

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED HOUSE  
APPROPRIATIONS SUBCOMMITTEE  
ON HEALTH AND HUMAN  
SERVICES BILL)

**A BILL FOR**

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

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

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DIVISION I

DEPARTMENT ON AGING

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, 2011, and ending June 30, 2012, 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 for frail elders, Iowa's aging and disabilities resource center, and other services which may include but are not limited to adult day services, respite care, chore services, 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:

.....	\$	9,852,577
.....	FTEs	35.00

1. a. 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.

b. To receive funds appropriated in this section, a local area agency on aging shall reduce administrative costs by at least 10 percent in accordance with rules adopted by the department. The department on aging may adopt administrative rules under section 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph "b", for purposes of this lettered

1 paragraph.

2 2. Of the funds appropriated in this section, \$179,946 shall  
3 be transferred to the department of economic development for  
4 the Iowa commission on volunteer services to be used for the  
5 retired and senior volunteer program.

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

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

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

17 (3) Prohibiting the prepayment for goods or services  
18 not defined specifically by good or service, time period, or  
19 recipient.

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

23 b. The procedures shall provide that if any funds are  
24 expended in a manner that is not in compliance with the  
25 procedures and applicable federal and state laws, rules, and  
26 regulations, and are subsequently subject to repayment, the  
27 area agency on aging expending such funds in contravention of  
28 such procedures, laws, rules and regulations, not the state,  
29 shall be liable for such repayment.

30 DIVISION II

31 DEPARTMENT OF PUBLIC HEALTH

32 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. The allocations  
33 made in this section may include amounts carried forward from  
34 appropriations and allocations made for the same purposes in  
35 the previous fiscal year. There is appropriated from the

1 general fund of the state to the department of public health  
2 for the fiscal year beginning July 1, 2011, and ending June  
3 30, 2012, the following amounts, or so much thereof as is  
4 necessary, to be used for the purposes designated:

5 1. ADDICTIVE DISORDERS

6 For reducing the prevalence of use of tobacco, alcohol, and  
7 other drugs, and treating individuals affected by addictive  
8 behaviors, including gambling, and for not more than the  
9 following full-time equivalent positions:

10 .....	\$ 20,703,190
11 .....	FTEs 13.00

12 a. (1) Of the funds appropriated in this subsection,  
13 \$453,830 shall be transferred to the alcoholic beverages  
14 division of the department of commerce for enforcement of  
15 tobacco laws, regulations, and ordinances in accordance with  
16 2011 Iowa Acts, House File 467, if enacted.

17 (2) Implementation of the tobacco use prevention and  
18 control initiative for the fiscal year beginning July 1, 2011,  
19 including efforts at the state and local levels, as provided  
20 in chapter 142A, shall be limited to the extent of the funding  
21 available.

22 b. (1) Of the funds appropriated in this subsection, up  
23 to \$2,579,000 may be used for problem gambling prevention  
24 programming, treatment, and recovery services and related  
25 support.

26 (2) Of the funds appropriated in this subsection, up to  
27 \$100,000 may be used for the licensing of problem gambling  
28 treatment programs.

29 c. Notwithstanding any provision of law to the contrary,  
30 to standardize the availability, delivery, cost of delivery,  
31 and accountability of problem gambling and substance abuse  
32 treatment services statewide, the department shall continue  
33 implementation of a process to create a system for delivery  
34 of the treatment services in accordance with the requirements  
35 specified in 2008 Iowa Acts, chapter 1187, section 3,

1 subsection 4. To ensure the system provides a continuum of  
2 treatment services that best meets the needs of Iowans, the  
3 problem gambling and substance abuse treatment services in an  
4 area may be provided either by a single agency or by separate  
5 agencies submitting a joint proposal.

6 (1) The system for delivery of substance abuse and problem  
7 gambling treatment shall include problem gambling prevention.

8 (a) The system for delivery of substance abuse and problem  
9 gambling treatment and problem gambling prevention shall  
10 include 24-hour helpline services, public information and  
11 resources, and program evaluation.

12 (b) The process to create a system for delivery of substance  
13 abuse and problem gambling treatment and problem gambling  
14 prevention shall be completed by July 1, 2012. The department  
15 shall submit a proposed legislative bill in accordance with  
16 section 2.16, for consideration during the 2012 legislative  
17 session, addressing any statutory revisions necessary for full  
18 implementation of the system.

19 (2) The system for delivery of substance abuse and problem  
20 gambling treatment and problem gambling prevention shall be  
21 expanded to include substance abuse prevention by July 1, 2014.

22 (3) From the amounts designated for gambling and substance  
23 abuse treatment, the department may use up to \$100,000 for  
24 administrative costs to continue developing and implementing  
25 the process in accordance with this subparagraph (3).

26 d. Of the funds appropriated in this subsection,  
27 \$17,132,508 shall be used for substance abuse treatment and  
28 prevention.

29 (1) Of the funds allocated in this lettered paragraph,  
30 \$899,300 shall be used for the public purpose of a grant  
31 program to provide substance abuse prevention programming for  
32 children.

33 (a) Of the funds allocated in this subparagraph, \$427,539  
34 shall be utilized for the public purpose of providing grant  
35 funding for organizations that provide programming for children

1 by utilizing mentors. Programs approved for such grants  
2 shall be certified or will be certified within six months of  
3 receiving the grant award by the Iowa commission on volunteer  
4 services as utilizing the standards for effective practice for  
5 mentoring programs.

6 (b) Of the funds allocated in this subