shall not revert but shall remain available
22 for expenditure for the purposes designated until the close of
23 the succeeding fiscal year. However, unless such moneys are
24 encumbered or obligated on or before September 30, 2022, the
25 moneys shall revert.

26 4. For field operations:

27 \$ 31,296,232

28 5. For general administration:

29 \$ 3,744,000

30 6. For state child care assistance:

31 \$ 47,166,826

32 a. Of the funds appropriated in this subsection,
33 \$26,205,412 is transferred to the child care and development
34 block grant appropriation made by the Eighty-ninth General
35 Assembly, 2021 session, for the federal fiscal year beginning

1 October 1, 2021, and ending September 30, 2022. Of this
2 amount, \$200,000 shall be used for provision of educational
3 opportunities to registered child care home providers in order
4 to improve services and programs offered by this category
5 of providers and to increase the number of providers. The
6 department may contract with institutions of higher education
7 or child care resource and referral centers to provide
8 the educational opportunities. Allowable administrative
9 costs under the contracts shall not exceed 5 percent. The
10 application for a grant shall not exceed two pages in length.

11 b. Any funds appropriated in this subsection remaining
12 unallocated shall be used for state child care assistance
13 payments for families who are employed including but not
14 limited to individuals enrolled in the family investment
15 program.

16 7. For child and family services:
17 \$ 32,380,654

18 8. For child abuse prevention grants:
19 \$ 125,000

20 9. For pregnancy prevention grants on the condition that
21 family planning services are funded:
22 \$ 1,913,203

23 Pregnancy prevention grants shall be awarded to programs
24 in existence on or before July 1, 2021, if the programs have
25 demonstrated positive outcomes. Grants shall be awarded to
26 pregnancy prevention programs which are developed after July
27 1, 2021, if the programs are based on existing models that
28 have demonstrated positive outcomes. Grants shall comply with
29 the requirements provided in 1997 Iowa Acts, chapter 208,
30 section 14, subsections 1 and 2, including the requirement that
31 grant programs must emphasize sexual abstinence. Priority in
32 the awarding of grants shall be given to programs that serve
33 areas of the state which demonstrate the highest percentage of
34 unplanned pregnancies of females of childbearing age within the
35 geographic area to be served by the grant.

1 10. For technology needs and other resources necessary to
2 meet federal, state, and welfare reform reporting, tracking,
3 and case management requirements and other departmental needs:
4 \$ 1,037,186

5 11. a. Notwithstanding any provision to the contrary,
6 including but not limited to requirements in section 8.41 or
7 provisions in 2020 Iowa Acts or 2021 Iowa Acts regarding the
8 receipt and appropriation of federal block grants, federal
9 funds from the temporary assistance for needy families block
10 grant received by the state and not otherwise appropriated
11 in this section and remaining available for the fiscal year
12 beginning July 1, 2021, are appropriated to the department of
13 human services to the extent as may be necessary to be used in
14 the following priority order: the family investment program,
15 for state child care assistance program payments for families
16 who are employed, and for the family investment program share
17 of system costs for eligibility determination and related
18 functions. The federal funds appropriated in this paragraph
19 "a" shall be expended only after all other funds appropriated
20 in subsection 1 for assistance under the family investment
21 program, in subsection 6 for state child care assistance, or
22 in subsection 10 for technology costs related to the family
23 investment program, as applicable, have been expended. For
24 the purposes of this subsection, the funds appropriated in
25 subsection 6, paragraph "a", for transfer to the child care
26 and development block grant appropriation are considered fully
27 expended when the full amount has been transferred.

28 b. The department shall, on a quarterly basis, advise the
29 general assembly and department of management of the amount of
30 funds appropriated in this subsection that was expended in the
31 prior quarter.

32 12. Of the amounts appropriated in this section,
33 \$12,962,008 for the fiscal year beginning July 1, 2021, is
34 transferred to the appropriation of the federal social services
35 block grant made to the department of human services for that

1 fiscal year.

2 13. For continuation of the program providing categorical
3 eligibility for the food assistance program as specified
4 for the program in the section of this division of this Act
5 relating to the family investment program account:

6 \$ 14,236

7 14. The department may transfer funds allocated in this
8 section to the appropriations made in this division of this Act
9 for the same fiscal year for general administration and field
10 operations for resources necessary to implement and operate the
11 services referred to in this section and those funded in the
12 appropriation made in this division of this Act for the same
13 fiscal year for the family investment program from the general
14 fund of the state.

15 15. With the exception of moneys allocated under this
16 section for the family development and self-sufficiency grant
17 program, to the extent moneys allocated in this section are
18 deemed by the department not to be necessary to support the
19 purposes for which they are allocated, such moneys may be used
20 in the same fiscal year for any other purpose for which funds
21 are allocated in this section or in section 8 of this division
22 of this Act for the family investment program account. If
23 there are conflicting needs, priority shall first be given
24 to the family investment program account as specified under
25 subsection 1 of this section and used for the purposes of
26 assistance under the family investment program in accordance
27 with chapter 239B, followed by state child care assistance
28 program payments for families who are employed, followed by
29 other priorities as specified by the department.

30 Sec. 8. FAMILY INVESTMENT PROGRAM ACCOUNT.

31 1. Moneys credited to the family investment program (FIP)
32 account for the fiscal year beginning July 1, 2021, and
33 ending June 30, 2022, shall be used to provide assistance in
34 accordance with chapter 239B.

35 2. The department may use a portion of the moneys credited

1 to the FIP account under this section as necessary for
2 salaries, support, maintenance, and miscellaneous purposes.

3 3. The department may transfer funds allocated in
4 subsection 4, excluding the allocation under subsection 4,
5 paragraph "b", to the appropriations made in this division of
6 this Act for the same fiscal year for general administration
7 and field operations for resources necessary to implement
8 and operate the services referred to in this section and
9 those funded in the appropriations made in section 7 for the
10 temporary assistance for needy families block grant and in
11 section 9 for the family investment program from the general
12 fund of the state in this division of this Act for the same
13 fiscal year.

14 4. Moneys appropriated in this division of this Act and
15 credited to the FIP account for the fiscal year beginning July
16 1, 2021, and ending June 30, 2022, are allocated as follows:

17 a. To be retained by the department of human services to
18 be used for coordinating with the department of human rights
19 to more effectively serve participants in FIP and other shared
20 clients and to meet federal reporting requirements under the
21 federal temporary assistance for needy families block grant:
22 \$ 10,000

23 b. To the department of human rights for staffing,
24 administration, and implementation of the family development
25 and self-sufficiency grant program in accordance with section
26 216A.107:
27 \$ 7,192,834

28 (1) Of the funds allocated for the family development
29 and self-sufficiency grant program in this paragraph "b",
30 not more than 5 percent of the funds shall be used for the
31 administration of the grant program.

32 (2) The department of human rights may continue to implement
33 the family development and self-sufficiency grant program
34 statewide during fiscal year 2021-2022.

35 (3) The department of human rights may engage in activities

1 to strengthen and improve family outcomes measures and
2 data collection systems under the family development and
3 self-sufficiency grant program.

4 c. For the diversion subaccount of the FIP account:
5 \$ 1,293,000

6 A portion of the moneys allocated for the diversion
7 subaccount may be used for field operations, salaries, data
8 management system development, and implementation costs and
9 support deemed necessary by the director of human services
10 in order to administer the FIP diversion program. To the
11 extent moneys allocated in this paragraph "c" are deemed by the
12 department not to be necessary to support diversion activities,
13 such moneys may be used for other efforts intended to increase
14 engagement by family investment program participants in work,
15 education, or training activities, or for the purposes of
16 assistance under the family investment program in accordance
17 with chapter 239B.

18 d. For the food assistance employment and training program:
19 \$ 66,588

20 (1) The department shall apply the federal supplemental
21 nutrition assistance program (SNAP) employment and training
22 state plan in order to maximize to the fullest extent permitted
23 by federal law the use of the 50 percent federal reimbursement
24 provisions for the claiming of allowable federal reimbursement
25 funds from the United States department of agriculture
26 pursuant to the federal SNAP employment and training program
27 for providing education, employment, and training services
28 for eligible food assistance program participants, including
29 but not limited to related dependent care and transportation
30 expenses.

31 (2) The department shall continue the categorical federal
32 food assistance program eligibility at 160 percent of the
33 federal poverty level and continue to eliminate the asset test
34 from eligibility requirements, consistent with federal food
35 assistance program requirements. The department shall include

1 as many food assistance households as is allowed by federal
2 law. The eligibility provisions shall conform to all federal
3 requirements including requirements addressing individuals who
4 are incarcerated or otherwise ineligible.

5 e. For the JOBS program, not more than:
6 \$ 12,018,258

7 5. Of the child support collections assigned under FIP,
8 an amount equal to the federal share of support collections
9 shall be credited to the child support recovery appropriation
10 made in this division of this Act. Of the remainder of the
11 assigned child support collections received by the child
12 support recovery unit, a portion shall be credited to the FIP
13 account, a portion may be used to increase recoveries, and a
14 portion may be used to sustain cash flow in the child support
15 payments account. If as a consequence of the appropriations
16 and allocations made in this section the resulting amounts
17 are insufficient to sustain cash assistance payments and meet
18 federal maintenance of effort requirements, the department
19 shall seek supplemental funding. If child support collections
20 assigned under FIP are greater than estimated or are otherwise
21 determined not to be required for maintenance of effort, the
22 state share of either amount may be transferred to or retained
23 in the child support payments account.

24 Sec. 9. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
25 is appropriated from the general fund of the state to the
26 department of human services for the fiscal year beginning July
27 1, 2021, and ending June 30, 2022, the following amount, or
28 so much thereof as is necessary, to be used for the purpose
29 designated:

30 To be credited to the family investment program (FIP)
31 account and used for family investment program assistance
32 under chapter 239B and other costs associated with providing
33 needs-based benefits or assistance:
34 \$ 41,003,978

35 1. Of the funds appropriated in this section, \$6,606,198 is

1 allocated for the JOBS program.

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

5 3. a. Notwithstanding section 8.39, for the fiscal
6 year beginning July 1, 2021, if necessary to meet federal
7 maintenance of effort requirements or to transfer federal
8 temporary assistance for needy families block grant funding
9 to be used for purposes of the federal social services block
10 grant or to meet cash flow needs resulting from delays in
11 receiving federal funding or to implement, in accordance with
12 this division of this Act, activities currently funded with
13 juvenile court services, county, or community moneys and state
14 moneys used in combination with such moneys; to comply with
15 federal requirements; or to maximize the use of federal funds;
16 the department of human services may transfer funds within or
17 between any of the appropriations made in this division of this
18 Act and appropriations in law for the federal social services
19 block grant to the department for the following purposes,
20 provided that the combined amount of state and federal
21 temporary assistance for needy families block grant funding
22 for each appropriation remains the same before and after the
23 transfer:

24 (1) For the family investment program.

25 (2) For state child care assistance.

26 (3) For child and family services.

27 (4) For field operations.

28 (5) For general administration.

29 b. This subsection shall not be construed to prohibit the
30 use of existing state transfer authority for other purposes.
31 The department shall report any transfers made pursuant to this
32 subsection to the general assembly.

33 4. Of the funds appropriated in this section, \$195,000
34 shall be used for a contract for tax preparation assistance
35 to low-income Iowans to expand the usage of the earned income

1 tax credit. The purpose of the contract is to supply this
2 assistance to underserved areas of the state. The department
3 shall not retain any portion of the allocation under this
4 subsection for administrative costs.

5 5. Of the funds appropriated in this section, \$70,000 shall
6 be used for the continuation of the parenting program, as
7 specified in 441 IAC ch. 100, relating to parental obligations,
8 in which the child support recovery unit participates, to
9 support the efforts of a nonprofit organization committed
10 to strengthening the community through youth development,
11 healthy living, and social responsibility headquartered in
12 a county with a population over 350,000 according to the
13 latest certified federal census. The funds allocated in this
14 subsection shall be used by the recipient organization to
15 develop a larger community effort, through public and private
16 partnerships, to support a broad-based multi-county parenthood
17 initiative that promotes payment of child support obligations,
18 improved family relationships, and full-time employment.

19 6. The department may transfer funds appropriated in this
20 section, excluding the allocation in subsection 2 for the
21 family development and self-sufficiency grant program, to the
22 appropriations made in this division of this Act for general
23 administration and field operations as necessary to administer
24 this section, section 7 for the temporary assistance for needy
25 families block grant, and section 8 for the family investment
26 program account.

27 Sec. 10. CHILD SUPPORT RECOVERY. There is appropriated
28 from the general fund of the state to the department of human
29 services for the fiscal year beginning July 1, 2021, and ending
30 June 30, 2022, the following amount, or so much thereof as is
31 necessary, to be used for the purposes designated:

32 For child support recovery, including salaries, support,
33 maintenance, and miscellaneous purposes, and for not more than
34 the following full-time equivalent positions:
35 \$ 15,942,885

1 FTEs 459.00

2 1. The department shall expend up to \$24,000, including
3 federal financial participation, for the fiscal year beginning
4 July 1, 2021, for a child support public awareness campaign.
5 The department and the office of the attorney general shall
6 cooperate in continuation of the campaign. The public
7 awareness campaign shall emphasize, through a variety of
8 media activities, the importance of maximum involvement of
9 both parents in the lives of their children as well as the
10 importance of payment of child support obligations.

11 2. Federal access and visitation grant moneys shall be
12 issued directly to private not-for-profit agencies that provide
13 services designed to increase compliance with the child access
14 provisions of court orders, including but not limited to
15 neutral visitation sites and mediation services.

16 3. The appropriation made to the department for child
17 support recovery may be used throughout the fiscal year in the
18 manner necessary for purposes of cash flow management, and for
19 cash flow management purposes the department may temporarily
20 draw more than the amount appropriated, provided the amount
21 appropriated is not exceeded at the close of the fiscal year.

22 Sec. 11. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE —
23 FY 2021-2022. Any funds remaining in the health care trust
24 fund created in section 453A.35A for the fiscal year beginning
25 July 1, 2021, and ending June 30, 2022, are appropriated to
26 the department of human services to supplement the medical
27 assistance program appropriations made in this division of this
28 Act, for medical assistance reimbursement and associated costs,
29 including program administration and costs associated with
30 program implementation.

31 Sec. 12. MEDICAID FRAUD FUND — MEDICAL ASSISTANCE — FY
32 2021-2022. Any funds remaining in the Medicaid fraud fund
33 created in section 249A.50 for the fiscal year beginning
34 July 1, 2021, and ending June 30, 2022, are appropriated to
35 the department of human services to supplement the medical

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

5 Sec. 13. MEDICAL ASSISTANCE. There is appropriated from the
6 general fund of the state to the department of human services
7 for the fiscal year beginning July 1, 2021, and ending June 30,
8 2022, the following amount, or so much thereof as is necessary,
9 to be used for the purpose designated:

10 For medical assistance program reimbursement and associated
11 costs as specifically provided in the reimbursement
12 methodologies in effect on June 30, 2021, except as otherwise
13 expressly authorized by law, consistent with options under
14 federal law and regulations, and contingent upon receipt of
15 approval from the office of the governor of reimbursement for
16 each abortion performed under the program:

17 \$ 1,504,667,393

18 1. Iowans support reducing the number of abortions
19 performed in our state. Funds appropriated under this section
20 shall not be used for abortions, unless otherwise authorized
21 under this section.

22 2. The provisions of this section relating to abortions
23 shall also apply to the Iowa health and wellness plan created
24 pursuant to chapter 249N.

25 3. The department shall utilize not more than \$60,000 of
26 the funds appropriated in this section to continue the AIDS/HIV
27 health insurance premium payment program as established in 1992
28 Iowa Acts, Second Extraordinary Session, chapter 1001, section
29 409, subsection 6. Of the funds allocated in this subsection,
30 not more than \$5,000 may be expended for administrative
31 purposes.

32 4. Of the funds appropriated in this Act to the department
33 of public health for addictive disorders, \$950,000 for
34 the fiscal year beginning July 1, 2021, is transferred
35 to the department of human services for an integrated

1 substance-related disorder managed care system. The
2 departments of human services and public health shall
3 work together to maintain the level of mental health and
4 substance-related disorder treatment services provided by the
5 managed care contractors. Each department shall take the steps
6 necessary to continue the federal waivers as necessary to
7 maintain the level of services.

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

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

24 7. Of the funds appropriated in this section, up to \$442,100
25 may be transferred to the appropriation in this division of
26 this Act for health program operations to be used for clinical
27 assessment services and prior authorization of services.

28 8. A portion of the funds appropriated in this section may
29 be transferred to the appropriations in this division of this
30 Act for general administration, health program operations, the
31 children's health insurance program, or field operations to be
32 used for the state match cost to comply with the payment error
33 rate measurement (PERM) program for both the medical assistance
34 and children's health insurance programs as developed by the
35 centers for Medicare and Medicaid services of the United States

1 department of health and human services to comply with the
2 federal Improper Payments Information Act of 2002, Pub. L.
3 No. 107-300, and to support other reviews and quality control
4 activities to improve the integrity of these programs.

5 9. Of the funds appropriated in this section, a sufficient
6 amount is allocated to supplement the incomes of residents of
7 nursing facilities, intermediate care facilities for persons
8 with mental illness, and intermediate care facilities for
9 persons with an intellectual disability, with incomes of less
10 than \$50 in the amount necessary for the residents to receive a
11 personal needs allowance of \$50 per month pursuant to section
12 249A.30A.

13 10. a. Hospitals that meet the conditions specified
14 in subparagraphs (1) and (2) shall either certify public
15 expenditures or transfer to the medical assistance program
16 an amount equal to provide the nonfederal share for a
17 disproportionate share hospital payment in an amount up to the
18 hospital-specific limit as approved in the Medicaid state plan.
19 The hospitals that meet the conditions specified shall receive
20 and retain 100 percent of the total disproportionate share
21 hospital payment in an amount up to the hospital-specific limit
22 as approved in the Medicaid state plan.

23 (1) The hospital qualifies for disproportionate share and
24 graduate medical education payments.

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

29 b. Distribution of the disproportionate share payments
30 shall be made on a monthly basis. The total amount of
31 disproportionate share payments including graduate medical
32 education, enhanced disproportionate share, and Iowa
33 state-owned teaching hospital payments shall not exceed the
34 amount of the state's allotment under Pub. L. No. 102-234.
35 In addition, the total amount of all disproportionate

1 share payments shall not exceed the hospital-specific
2 disproportionate share limits under Pub. L. No. 103-66.

3 11. One hundred percent of the nonfederal share of payments
4 to area education agencies that are medical assistance
5 providers for medical assistance-covered services provided to
6 medical assistance-covered children, shall be made from the
7 appropriation made in this section.

8 12. A portion of the funds appropriated in this section may
9 be transferred to the appropriation in this division of this
10 Act for health program operations to be used for administrative
11 activities associated with the money follows the person
12 demonstration project.

13 13. Of the funds appropriated in this section, \$349,011
14 shall be used for the administration of the health insurance
15 premium payment program, including salaries, support,
16 maintenance, and miscellaneous purposes.

17 14. a. The department may increase the amounts allocated
18 for salaries, support, maintenance, and miscellaneous purposes
19 associated with the medical assistance program, as necessary,
20 to sustain cost management efforts. The department shall
21 report any such increase to the general assembly and the
22 department of management.

23 b. If the savings to the medical assistance program from
24 ongoing cost management efforts exceed the associated cost
25 for the fiscal year beginning July 1, 2021, the department
26 may transfer any savings generated for the fiscal year due
27 to medical assistance program cost management efforts to the
28 appropriation made in this division of this Act for health
29 program operations or general administration to defray the
30 costs associated with implementing the efforts.

31 15. For the fiscal year beginning July 1, 2021, and ending
32 June 30, 2022, the replacement generation tax revenues required
33 to be deposited in the property tax relief fund pursuant to
34 section 437A.8, subsection 4, paragraph "d", and section
35 437A.15, subsection 3, paragraph "f", shall instead be credited

1 to and supplement the appropriation made in this section and
2 used for the allocations made in this section.

3 16. a. Of the funds appropriated in this section, up
4 to \$50,000 may be transferred by the department to the
5 appropriation made in this division of this Act to the
6 department for the same fiscal year for general administration
7 to be used for associated administrative expenses and for not
8 more than 1.00 full-time equivalent position, in addition to
9 those authorized for the same fiscal year, to be assigned to
10 implementing the children's mental health home project.

11 b. Of the funds appropriated in this section, up to \$400,000
12 may be transferred by the department to the appropriation made
13 to the department in this division of this Act for the same
14 fiscal year for Medicaid program-related general administration
15 planning and implementation activities. The funds may be used
16 for contracts or for personnel in addition to the amounts
17 appropriated for and the positions authorized for general
18 administration for the fiscal year.

19 c. Of the funds appropriated in this section, up to
20 \$3,000,000 may be transferred by the department to the
21 appropriations made in this division of this Act for the
22 same fiscal year for general administration or health
23 program operations to be used to support the development
24 and implementation of standardized assessment tools for
25 persons with mental illness, an intellectual disability, a
26 developmental disability, or a brain injury.

27 17. Of the funds appropriated in this section, \$150,000
28 shall be used for lodging expenses associated with care
29 provided at the university of Iowa hospitals and clinics for
30 patients with cancer whose travel distance is 30 miles or more
31 and whose income is at or below 200 percent of the federal
32 poverty level as defined by the most recently revised poverty
33 income guidelines published by the United States department of
34 health and human services. The department of human services
35 shall establish the maximum number of overnight stays and the

1 maximum rate reimbursed for overnight lodging, which may be
2 based on the state employee rate established by the department
3 of administrative services. The funds allocated in this
4 subsection shall not be used as nonfederal share matching
5 funds.

6 18. Of the funds appropriated in this section, up to
7 \$3,383,880 shall be used for administration of the state family
8 planning services program pursuant to section 217.41B, and
9 of this amount, the department may use up to \$200,000 for
10 administrative expenses.

11 19. Of the funds appropriated in this section, \$1,545,530
12 shall be used and may be transferred to other appropriations
13 in this division of this Act as necessary to administer the
14 provisions in the division of this Act relating to Medicaid
15 program administration.

16 20. The department shall comply with the centers for
17 Medicare and Medicaid services' guidance related to Medicaid
18 program and children's health insurance program maintenance
19 of effort provisions, including eligibility standards,
20 methodologies, procedures, and continuous enrollment, to
21 receive the enhanced federal medical assistance percentage
22 under section 6008(b) of the federal Families First Coronavirus
23 Response Act, Pub. L. No. 116-127. The department shall
24 utilize and implement all tools, processes, and resources
25 available to expediently return to normal eligibility and
26 enrollment operations in compliance with federal guidance and
27 expectations.

28 21. Of the funds appropriated in this section, up to
29 \$1,031,530 shall be used to implement reductions in the waiting
30 list for the children's mental health home and community-based
31 services waiver.

32 Sec. 14. HEALTH PROGRAM OPERATIONS. There is appropriated
33 from the general fund of the state to the department of human
34 services for the fiscal year beginning July 1, 2021, and ending
35 June 30, 2022, the following amount, or so much thereof as is

1 necessary, to be used for the purpose designated:

2 For health program operations:

3 \$ 17,831,343

4 1. The department of inspections and appeals shall
5 provide all state matching funds for survey and certification
6 activities performed by the department of inspections
7 and appeals. The department of human services is solely
8 responsible for distributing the federal matching funds for
9 such activities.

10 2. Of the funds appropriated in this section, \$50,000 shall
11 be used for continuation of home and community-based services
12 waiver quality assurance programs, including the review and
13 streamlining of processes and policies related to oversight and
14 quality management to meet state and federal requirements.

15 3. Of the amount appropriated in this section, up to
16 \$200,000 may be transferred to the appropriation for general
17 administration in this division of this Act to be used for
18 additional full-time equivalent positions in the development
19 of key health initiatives such as development and oversight
20 of managed care programs and development of health strategies
21 targeted toward improved quality and reduced costs in the
22 Medicaid program.

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

27 5. a. Of the funds appropriated in this section, \$573,000
28 shall be credited to the autism support program fund created
29 in section 225D.2 to be used for the autism support program
30 created in chapter 225D, with the exception of the following
31 amount of this allocation which shall be used as follows:

32 b. Of the funds allocated in this subsection, \$25,000 shall
33 be used for the public purpose of continuation of a grant to a
34 nonprofit provider of child welfare services that has been in
35 existence for more than 115 years, is located in a county with

1 a population between 200,000 and 220,000 according to the most
2 recent federal decennial census, is licensed as a psychiatric
3 medical institution for children, and provides school-based
4 programming, to be used for support services for children with
5 autism spectrum disorder and their families.

6 Sec. 15. STATE SUPPLEMENTARY ASSISTANCE.

7 1. There is appropriated from the general fund of the
8 state to the department of human services for the fiscal year
9 beginning July 1, 2021, and ending June 30, 2022, the following
10 amount, or so much thereof as is necessary, to be used for the
11 purpose designated:

12 For the state supplementary assistance program:
13 \$ 7,349,002

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

21 3. If during the fiscal year beginning July 1, 2021,
22 the department projects that state supplementary assistance
23 expenditures for a calendar year will not meet the federal
24 pass-through requirement specified in Tit. XVI of the federal
25 Social Security Act, section 1618, as codified in 42 U.S.C.
26 §1382g, the department may take actions including but not
27 limited to increasing the personal needs allowance for
28 residential care facility residents and making programmatic
29 adjustments or upward adjustments of the residential care
30 facility or in-home health-related care reimbursement rates
31 prescribed in this division of this Act to ensure that federal
32 requirements are met. In addition, the department may make
33 other programmatic and rate adjustments necessary to remain
34 within the amount appropriated in this section while ensuring
35 compliance with federal requirements. The department may adopt

1 emergency rules to implement the provisions of this subsection.

2 4. Notwithstanding section 8.33, moneys appropriated
3 in this section that remain unencumbered or unobligated
4 at the close of the fiscal year shall not revert but
5 shall remain available for expenditure for the purposes
6 designated, including for liability amounts associated with the
7 supplemental nutrition assistance program payment error rate,
8 until the close of the succeeding fiscal year.

9 Sec. 16. CHILDREN'S HEALTH INSURANCE PROGRAM.

10 1. There is appropriated from the general fund of the
11 state to the department of human services for the fiscal year
12 beginning July 1, 2021, and ending June 30, 2022, the following
13 amount, or so much thereof as is necessary, to be used for the
14 purpose designated:

15 For maintenance of the healthy and well kids in Iowa (hawk-i)
16 program pursuant to chapter 514I, including supplemental dental
17 services, for receipt of federal financial participation under
18 Tit. XXI of the federal Social Security Act, which creates the
19 children's health insurance program:

20 \$ 37,957,643

21 2. Of the funds appropriated in this section, \$149,189 is
22 allocated for continuation of the contract for outreach with
23 the department of public health.

24 3. A portion of the funds appropriated in this section may
25 be transferred to the appropriations made in this division of
26 this Act for field operations or health program operations to
27 be used for the integration of hawk-i program eligibility,
28 payment, and administrative functions under the purview of
29 the department of human services, including for the Medicaid
30 management information system upgrade.

31 Sec. 17. CHILD CARE ASSISTANCE. There is appropriated
32 from the general fund of the state to the department of human
33 services for the fiscal year beginning July 1, 2021, and ending
34 June 30, 2022, the following amount, or so much thereof as is
35 necessary, to be used for the purpose designated:

1 For child care programs:

2 \$ 40,816,931

3 1. Of the funds appropriated in this section, \$34,966,931
4 shall be used for state child care assistance in accordance
5 with section 237A.13.

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

13 3. A list of the registered and licensed child care
14 facilities operating in the area served by a child care
15 resource and referral service shall be made available to the
16 families receiving state child care assistance in that area.

17 4. Of the funds appropriated in this section, \$5,850,000
18 shall be credited to the early childhood programs grants
19 account in the early childhood Iowa fund created in section
20 256I.11. The moneys shall be distributed for funding of
21 community-based early childhood programs targeted to children
22 from birth through five years of age developed by early
23 childhood Iowa areas in accordance with approved community
24 plans as provided in section 256I.8.

25 5. The department may use any of the funds appropriated
26 in this section as a match to obtain federal funds for use in
27 expanding child care assistance and related programs. For
28 the purpose of expenditures of state and federal child care
29 funding, funds shall be considered obligated at the time
30 expenditures are projected or are allocated to the department's
31 service areas. Projections shall be based on current and
32 projected caseload growth, current and projected provider
33 rates, staffing requirements for eligibility determination
34 and management of program requirements including data systems
35 management, staffing requirements for administration of the

1 program, contractual and grant obligations and any transfers
2 to other state agencies, and obligations for decategorization
3 or innovation projects.

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

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

31 8. Notwithstanding section 8.33, moneys advanced for
32 purposes of the programs developed by early childhood Iowa
33 areas, advanced for purposes of wraparound child care, or
34 received from the federal appropriations made for the purposes
35 of this section that remain unencumbered or unobligated at the

1 close of the fiscal year shall not revert to any fund but shall
2 remain available for expenditure for the purposes designated
3 until the close of the succeeding fiscal year.

4 Sec. 18. JUVENILE INSTITUTION. There is appropriated
5 from the general fund of the state to the department of human
6 services for the fiscal year beginning July 1, 2021, and ending
7 June 30, 2022, the following amounts, or so much thereof as is
8 necessary, to be used for the purposes designated:

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

13 \$ 17,397,068
14 FTEs 207.00

15 b. Of the funds appropriated in this subsection, \$91,000
16 shall be used for distribution to licensed classroom teachers
17 at this and other institutions under the control of the
18 department of human services based upon the average student
19 yearly enrollment at each institution as determined by the
20 department.

21 2. A portion of the moneys appropriated in this section
22 shall be used by the state training school at Eldora for
23 grants for adolescent pregnancy prevention activities at the
24 institution in the fiscal year beginning July 1, 2021.

25 3. Of the funds appropriated in this subsection, \$212,000
26 shall be used by the state training school at Eldora for a
27 substance use disorder treatment program at the institution for
28 the fiscal year beginning July 1, 2021.

29 4. Notwithstanding section 8.33, moneys appropriated in
30 this section that remain unencumbered or unobligated at the
31 close of the fiscal year shall not revert but shall remain
32 available for expenditure for the purposes designated until the
33 close of the succeeding fiscal year.

34 Sec. 19. CHILD AND FAMILY SERVICES.

35 1. There is appropriated from the general fund of the

1 state to the department of human services for the fiscal year
2 beginning July 1, 2021, and ending June 30, 2022, the following
3 amount, or so much thereof as is necessary, to be used for the
4 purpose designated:

5 For child and family services:
6 \$ 89,071,930

7 2. The department may transfer funds appropriated in this
8 section as necessary to pay the nonfederal costs of services
9 reimbursed under the medical assistance program, state child
10 care assistance program, or the family investment program which
11 are provided to children who would otherwise receive services
12 paid under the appropriation in this section. The department
13 may transfer funds appropriated in this section to the
14 appropriations made in this division of this Act for general
15 administration and for field operations for resources necessary
16 to implement and operate the services funded in this section.

17 3. a. Of the funds appropriated in this section, up to
18 \$31,500,000 is allocated as the statewide expenditure target
19 under section 232.143 for group foster care maintenance and
20 services. If the department projects that such expenditures
21 for the fiscal year will be less than the target amount
22 allocated in this paragraph "a", the department may reallocate
23 the excess to provide additional funding for family foster
24 care, independent living, family-centered services, shelter
25 care, or the child welfare emergency services addressed with
26 the allocation for shelter care.

27 b. If at any time after September 30, 2021, annualization
28 of a service area's current expenditures indicates a service
29 area is at risk of exceeding its group foster care expenditure
30 target under section 232.143 by more than 5 percent, the
31 department and juvenile court services shall examine all
32 group foster care placements in that service area in order to
33 identify those which might be appropriate for termination.
34 In addition, any aftercare services believed to be needed
35 for the children whose placements may be terminated shall be

1 identified. The department and juvenile court services shall
2 initiate action to set dispositional review hearings for the
3 placements identified. In such a dispositional review hearing,
4 the juvenile court shall determine whether needed aftercare
5 services are available and whether termination of the placement
6 is in the best interest of the child and the community.

7 4. In accordance with the provisions of section 232.188,
8 the department shall continue the child welfare and juvenile
9 justice funding initiative during fiscal year 2021-2022. Of
10 the funds appropriated in this section, \$1,717,000 is allocated
11 specifically for expenditure for fiscal year 2021-2022 through
12 the decategorization services funding pools and governance
13 boards established pursuant to section 232.188.

14 5. A portion of the funds appropriated in this section
15 may be used for emergency family assistance to provide other
16 resources required for a family participating in a family
17 preservation or reunification project or successor project to
18 stay together or to be reunified.

19 6. Of the funds appropriated in this section, a sufficient
20 amount is allocated for shelter care and the child welfare
21 emergency services contracting implemented to provide for or
22 prevent the need for shelter care.

23 7. Federal funds received by the state during the fiscal
24 year beginning July 1, 2021, as the result of the expenditure
25 of state funds appropriated during a previous state fiscal
26 year for a service or activity funded under this section are
27 appropriated to the department to be used as additional funding
28 for services and purposes provided for under this section.
29 Notwithstanding section 8.33, moneys received in accordance
30 with this subsection that remain unencumbered or unobligated at
31 the close of the fiscal year shall not revert to any fund but
32 shall remain available for the purposes designated until the
33 close of the succeeding fiscal year.

34 8. a. Of the funds appropriated in this section, up to
35 \$3,290,000 is allocated for the payment of the expenses of

1 court-ordered services provided to juveniles who are under the
2 supervision of juvenile court services, which expenses are a
3 charge upon the state pursuant to section 232.141, subsection
4 4. Of the amount allocated in this paragraph "a", up to
5 \$1,556,000 shall be made available to provide school-based
6 supervision of children adjudicated under chapter 232, of which
7 not more than \$15,000 may be used for the purpose of training.
8 A portion of the cost of each school-based liaison officer
9 shall be paid by the school district or other funding source as
10 approved by the chief juvenile court officer.

11 b. Of the funds appropriated in this section, up to \$748,000
12 is allocated for the payment of the expenses of court-ordered
13 services provided to children who are under the supervision
14 of the department, which expenses are a charge upon the state
15 pursuant to section 232.141, subsection 4.

16 c. Notwithstanding section 232.141 or any other provision
17 of law to the contrary, the amounts allocated in this
18 subsection shall be distributed to the judicial districts
19 as determined by the state court administrator and to the
20 department's service areas as determined by the administrator
21 of the department of human services' division of child and
22 family services. The state court administrator and the
23 division administrator shall make the determination of the
24 distribution amounts on or before June 15, 2021.

25 d. Notwithstanding chapter 232 or any other provision of
26 law to the contrary, a district or juvenile court shall not
27 order any service which is a charge upon the state pursuant
28 to section 232.141 if there are insufficient court-ordered
29 services funds available in the district court or departmental
30 service area distribution amounts to pay for the service. The
31 chief juvenile court officer and the departmental service area
32 manager shall encourage use of the funds allocated in this
33 subsection such that there are sufficient funds to pay for
34 all court-related services during the entire year. The chief
35 juvenile court officers and departmental service area managers

1 shall attempt to anticipate potential surpluses and shortfalls
2 in the distribution amounts and shall cooperatively request the
3 state court administrator or division administrator to transfer
4 funds between the judicial districts' or departmental service
5 areas' distribution amounts as prudent.

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

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

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

19 9. Of the funds appropriated in this section, \$12,253,000 is
20 allocated for juvenile delinquent graduated sanctions services.
21 Any state funds saved as a result of efforts by juvenile court
22 services to earn a federal Tit. IV-E match for juvenile court
23 services administration may be used for the juvenile delinquent
24 graduated sanctions services.

25 10. Of the funds appropriated in this section, \$1,658,000 is
26 transferred to the department of public health to be used for
27 the child protection center grant program for child protection
28 centers located in Iowa in accordance with section 135.118.
29 The grant amounts under the program shall be equalized so that
30 each center receives a uniform base amount of \$245,000, and so
31 that the remaining funds are awarded through a funding formula
32 based upon the volume of children served. To increase access
33 to child protection center services for children in rural
34 areas, the funding formula for the awarding of the remaining
35 funds shall provide for the awarding of an enhanced amount to

1 eligible grantees to develop and maintain satellite centers in
2 underserved regions of the state.

3 11. Of the funds appropriated in this section, \$4,025,000 is
4 allocated for the preparation for adult living program pursuant
5 to section 234.46.

6 12. Of the funds appropriated in this section, \$227,000
7 shall be used for the public purpose of continuing a grant to a
8 nonprofit human services organization, providing services to
9 individuals and families in multiple locations in southwest
10 Iowa and Nebraska for support of a project providing immediate,
11 sensitive support and forensic interviews, medical exams, needs
12 assessments, and referrals for victims of child abuse and their
13 nonoffending family members.

14 13. Of the funds appropriated in this section, \$300,000
15 is allocated for the foster care youth council approach of
16 providing a support network to children placed in foster care.

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

22 15. Of the funds appropriated in this section, \$630,000 is
23 allocated for the community partnership for child protection
24 sites.

25 16. Of the funds appropriated in this section, \$371,000
26 is allocated for the department's minority youth and family
27 projects under the redesign of the child welfare system.

28 17. Of the funds appropriated in this section, \$851,000
29 is allocated for funding of the community circle of care
30 collaboration for children and youth in northeast Iowa.

31 18. Of the funds appropriated in this section, at least
32 \$147,000 shall be used for the continuation of the child
33 welfare provider training academy, a collaboration between the
34 coalition for family and children's services in Iowa and the
35 department.

1 19. Of the funds appropriated in this section, \$211,000
2 shall be used for continuation of the central Iowa system of
3 care program grant through June 30, 2022.

4 20. Of the funds appropriated in this section, \$235,000
5 shall be used for the public purpose of the continuation
6 and expansion of a system of care program grant implemented
7 in Cerro Gordo and Linn counties to utilize a comprehensive
8 and long-term approach for helping children and families by
9 addressing the key areas in a child's life of childhood basic
10 needs, education and work, family, and community.

11 21. Of the funds appropriated in this section, \$110,000
12 shall be used for the public purpose of funding community-based
13 services and other supports with a system of care approach
14 for children with a serious emotional disturbance and their
15 families through a nonprofit provider of child welfare services
16 that has been in existence for more than 115 years, is located
17 in a county with a population of more than 200,000 but less
18 than 220,000 according to the latest certified federal census,
19 is licensed as a psychiatric medical institution for children,
20 and was a system of care grantee prior to July 1, 2021.

21 22. If a separate funding source is identified that reduces
22 the need for state funds within an allocation under this
23 section, the allocated state funds may be redistributed to
24 other allocations under this section for the same fiscal year.

25 23. Of the funds appropriated in this section, a portion may
26 be used for family-centered services for purposes of complying
27 with the federal Family First Prevention Services Act of 2018,
28 Pub. L. No. 115-123, and successor legislation.

29 Sec. 20. ADOPTION SUBSIDY.

30 1. There is appropriated from the general fund of the
31 state to the department of human services for the fiscal year
32 beginning July 1, 2021, and ending June 30, 2022, the following
33 amount, or so much thereof as is necessary, to be used for the
34 purpose designated:

35 a. For adoption subsidy payments and related costs and for

1 other services provided for under paragraph "b", subparagraph
2 (2):
3 \$ 40,596,007

4 b. (1) Of the funds appropriated in this section, a
5 sufficient amount is allocated for adoption subsidy payments
6 and related costs.

7 (2) Any funds appropriated in this section remaining after
8 the allocation under subparagraph (1) are designated and
9 allocated as state savings resulting from implementation of
10 the federal Fostering Connections to Success and Increasing
11 Adoptions Act of 2008, Pub. L. No. 110-351, and successor
12 legislation, as determined in accordance with 42 U.S.C.
13 §673(a)(8), and shall be used for post-adoption services and
14 for other purposes allowed under these federal laws, Tit. IV-B
15 or Tit. IV-E of the federal Social Security Act.

16 (a) The department of human services may transfer funds
17 allocated in this subparagraph (2) to the appropriation for
18 child and family services in this division of this Act for the
19 purposes designated in this subparagraph (2).

20 (b) Notwithstanding section 8.33, moneys allocated
21 under this subparagraph (2) shall not revert to any fund but
22 shall remain available for the purposes designated in this
23 subparagraph (2) until expended.

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

28 3. Federal funds received by the state during the
29 fiscal year beginning July 1, 2021, as the result of the
30 expenditure of state funds during a previous state fiscal
31 year for a service or activity funded under this section are
32 appropriated to the department to be used as additional funding
33 for the services and activities funded under this section.
34 Notwithstanding section 8.33, moneys received in accordance
35 with this subsection that remain unencumbered or unobligated

1 at the close of the fiscal year shall not revert to any fund
2 but shall remain available for expenditure for the purposes
3 designated until the close of the succeeding fiscal year.

4 Sec. 21. JUVENILE DETENTION HOME FUND. Moneys deposited
5 in the juvenile detention home fund created in section 232.142
6 during the fiscal year beginning July 1, 2021, and ending June
7 30, 2022, are appropriated to the department of human services
8 for the fiscal year beginning July 1, 2021, and ending June 30,
9 2022, for distribution of an amount equal to a percentage of
10 the costs of the establishment, improvement, operation, and
11 maintenance of county or multicounty juvenile detention homes
12 in the fiscal year beginning July 1, 2020. Moneys appropriated
13 for distribution in accordance with this section shall be
14 allocated among eligible detention homes, prorated on the basis
15 of an eligible detention home's proportion of the costs of all
16 eligible detention homes in the fiscal year beginning July
17 1, 2020. The percentage figure shall be determined by the
18 department based on the amount available for distribution for
19 the fund. Notwithstanding section 232.142, subsection 3, the
20 financial aid payable by the state under that provision for the
21 fiscal year beginning July 1, 2021, shall be limited to the
22 amount appropriated for the purposes of this section.

23 Sec. 22. FAMILY SUPPORT SUBSIDY PROGRAM.

24 1. There is appropriated from the general fund of the
25 state to the department of human services for the fiscal year
26 beginning July 1, 2021, and ending June 30, 2022, the following
27 amount, or so much thereof as is necessary, to be used for the
28 purpose designated:

29 For the family support subsidy program subject to the
30 enrollment restrictions in section 225C.37, subsection 3:
31 \$ 949,282

32 2. At least \$899,291 of the moneys appropriated in this
33 section is transferred to the department of public health for
34 the family support center component of the comprehensive family
35 support program under chapter 225C, subchapter V.

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

9 Sec. 23. CONNER DECREE. There is appropriated from the
10 general fund of the state to the department of human services
11 for the fiscal year beginning July 1, 2021, and ending June 30,
12 2022, the following amount, or so much thereof as is necessary,
13 to be used for the purpose designated:

14 For building community capacity through the coordination
15 and provision of training opportunities in accordance with the
16 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
17 Iowa, July 14, 1994):

18 \$ 33,632

19 Sec. 24. MENTAL HEALTH INSTITUTES.

20 1. There is appropriated from the general fund of the
21 state to the department of human services for the fiscal year
22 beginning July 1, 2021, and ending June 30, 2022, the following
23 amounts, or so much thereof as is necessary, to be used for the
24 purposes designated:

25 a. For operation of the state mental health institute at
26 Cherokee as required by chapters 218 and 226 for salaries,
27 support, maintenance, and miscellaneous purposes, and for not
28 more than the following full-time equivalent positions:

29 \$ 15,457,597
30 FTEs 169.00

31 b. For operation of the state mental health institute at
32 Independence as required by chapters 218 and 226 for salaries,
33 support, maintenance, and miscellaneous purposes, and for not
34 more than the following full-time equivalent positions:

35 \$ 19,652,379

1 FTEs 208.00

2 2. a. Notwithstanding sections 218.78 and 249A.11, any
3 revenue received from the state mental health institute at
4 Cherokee or the state mental health institute at Independence
5 pursuant to 42 C.F.R §438.6(e) may be retained and expended by
6 the mental health institute.

7 b. Notwithstanding sections 218.78 and 249A.11, any
8 COVID-19 related funding received through federal funding
9 sources by the state mental health institute at Cherokee or the
10 state mental health institute at Independence may be retained
11 and expended by the mental health institute.

12 3. Notwithstanding any provision of law to the contrary,
13 a Medicaid member residing at the state mental health
14 institute at Cherokee or the state mental health institute
15 at Independence shall retain Medicaid eligibility during
16 the period of the Medicaid member's stay for which federal
17 financial participation is available.

18 4. Notwithstanding section 8.33, moneys appropriated in
19 this section that remain unencumbered or unobligated at the
20 close of the fiscal year shall not revert but shall remain
21 available for expenditure for the purposes designated until the
22 close of the succeeding fiscal year.

23 Sec. 25. STATE RESOURCE CENTERS.

24 1. There is appropriated from the general fund of the
25 state to the department of human services for the fiscal year
26 beginning July 1, 2021, and ending June 30, 2022, the following
27 amounts, or so much thereof as is necessary, to be used for the
28 purposes designated:

29 a. For the state resource center at Glenwood for salaries,
30 support, maintenance, and miscellaneous purposes:
31 \$ 14,802,873

32 b. For the state resource center at Woodward for salaries,
33 support, maintenance, and miscellaneous purposes:
34 \$ 12,237,937

35 2. The department may continue to bill for state resource

1 center services utilizing a scope of services approach used for
2 private providers of intermediate care facilities for persons
3 with an intellectual disability services, in a manner which
4 does not shift costs between the medical assistance program,
5 counties, or other sources of funding for the state resource
6 centers.

7 3. The state resource centers may expand the time-limited
8 assessment and respite services during the fiscal year.

9 4. If the department's administration and the department
10 of management concur with a finding by a state resource
11 center's superintendent that projected revenues can reasonably
12 be expected to pay the salary and support costs for a new
13 employee position, or that such costs for adding a particular
14 number of new positions for the fiscal year would be less
15 than the overtime costs if new positions would not be added,
16 the superintendent may add the new position or positions. If
17 the vacant positions available to a resource center do not
18 include the position classification desired to be filled, the
19 state resource center's superintendent may reclassify any
20 vacant position as necessary to fill the desired position. The
21 superintendents of the state resource centers may, by mutual
22 agreement, pool vacant positions and position classifications
23 during the course of the fiscal year in order to assist one
24 another in filling necessary positions.

25 5. If existing capacity limitations are reached in
26 operating units, a waiting list is in effect for a service or
27 a special need for which a payment source or other funding
28 is available for the service or to address the special need,
29 and facilities for the service or to address the special need
30 can be provided within the available payment source or other
31 funding, the superintendent of a state resource center may
32 authorize opening not more than two units or other facilities
33 and begin implementing the service or addressing the special
34 need during fiscal year 2021-2022.

35 6. Notwithstanding section 8.33, and notwithstanding

1 the amount limitation specified in section 222.92, moneys
2 appropriated in this section that remain unencumbered or
3 unobligated at the close of the fiscal year shall not revert
4 but shall remain available for expenditure for the purposes
5 designated until the close of the succeeding fiscal year.

6 Sec. 26. SEXUALLY VIOLENT PREDATORS.

7 1. There is appropriated from the general fund of the
8 state to the department of human services for the fiscal year
9 beginning July 1, 2021, and ending June 30, 2022, the following
10 amount, or so much thereof as is necessary, to be used for the
11 purpose designated:

12 For costs associated with the commitment and treatment of
13 sexually violent predators in the unit located at the state
14 mental health institute at Cherokee, including costs of legal
15 services and other associated costs, including salaries,
16 support, maintenance, and miscellaneous purposes, and for not
17 more than the following full-time equivalent positions:
18 \$ 13,643,727
19 FTEs 139.00

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

29 3. Notwithstanding section 8.33, moneys appropriated in
30 this section that remain unencumbered or unobligated at the
31 close of the fiscal year shall not revert but shall remain
32 available for expenditure for the purposes designated until the
33 close of the succeeding fiscal year.

34 Sec. 27. FIELD OPERATIONS.

35 1. There is appropriated from the general fund of the

1 state to the department of human services for the fiscal year
2 beginning July 1, 2021, and ending June 30, 2022, the following
3 amount, 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 more than
7 the following full-time equivalent positions:
8 \$ 60,596,667
9 FTEs 1,539.00

10 2. Priority in filling full-time equivalent positions
11 shall be given to those positions related to child protection
12 services and eligibility determination for low-income families.

13 Sec. 28. GENERAL ADMINISTRATION. There is appropriated
14 from the general fund of the state to the department of human
15 services for the fiscal year beginning July 1, 2021, and ending
16 June 30, 2022, the following amount, or so much thereof as is
17 necessary, to be used for the purpose designated:

18 For general administration, including salaries, support,
19 maintenance, and miscellaneous purposes, and for not more than
20 the following full-time equivalent positions:
21 \$ 15,342,189
22 FTEs 294.00

23 1. The department shall report at least monthly to the
24 general assembly concerning the department's operational and
25 program expenditures.

26 2. Of the funds appropriated in this section, \$150,000
27 shall be used for the provision of a program to provide
28 technical assistance, support, and consultation to providers
29 of habilitation services and home and community-based services
30 waiver services for adults with disabilities under the medical
31 assistance program.

32 3. Of the funds appropriated in this section, \$50,000
33 is transferred to the Iowa finance authority to be used
34 for administrative support of the council on homelessness
35 established in section 16.2D and for the council to fulfill its

1 duties in addressing and reducing homelessness in the state.

2 4. Of the funds appropriated in this section, \$200,000 shall
3 be transferred to and deposited in the administrative fund of
4 the Iowa ABLE savings plan trust created in section 12I.4, to
5 be used for implementation and administration activities of the
6 Iowa ABLE savings plan trust.

7 5. Of the funds appropriated in this section, \$200,000 is
8 transferred to the economic development authority for the Iowa
9 commission on volunteer services to continue to be used for the
10 RefugeeRISE AmeriCorps program established under section 15H.8
11 for member recruitment and training to improve the economic
12 well-being and health of economically disadvantaged refugees in
13 local communities across Iowa. Funds transferred may be used
14 to supplement federal funds under federal regulations.

15 6. Of the funds appropriated in this section, up to \$300,000
16 shall be used as follows:

17 a. To fund not more than one full-time equivalent position
18 to address the department's responsibility to support the work
19 of the children's behavioral health system state board and
20 implementation of the services required pursuant to section
21 331.397.

22 b. To support the cost of establishing and implementing new
23 or additional services required pursuant to sections 331.397
24 and 331.397A.

25 c. Of the amount allocated, \$32,000 shall be transferred
26 to the department of public health to support the costs of
27 establishing and implementing new or additional services
28 required pursuant to sections 331.397 and 331.397A.

29 7. Of the funds appropriated in this section, \$800,000 shall
30 be used for the renovation and construction of certain nursing
31 facilities, consistent with the provisions of chapter 249K.

32 Sec. 29. DEPARTMENT-WIDE DUTIES. There is appropriated
33 from the general fund of the state to the department of human
34 services for the fiscal year beginning July 1, 2021, and ending
35 June 30, 2022, the following amount, or so much thereof as is

1 necessary, to be used for the purposes designated:

2 For salaries, support, maintenance, and miscellaneous
3 purposes at facilities under the purview of the department of
4 human services:

5 \$ 2,879,274

6 Sec. 30. VOLUNTEERS. There is appropriated from the general
7 fund of the state to the department of human services for the
8 fiscal year beginning July 1, 2021, and ending June 30, 2022,
9 the following amount, or so much thereof as is necessary, to be
10 used for the purpose designated:

11 For development and coordination of volunteer services:

12 \$ 84,686

13 Sec. 31. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
14 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
15 DEPARTMENT OF HUMAN SERVICES.

16 1. a. (1) (a) Notwithstanding any provision of law to
17 the contrary, for the fiscal year beginning July 1, 2021, the
18 department shall not rebase case-mix nursing facility rates,
19 but shall instead reimburse case-mix nursing facilities by
20 adjusting the nursing facility case-mix adjusted rates that
21 were effective July 1, 2019, using the mid-points of each of
22 the most recent cost reports submitted by the nursing facility
23 for the period ending on or before December 31, 2018, and
24 inflating these costs forward applying the inflation factor as
25 determined using the latest available quarterly publication of
26 the HCFA/SNF index, to the extent possible within the state
27 funding, including the \$20,000,000 provided for this purpose.

28 (b) For the fiscal year beginning July 1, 2021, non-case-mix
29 and special population nursing facilities shall be reimbursed
30 in accordance with the methodology in effect on June 30 of the
31 prior fiscal year.

32 (c) For managed care claims, the department of human
33 services shall adjust the payment rate floor for nursing
34 facilities, annually, to maintain a rate floor that is no
35 lower than the Medicaid fee-for-service case-mix adjusted rate

1 calculated in accordance with subparagraph division (a) and
2 441 IAC 81.6. The department shall then calculate adjusted
3 reimbursement rates, including but not limited to add-on
4 payments, annually, and shall notify Medicaid managed care
5 organizations of the adjusted reimbursement rates within 30
6 days of determining the adjusted reimbursement rates. Any
7 adjustment of reimbursement rates under this subparagraph
8 division shall be budget neutral to the state budget.

9 (d) For the fiscal year beginning July 1, 2021, Medicaid
10 managed care long-term services and supports capitation rates
11 shall be adjusted to reflect the case-mix adjusted rates
12 specified pursuant to subparagraph division (a) for the patient
13 populations residing in Medicaid-certified nursing facilities.

14 (2) Medicaid managed care organizations shall adjust
15 facility-specific rates based upon payment rate listings issued
16 by the department. The rate adjustments shall be applied
17 prospectively from the effective date of the rate letter issued
18 by the department.

19 b. (1) For the fiscal year beginning July 1, 2021, the
20 department shall establish the fee-for-service pharmacy
21 dispensing fee reimbursement at \$10.07 per prescription,
22 until a cost of dispensing survey is completed. The actual
23 dispensing fee shall be determined by a cost of dispensing
24 survey performed by the department and required to be completed
25 by all medical assistance program participating pharmacies
26 every two years, adjusted as necessary to maintain expenditures
27 within the amount appropriated to the department for this
28 purpose for the fiscal year. A change in the dispensing
29 fee shall become effective following federal approval of the
30 Medicaid state plan.

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

35 c. (1) For the fiscal year beginning July 1, 2021,

1 reimbursement rates for outpatient hospital services shall
2 remain at the rates in effect on June 30, 2021, subject to
3 Medicaid program upper payment limit rules, and adjusted
4 as necessary to maintain expenditures within the amount
5 appropriated to the department for this purpose for the fiscal
6 year.

7 (2) For the fiscal year beginning July 1, 2021,
8 reimbursement rates for inpatient hospital services shall
9 be rebased effective October 1, 2021, subject to Medicaid
10 program upper payment limit rules, and adjusted as necessary
11 to maintain expenditures within the amount appropriated to the
12 department for this purpose for the fiscal year.

13 (3) For the fiscal year beginning July 1, 2021, under
14 both fee-for-service and managed care administration of
15 the Medicaid program, critical access hospitals shall be
16 reimbursed for inpatient and outpatient services based on the
17 hospital-specific critical access hospital cost adjustment
18 factor methodology utilizing the most recent and complete cost
19 reporting period as applied prospectively within the funds
20 appropriated for such purpose for the fiscal year.

21 (4) For the fiscal year beginning July 1, 2021, the graduate
22 medical education and disproportionate share hospital fund
23 shall remain at the amount in effect on June 30, 2021, except
24 that the portion of the fund attributable to graduate medical
25 education shall be reduced in an amount that reflects the
26 elimination of graduate medical education payments made to
27 out-of-state hospitals.

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

34 d. For the fiscal year beginning July 1, 2021, reimbursement
35 rates for hospices and acute psychiatric hospitals shall be

1 increased in accordance with increases under the federal
2 Medicare program or as supported by their Medicare audited
3 costs.

4 e. For the fiscal year beginning July 1, 2021, independent
5 laboratories and rehabilitation agencies shall be reimbursed
6 using the same methodology in effect on June 30, 2021.

7 f. (1) For the fiscal year beginning July 1, 2021,
8 reimbursement rates for home health agencies shall continue to
9 be based on the Medicare low utilization payment adjustment
10 (LUPA) methodology with state geographic wage adjustments and
11 shall be adjusted to increase the rates to the extent possible
12 within the state funding, including the \$2,000,000 appropriated
13 for this purpose. The department shall continue to update the
14 rates every two years to reflect the most recent Medicare LUPA
15 rates.

16 (2) For the fiscal year beginning July 1, 2021, rates for
17 private duty nursing and personal care services under the early
18 and periodic screening, diagnostic, and treatment program
19 benefit shall be calculated based on the methodology in effect
20 on June 30, 2021.

21 g. For the fiscal year beginning July 1, 2021, federally
22 qualified health centers and rural health clinics shall receive
23 cost-based reimbursement for 100 percent of the reasonable
24 costs for the provision of services to recipients of medical
25 assistance.

26 h. For the fiscal year beginning July 1, 2021, the
27 reimbursement rates for dental services shall remain at the
28 rates in effect on June 30, 2021.

29 i. (1) For the fiscal year beginning July 1, 2021,
30 reimbursement rates for non-state-owned psychiatric medical
31 institutions for children shall be increased to the extent
32 possible within the \$3,900,000 appropriated for this purpose.

33 (2) As a condition of participation in the medical
34 assistance program, enrolled providers shall accept the medical
35 assistance reimbursement rate for any covered goods or services

1 provided to recipients of medical assistance who are children
2 under the custody of a psychiatric medical institution for
3 children.

4 j. For the fiscal year beginning July 1, 2021, unless
5 otherwise specified in this Act, all noninstitutional medical
6 assistance provider reimbursement rates shall remain at the
7 rates in effect on June 30, 2021, except for area education
8 agencies, local education agencies, infant and toddler
9 services providers, home and community-based services providers
10 including consumer-directed attendant care providers under a
11 section 1915(c) or 1915(i) waiver, targeted case management
12 providers, and those providers whose rates are required to be
13 determined pursuant to section 249A.20, or to meet federal
14 mental health parity requirements.

15 k. Notwithstanding any provision to the contrary, for the
16 fiscal year beginning July 1, 2021, the reimbursement rate for
17 anesthesiologists shall remain at the rates in effect on June
18 30, 2021, and updated on January 1, 2022, to align with the
19 most current Iowa Medicare anesthesia rate.

20 l. Notwithstanding section 249A.20, for the fiscal year
21 beginning July 1, 2021, the average reimbursement rate for
22 health care providers eligible for use of the federal Medicare
23 resource-based relative value scale reimbursement methodology
24 under section 249A.20 shall remain at the rate in effect on
25 June 30, 2021; however, this rate shall not exceed the maximum
26 level authorized by the federal government.

27 m. For the fiscal year beginning July 1, 2021, the
28 reimbursement rate for residential care facilities shall not
29 be less than the minimum payment level as established by the
30 federal government to meet the federally mandated maintenance
31 of effort requirement. The flat reimbursement rate for
32 facilities electing not to file annual cost reports shall not
33 be less than the minimum payment level as established by the
34 federal government to meet the federally mandated maintenance
35 of effort requirement.

1 n. For the fiscal year beginning July 1, 2021, the
2 reimbursement rates for inpatient mental health services
3 provided at hospitals shall be rebased effective October 1,
4 2021, subject to Medicaid program upper payment limit rules
5 and adjusted as necessary to maintain expenditures within the
6 amount appropriated to the department for this purpose for
7 the fiscal year; and psychiatrists shall be reimbursed at the
8 medical assistance program fee-for-service rate in effect on
9 June 30, 2021.

10 o. For the fiscal year beginning July 1, 2021, community
11 mental health centers may choose to be reimbursed for the
12 services provided to recipients of medical assistance through
13 either of the following options:

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

15 (2) In accordance with the alternative reimbursement rate
16 methodology approved by the department of human services in
17 effect on June 30, 2021.

18 p. For the fiscal year beginning July 1, 2021, the
19 reimbursement rate for providers of family planning services
20 that are eligible to receive a 90 percent federal match shall
21 remain at the rates in effect on June 30, 2021.

22 q. (1) For the fiscal year beginning July 1, 2021,
23 reimbursement rates for providers of home and community-based
24 services waiver and habilitation services shall be increased by
25 5.25 percent over the rates in effect on June 30, 2021.

26 (2) For the fiscal year beginning July 1, 2021,
27 reimbursement rates for providers of state plan home and
28 community-based services home-based habilitation services shall
29 be increased to the extent possible within the \$7,134,214
30 appropriated for this purpose. The reimbursement rates for
31 home-based habilitation services shall be based on a fee
32 schedule that incorporates the acuity-based tiers.

33 r. For the fiscal year beginning July 1, 2021, the
34 reimbursement rates for emergency medical service providers
35 shall remain at the rates in effect on June 30, 2021, or as

1 approved by the centers for Medicare and Medicaid services of
2 the United States department of health and human services.

3 s. For the fiscal year beginning July 1, 2021, reimbursement
4 rates for substance-related disorder treatment programs
5 licensed under section 125.13 shall remain at the rates in
6 effect on June 30, 2021.

7 t. For the fiscal year beginning July 1, 2021, assertive
8 community treatment per diem rates shall remain at the rates in
9 effect on June 30, 2021.

10 u. For the fiscal year beginning July 1, 2021, the
11 reimbursement rate for family-centered services providers shall
12 be established by contract.

13 2. For the fiscal year beginning July 1, 2021, the
14 reimbursement rate for providers reimbursed under the
15 in-home-related care program shall not be less than the minimum
16 payment level as established by the federal government to meet
17 the federally mandated maintenance of effort requirement.

18 3. Unless otherwise directed in this section, when the
19 department's reimbursement methodology for any provider
20 reimbursed in accordance with this section includes an
21 inflation factor, this factor shall not exceed the amount
22 by which the consumer price index for all urban consumers
23 increased during the calendar year ending December 31, 2002.

24 4. Notwithstanding section 234.38, for the fiscal
25 year beginning July 1, 2021, the foster family basic daily
26 maintenance rate and the maximum adoption subsidy rate for
27 children ages 0 through 5 years shall be \$16.78, the rate for
28 children ages 6 through 11 years shall be \$17.45, the rate for
29 children ages 12 through 15 years shall be \$19.10, and the
30 rate for children and young adults ages 16 and older shall
31 be \$19.35. For youth ages 18 to 23 who have exited foster
32 care, the preparation for adult living program maintenance
33 rate shall be up to \$602.70 per month as calculated based on
34 the age of the participant. The maximum payment for adoption
35 subsidy nonrecurring expenses shall be limited to \$500 and the

1 disallowance of additional amounts for court costs and other
2 related legal expenses implemented pursuant to 2010 Iowa Acts,
3 chapter 1031, section 408, shall be continued.

4 5. For the fiscal year beginning July 1, 2021, the maximum
5 reimbursement rates for social services providers under
6 contract shall remain at the rates in effect on June 30, 2021,
7 or the provider's actual and allowable cost plus inflation for
8 each service, whichever is less. However, if a new service
9 or service provider is added after June 30, 2021, the initial
10 reimbursement rate for the service or provider shall be based
11 upon a weighted average of provider rates for similar services.

12 6. a. For the fiscal year beginning July 1, 2021, the
13 reimbursement rates for resource family recruitment and
14 retention contractors shall be established by contract.

15 b. For the fiscal year beginning July 1, 2021, the
16 reimbursement rates for supervised apartment living foster care
17 providers shall be established by contract.

18 7. For the fiscal year beginning July 1, 2021, the
19 reimbursement rate for group foster care providers shall be the
20 combined service and maintenance reimbursement rate established
21 by contract.

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

30 9. a. For the fiscal year beginning July 1, 2021, the
31 reimbursement rate paid for shelter care and the child welfare
32 emergency services implemented to provide or prevent the need
33 for shelter care shall be established by contract.

34 b. For the fiscal year beginning July 1, 2021, the combined
35 service and maintenance components of the reimbursement rate

1 paid for shelter care services shall be based on the financial
2 and statistical report submitted to the department. The
3 maximum reimbursement rate shall be \$101.83 per day. The
4 department shall reimburse a shelter care provider at the
5 provider's actual and allowable unit cost, plus inflation, not
6 to exceed the maximum reimbursement rate.

7 c. Notwithstanding section 232.141, subsection 8, for the
8 fiscal year beginning July 1, 2021, the amount of the statewide
9 average of the actual and allowable rates for reimbursement of
10 juvenile shelter care homes that is utilized for the limitation
11 on recovery of unpaid costs shall remain at the amount in
12 effect for this purpose in the fiscal year beginning July 1,
13 2020.

14 10. For the fiscal year beginning July 1, 2021, the
15 department shall calculate reimbursement rates for intermediate
16 care facilities for persons with an intellectual disability
17 at the 80th percentile. Beginning July 1, 2021, the rate
18 calculation methodology shall utilize the consumer price index
19 inflation factor applicable to the fiscal year beginning July
20 1, 2021.

21 11. Effective July 1, 2021, the department of human services
22 shall set the reimbursement rate of child care providers whose
23 reimbursement rates are below the fiftieth percentile of the
24 most recent market rate survey at the fiftieth percentile of
25 the most recent market rate survey. Reimbursement rates of
26 child care providers whose reimbursement rates are at or above
27 the fiftieth percentile of the most recent market rate survey
28 shall remain at the rates in effect on June 30, 2021. The
29 department shall also adjust quality rating system bonuses to
30 reflect increased child care provider reimbursement rates as
31 appropriate.

32 12. The department may adopt emergency rules to implement
33 this section.

34 Sec. 32. EMERGENCY RULES.

35 1. If necessary to comply with federal requirements

1 including time frames, or if specifically authorized by a
2 provision of this division of this Act, the department of
3 human services or the mental health and disability services
4 commission may adopt administrative rules under section 17A.4,
5 subsection 3, and section 17A.5, subsection 2, paragraph "b",
6 to implement the provisions of this division of this Act and
7 the rules shall become effective immediately upon filing or
8 on a later effective date specified in the rules, unless the
9 effective date of the rules is delayed or the applicability
10 of the rules is suspended by the administrative rules review
11 committee. Any rules adopted in accordance with this section
12 shall not take effect before the rules are reviewed by the
13 administrative rules review committee. The delay authority
14 provided to the administrative rules review committee under
15 section 17A.4, subsection 7, and section 17A.8, subsections
16 9 and 10, shall be applicable to a delay imposed under this
17 section, notwithstanding a provision in those subsections
18 making them inapplicable to section 17A.5, subsection 2,
19 paragraph "b". Any rules adopted in accordance with the
20 provisions of this section shall also be published as a notice
21 of intended action as provided in section 17A.4.

22 2. If during a fiscal year, the department of human
23 services is adopting rules in accordance with this section
24 or as otherwise directed or authorized by state law, and
25 the rules will result in an expenditure increase beyond the
26 amount anticipated in the budget process or if the expenditure
27 was not addressed in the budget process for the fiscal
28 year, the department shall notify the general assembly and
29 the department of management concerning the rules and the
30 expenditure increase. The notification shall be provided at
31 least 30 calendar days prior to the date notice of the rules
32 is submitted to the administrative rules coordinator and the
33 administrative code editor.

34 Sec. 33. REPORTS. Unless otherwise provided, any reports or
35 other information required to be compiled and submitted under

1 this Act during the fiscal year beginning July 1, 2021, shall
2 be submitted on or before the dates specified for submission
3 of the reports or information.

4 Sec. 34. EFFECTIVE UPON ENACTMENT. The following provision
5 of this division of this Act, being deemed of immediate
6 importance, takes effect upon enactment:

7 1. The provision relating to section 232.141 and directing
8 the state court administrator and the division administrator of
9 the department of human services division of child and family
10 services to make the determination, by June 15, 2021, of the
11 distribution of funds allocated for the payment of the expenses
12 of court-ordered services provided to juveniles which are a
13 charge upon the state.

14 DIVISION VI

15 HEALTH CARE ACCOUNTS AND FUNDS — FY 2021-2022

16 Sec. 35. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
17 appropriated from the pharmaceutical settlement account created
18 in section 249A.33 to the department of human services for the
19 fiscal year beginning July 1, 2021, and ending June 30, 2022,
20 the following amount, or so much thereof as is necessary, to be
21 used for the purpose designated:

22 Notwithstanding any provision of law to the contrary, to
23 supplement the appropriations made in this Act for health
24 program operations under the medical assistance program for the
25 fiscal year beginning July 1, 2021, and ending June 30, 2022:
26 \$ 234,193

27 Sec. 36. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN
28 SERVICES. Notwithstanding any provision to the contrary and
29 subject to the availability of funds, there is appropriated
30 from the quality assurance trust fund created in section
31 249L.4 to the department of human services for the fiscal year
32 beginning July 1, 2021, and ending June 30, 2022, the following
33 amounts, or so much thereof as is necessary, for the purposes
34 designated:

35 To supplement the appropriation made in this Act from the

1 general fund of the state to the department of human services
2 for medical assistance for the same fiscal year:
3 \$ 56,305,139

4 Sec. 37. HOSPITAL HEALTH CARE ACCESS TRUST FUND —
5 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to
6 the contrary and subject to the availability of funds, there is
7 appropriated from the hospital health care access trust fund
8 created in section 249M.4 to the department of human services
9 for the fiscal year beginning July 1, 2021, and ending June
10 30, 2022, the following amounts, or so much thereof as is
11 necessary, for the purposes designated:

12 To supplement the appropriation made in this Act from the
13 general fund of the state to the department of human services
14 for medical assistance for the same fiscal year:
15 \$ 33,920,554

16 Sec. 38. MEDICAL ASSISTANCE PROGRAM — NONREVERSION
17 FOR FY 2021-2022. Notwithstanding section 8.33, if moneys
18 appropriated for purposes of the medical assistance program for
19 the fiscal year beginning July 1, 2021, and ending June 30,
20 2022, from the general fund of the state, the quality assurance
21 trust fund, and the hospital health care access trust fund, are
22 in excess of actual expenditures for the medical assistance
23 program and remain unencumbered or unobligated at the close
24 of the fiscal year, the excess moneys shall not revert but
25 shall remain available for expenditure for the purposes of the
26 medical assistance program until the close of the succeeding
27 fiscal year.

28 DIVISION VII

29 NURSING FACILITY REIMBURSEMENT METHODOLOGY — FISCAL PERIOD
30 JULY 1, 2023, THROUGH JUNE 30, 2025

31 Sec. 39. NURSING FACILITY REIMBURSEMENT METHODOLOGY —
32 FISCAL PERIOD JULY 1, 2023, THROUGH JUNE 30, 2025.

33 Notwithstanding any provision of law to the contrary, for the
34 fiscal period beginning July 1, 2023, and ending June 30, 2025,
35 the department of human services shall rebase case-mix nursing

1 facility rates beginning July 1, 2023, using the Medicaid cost
2 reports on file for the period ending December 31, 2022, and
3 applying a minimum occupancy factor of 70 percent.

4 DIVISION VIII

5 DECATEGORYIZATION CARRYOVER FUNDING

6 Sec. 40. DECATEGORYIZATION CARRYOVER FUNDING FY 2019 —
7 TRANSFER TO MEDICAID PROGRAM. Notwithstanding section 232.188,
8 subsection 5, paragraph "b", any state-appropriated moneys in
9 the funding pool that remained unencumbered or unobligated
10 at the close of the fiscal year beginning July 1, 2018, and
11 were deemed carryover funding to remain available for the two
12 succeeding fiscal years that still remain unencumbered or
13 unobligated at the close of the fiscal year beginning July 1,
14 2020, shall not revert but shall be transferred to the medical
15 assistance program for the fiscal year beginning July 1, 2021.

16 Sec. 41. EFFECTIVE DATE. This division of this Act, being
17 deemed of immediate importance, takes effect upon enactment.

18 Sec. 42. RETROACTIVE APPLICABILITY. This division of this
19 Act applies retroactively to July 1, 2020.

20 DIVISION IX

21 PRIOR APPROPRIATIONS AND OTHER PROVISIONS

22 FAMILY INVESTMENT PROGRAM ACCOUNT

23 Sec. 43. 2019 Iowa Acts, chapter 85, section 9, as amended
24 by 2020 Iowa Acts, chapter 1121, section 20, is amended by
25 adding the following new subsection:

26 NEW SUBSECTION. 8. Notwithstanding section 8.33, moneys
27 appropriated in this section that remain unencumbered or
28 unobligated at the close of the fiscal year shall not revert
29 but shall remain available for expenditure for the purposes
30 designated, and may be transferred to other appropriations made
31 in this division of this Act as necessary to carry out the
32 initiatives included in the report submitted on nonreversion
33 of funds required pursuant to 2020 Iowa Acts, chapter 1121,
34 section 43, until the close of the succeeding fiscal year.

35 CHILD AND FAMILY SERVICES

1 Sec. 44. 2019 Iowa Acts, chapter 85, section 19, as amended
2 by 2020 Iowa Acts, chapter 1121, section 23, is amended by
3 adding the following new subsection:

4 NEW SUBSECTION. 25. Notwithstanding section 8.33, moneys
5 appropriated in this section that remain unencumbered or
6 unobligated at the close of the fiscal year shall not revert
7 but shall remain available for expenditure for the purpose of
8 the redesign of the child welfare system, until the close of
9 the succeeding fiscal year.

10 Sec. 45. EFFECTIVE DATE. This division of this Act, being
11 deemed of immediate importance, takes effect upon enactment.

12 DIVISION X

13 EXTENSION OF FUTURE REPEAL — HOSPITAL HEALTH CARE ACCESS
14 ASSESSMENT PROGRAM

15 Sec. 46. Section 249M.5, Code 2021, is amended to read as
16 follows:

17 **249M.5 Future repeal.**

18 This chapter is repealed July 1, ~~2021~~ 2023.

19 Sec. 47. EFFECTIVE DATE. This division of this Act, being
20 deemed of immediate importance, takes effect upon enactment.

21 DIVISION XI

22 MENTAL HEALTH AND DISABILITY SERVICES — TRANSFER OF FUNDS

23 Sec. 48. MENTAL HEALTH AND DISABILITY SERVICES — TRANSFER
24 OF FUNDS. Notwithstanding section 331.432, a county with a
25 population of over 300,000 based on the most recent federal
26 decennial census may transfer funds from any other fund
27 of the county to the mental health and disability regional
28 services fund for the purposes of providing mental health and
29 disability services for the fiscal year beginning July 1,
30 2021, and ending June 30, 2022. The county shall submit a
31 report to the governor and the general assembly by September
32 1, 2022, including the source of any funds transferred, the
33 amount of the funds transferred, and the mental health and
34 disability services provided with the transferred funds. The
35 county shall work with the department to maximize the use of

1 the medical assistance program and other third-party payment
2 sources, including but not limited to identifying individuals
3 enrolled with or eligible for Medicaid whose Medicaid-covered
4 services are being paid by the county or could be converted to
5 Medicaid-covered services.

6

DIVISION XII

7

TELEHEALTH — MENTAL HEALTH — REIMBURSEMENT PARITY

8

Sec. 49. Section 514C.34, subsection 1, Code 2021, is
9 amended by adding the following new paragraphs:

10

NEW PARAGRAPH. *0a.* "Covered person" means the same as
11 defined in section 514J.102.

12

NEW PARAGRAPH. *00a.* "Facility" means the same as defined in
13 section 514J.102.

14

NEW PARAGRAPH. *0c.* "Health carrier" means the same as
15 defined in section 514J.102.

16

Sec. 50. Section 514C.34, subsection 1, paragraph c, Code
17 2021, is amended to read as follows:

18

c. "Telehealth" means the delivery of health care services
19 through the use of real-time interactive audio and video, or
20 other real-time interactive electronic media, regardless of
21 where the health care professional and the covered person are
22 each located. "Telehealth" does not include the delivery of
23 health care services delivered solely through an audio-only
24 telephone, electronic mail message, or facsimile transmission.

25

Sec. 51. Section 514C.34, Code 2021, is amended by adding
26 the following new subsection:

27

NEW SUBSECTION. 3A. *a.* A health carrier shall reimburse
28 a health care professional and a facility for health care
29 services provided by telehealth to a covered person for a
30 mental health condition, illness, injury, or disease on the
31 same basis and at the same rate as the health carrier would
32 apply to the same health care services for a mental health
33 condition, illness, injury, or disease provided in person to a
34 covered person by the health care professional or the facility.

35

b. As a condition of reimbursement pursuant to paragraph

1 "a", a health carrier shall not require that an additional
2 health care professional be located in the same room as a
3 covered person while health care services for a mental health
4 condition, illness, injury, or disease are provided via
5 telehealth by another health care professional to the covered
6 person.

7 Sec. 52. EFFECTIVE DATE. This division of this Act, being
8 deemed of immediate importance, takes effect upon enactment.

9 Sec. 53. RETROACTIVE APPLICABILITY. This division of
10 this Act applies to health care services for a mental health
11 condition, illness, injury, or disease provided by a health
12 care professional or a facility to a covered person by
13 telehealth on or after January 1, 2021.

14 DIVISION XIII

15 IN-PERSON SUPERVISION REQUIREMENTS FOR LICENSURE — CERTAIN
16 PROFESSIONALS

17 Sec. 54. Section 154C.3, Code 2021, is amended by adding the
18 following new subsection:

19 NEW SUBSECTION. 4. *Supervision.* The board shall not, by
20 rule or other means, require that supervision be completed
21 in-person as a condition for an applicant to receive a license,
22 a reciprocal license, or a renewed license under this chapter.

23 Sec. 55. Section 154D.2, Code 2021, is amended to read as
24 follows:

25 **154D.2 Licensure — marital and family therapy — mental**
26 **health counseling.**

27 1. An applicant for a license to practice marital and family
28 therapy or mental health counseling shall be granted a license
29 by the board when the applicant satisfies all of the following
30 requirements:

31 1. a. Possesses a master's degree in marital and family
32 therapy or mental health counseling, as applicable, consisting
33 of at least sixty semester hours, or its equivalent, from a
34 nationally accredited institution or from a program approved
35 by the board.

1 ~~2.~~ b. Has at least two years of supervised clinical
2 experience or its equivalent as approved by the board.
3 Standards for supervision, including the required
4 qualifications for supervisors, shall be determined pursuant to
5 the requirements in subsection 2 and by the board by rule.

6 ~~3.~~ c. Passes an examination approved by the board.

7 2. The board shall not, by rule or other means, require any
8 of the following for the licensure or renewal of a license to
9 practice marital or family therapy or mental health counseling:

10 a. In-person supervision.

11 b. Supervised clinical experience hours in excess of the
12 hours required by the board of social work for the licensure
13 of any class of social worker.

14 Sec. 56. Section 154D.4, subsection 2, paragraph b, Code
15 2021, is amended to read as follows:

16 b. A person who practices marital and family therapy or
17 mental health counseling under the supervision of a person
18 licensed under this chapter as part of a clinical experience as
19 described in section 154D.2, subsection 2 1, paragraph "b".

20 Sec. 57. BOARD OF SOCIAL WORK AND BOARD OF BEHAVIORAL
21 SCIENCE — RULES. The board of social work and the board
22 of behavioral science shall amend their administrative
23 rules pursuant to chapter 17A to remove any requirement for
24 supervised clinical experience and supervised professional
25 practice to be completed in-person as a condition for the
26 licensure of marital and family therapists, mental health
27 counselors, and social workers pursuant to chapters 154C and
28 154D. The board of social work and the board of behavioral
29 science shall replace all licensing requirements for in-person
30 supervision with the ability to have supervision requirements
31 completed electronically.

32 Sec. 58. EMERGENCY RULES. The board of social work and
33 board of behavioral science may adopt emergency rules under
34 section 17A.4, subsection 3, and section 17A.5, subsection 2,
35 paragraph "b", to implement the provisions of this division

1 of this Act and the rules shall be effective immediately upon
2 filing unless a later date is specified in the rules. Any
3 rules adopted in accordance with this section shall also be
4 published as a notice of intended action as provided in section
5 17A.4.

6 Sec. 59. EFFECTIVE DATE. This division of this Act, being
7 deemed of immediate importance, takes effect upon enactment.

8 DIVISION XIV

9 CHILD CARE ASSISTANCE — ELIGIBILITY PHASE-OUT

10 Sec. 60. NEW SECTION. 237A.14 Child care assistance —
11 graduated eligibility phase-out.

12 1. At the time of a twelve-month eligibility
13 redetermination for a family receiving state child care
14 assistance, the family shall remain eligible to receive
15 child care assistance, subject to the graduated eligibility
16 phase-out program as specified in subsection 2, if either of
17 the following conditions are met:

18 a. The family's nonexempt gross monthly income is determined
19 to be at least two hundred twenty-five percent but less
20 than two hundred fifty percent of the federal poverty level
21 applicable to the family size for children needing basic care.

22 b. The family's nonexempt gross monthly income is determined
23 to be at least two hundred twenty-five percent but less than
24 two hundred seventy-five percent of the federal poverty level
25 applicable to the family size for children needing special
26 needs care.

27 2. a. A family with an income at the following percentages
28 of the federal poverty level applicable to the family size
29 for children needing basic care shall be responsible for the
30 following share of child care costs:

31 (1) A family with an income above two hundred twenty-five
32 percent of the federal poverty level but less than two hundred
33 thirty-five percent of the federal poverty level shall pay for
34 thirty-three percent of the family child care costs.

35 (2) A family with an income at or above two hundred

1 thirty-five percent of the federal poverty level but less than
2 two hundred forty-five percent of the federal poverty level
3 shall pay for forty-five percent of the family child care
4 costs.

5 (3) A family with an income at or above two hundred
6 forty-five percent of the federal poverty level but at or less
7 than two hundred fifty percent of the federal poverty level
8 shall pay for sixty percent of the family child care costs.

9 *b.* A family with an income at the following percentages of
10 the federal poverty level applicable to the family size for
11 children needing special needs care shall be responsible for
12 the following share of child care costs:

13 (1) A family with an income above two hundred twenty-five
14 percent of the federal poverty level but less than two hundred
15 forty-five percent of the federal poverty level shall pay for
16 thirty-three percent of the family child care costs.

17 (2) A family with an income at or above two hundred
18 forty-five percent of the federal poverty level but less than
19 two hundred sixty-five percent of the federal poverty level
20 shall pay for forty-five percent of the family child care
21 costs.

22 (3) A family with an income at or above two hundred
23 sixty-five percent of the federal poverty level but at or less
24 than two hundred seventy-five percent of the federal poverty
25 level shall pay for sixty percent of the family child care
26 costs.

27 *c.* The graduated eligibility phase-out as provided in
28 paragraphs "*a*" and "*b*" shall be implemented no later than July
29 1, 2022.

30 3. Child care provider reimbursement rates under the
31 graduated eligibility phase-out program shall be the same rates
32 as the child care provider reimbursement rates in effect on
33 July 1, 2021.

34 4. The department of human services shall adopt rules
35 pursuant to chapter 17A in accordance with this section.

DIVISION XV

MEDICAL RESIDENCY LIABILITY COSTS

1
2
3 Sec. 61. Section 135.176, subsection 1, Code 2021, is
4 amended by adding the following new paragraph:

5 NEW PARAGRAPH. *d.* For the period beginning July 1, 2021,
6 and ending June 30, 2026, the payment by the sponsor of medical
7 residency program liability costs subject to provision by the
8 sponsor of dollar-for-dollar matching funds used for payment
9 of such costs. This paragraph shall not apply to medical
10 residency programs to which chapter 669 applies.

11 Sec. 62. Section 135.176, subsection 2, paragraphs e and f,
12 Code 2021, are amended to read as follows:

13 *e.* The maximum award of grant funds to a particular
14 individual sponsor per year. An individual sponsor that
15 establishes a new or alternative campus accredited medical
16 residency training program as defined in subsection 1,
17 paragraph "a", shall not receive more than fifty percent
18 of the state matching funds available each year to support
19 the program. An individual sponsor proposing the provision
20 of a new residency position within an existing accredited
21 medical residency or fellowship training program as specified
22 in subsection 1, paragraph "b", ~~or~~ the funding of residency
23 positions which are in excess of the federal residency cap as
24 defined in subsection 1, paragraph "c", or the funding of the
25 payment by the sponsor of medical residency program liability
26 costs subject to provision by the sponsor of dollar-for-dollar
27 matching funds used for payment of such costs as specified
28 in subsection 1, paragraph "d", shall not receive more than
29 twenty-five percent of the state matching funds available each
30 year to support the program.

31 *f.* Use of the funds awarded. Funds may be used to pay the
32 costs of establishing, expanding, or supporting an accredited
33 graduate medical education program as specified in this
34 section, including but not limited to the costs associated
35 with residency stipends and physician faculty stipends. For

1 the period beginning July 1, 2021, and ending June 30, 2026,
2 use of the funds awarded may include payment by the sponsor of
3 medical residency program liability costs in accordance with
4 subsection 1, paragraph "d", and subject to provision by the
5 sponsor of dollar-for-dollar matching funds used for payment
6 of such costs.

7 DIVISION XVI

8 PUBLIC HEALTH EMERGENCY PROVISIONS

9 COVID-19 REGULATIONS

10 Sec. 63. COVID-19 FEDERAL REGULATIONS. For the time
11 period beginning on the effective date of this division of
12 this Act, and ending June 30, 2022, notwithstanding state
13 administrative rules to the contrary, to the extent federal
14 regulations relating to the COVID-19 pandemic differ from state
15 administrative rules, including applicable federal waivers,
16 the federal regulations are controlling during the pendency of
17 the federally declared state of emergency and for such period
18 of time following the end of the federally declared state of
19 emergency applicable to the respective federal regulations.

20 EXPLANATION

21 The inclusion of this explanation does not constitute agreement with
22 the explanation's substance by the members of the general assembly.

23 This bill relates to appropriations for health and human
24 services for fiscal year 2021-2022 to the department of
25 veterans affairs, Iowa veterans home, department on aging
26 (IDA), office of long-term care ombudsman, department of public
27 health (DPH), Iowa finance authority, department of human
28 rights, and department of human services (DHS). The bill is
29 organized into divisions for each fiscal year.

30 DEPARTMENT ON AGING. This division makes appropriations
31 from the general fund of the state to the department on aging.

32 OFFICE OF LONG-TERM CARE OMBUDSMAN. This division makes
33 appropriations from the general fund of the state to the office
34 of long-term care ombudsman.

35 DEPARTMENT OF PUBLIC HEALTH. This division makes

1 appropriations from the general fund of the state and from
2 the sports wagering receipts fund to the department of public
3 health.

4 DEPARTMENT OF VETERANS AFFAIRS AND IOWA VETERANS HOME. This
5 division makes appropriations from the general fund of the
6 state to the department of veterans affairs for administration,
7 the Iowa veterans home, for transfer to the Iowa finance
8 authority for the home ownership assistance program and for the
9 county commissions of veteran affairs.

10 DEPARTMENT OF HUMAN SERVICES. This division makes
11 appropriations from the general fund of the state and the
12 federal temporary assistance for needy families block
13 grant to DHS. The allocation for the family development
14 and self-sufficiency grant program is made directly to
15 the department of human rights. The reimbursement section
16 addresses reimbursement for providers reimbursed by the
17 department of human services.

18 HEALTH CARE ACCOUNTS AND FUNDS. This division makes certain
19 health-related appropriations. A number of the appropriations
20 are made for purposes of the Medicaid program in addition to
21 the general fund appropriations made for this purpose for the
22 same fiscal year.

23 NURSING FACILITY REIMBURSEMENT METHODOLOGY — FISCAL PERIOD
24 JULY 1, 2023, THROUGH JUNE 30, 2025. This division provides
25 that notwithstanding any provision of law to the contrary,
26 for the fiscal period beginning July 1, 2023, and ending June
27 30, 2025, DHS shall rebase case-mix nursing facility rates
28 beginning July 1, 2023, using the Medicaid cost reports on file
29 for the period ending December 31, 2022, and applying a minimum
30 occupancy factor of 70 percent.

31 DECATEGORYIZATION CARRYOVER FUNDING. This division provides
32 for the transfer of carryover decategorization funds that
33 remained unencumbered or unobligated at the close of the fiscal
34 year beginning July 1, 2020, to the Medicaid program for
35 FY 2021-2022. The division takes effect upon enactment and is

1 retroactively applicable to July 1, 2020.

2 PRIOR APPROPRIATIONS AND OTHER PROVISIONS. This division
3 provides that funds appropriated to the department of human
4 services and credited to the family investment program account
5 that remain unencumbered or unobligated at the close of FY
6 2020-2021 shall not revert but shall remain available for
7 expenditure for the purposes designated, and may be transferred
8 to other appropriations as necessary to carry out the
9 initiatives included in the report submitted on nonreversion
10 of funds required pursuant to 2020 Iowa Acts, chapter 1121,
11 section 43, until the close of the succeeding fiscal year.

12 This division also provides that funds appropriated to the
13 department of human services for child and family services that
14 remain unencumbered or unobligated at the close of FY 2020-2021
15 shall not revert but shall remain available for expenditure for
16 the purpose of the redesign of the child welfare system, until
17 the close of the succeeding fiscal year.

18 The division takes effect upon enactment.

19 EXTENSION OF REPEAL FOR HOSPITAL HEALTH CARE ACCESS
20 ASSESSMENT PROGRAM. This division extends the repeal of
21 the hospital health care access assessment program chapter,
22 Code chapter 249M, from July 1, 2021, to July 1, 2023. This
23 provision takes effect upon enactment.

24 MENTAL HEALTH AND DISABILITY SERVICES — TRANSFER OF FUNDS.
25 The division authorizes a county with a population of over
26 300,000 to transfer funds from any other fund of the county to
27 the mental health and disability regional services fund for the
28 purposes of providing mental health and disability services for
29 the fiscal year beginning July 1, 2021, and ending June 30,
30 2022.

31 TELEHEALTH — MENTAL HEALTH — REIMBURSEMENT PARITY. This
32 division requires a health carrier to reimburse a health care
33 professional or a facility for health care services for a
34 mental health condition, illness, injury, or disease provided
35 to a covered person via telehealth on the same basis and at the

1 same rate as the health carrier would apply to the same health
2 care services provided to the covered person by the health care
3 professional or facility in person.

4 The division takes effect upon enactment and applies
5 retroactively to health care services for a mental health
6 condition, illness, injury, or disease provided to a covered
7 person via telehealth on or after January 1, 2021.

8 IN-PERSON SUPERVISION REQUIREMENTS. This division
9 makes changes in the requirements for family therapists,
10 marital counselors, and independent social workers, so these
11 professions do not require in-person supervision to attain a
12 license. The division takes effect upon enactment.

13 CHILD CARE ELIGIBILITY PHASE-OUT. This division establishes
14 a graduated eligibility phase-out program for state child care
15 assistance.

16 MEDICAL RESIDENCY LIABILITY COSTS. This division provides
17 for the use of medical residency training state matching
18 grants program funds toward payment by the sponsor of program
19 liability costs subject to provision of dollar-for-dollar
20 matching funds.

21 PUBLIC HEALTH EMERGENCY PROVISIONS. This division provides
22 that for the time period beginning on the effective date of
23 the bill, and ending June 30, 2022, notwithstanding state
24 administrative rules to the contrary, to the extent federal
25 regulations relating to the COVID-19 pandemic differ from state
26 administrative rules, including applicable federal waivers,
27 the federal regulations are controlling during the pendency of
28 the federally declared state of emergency and for such period
29 of time following the end of the federally declared state of
30 emergency applicable to the respective federal regulations.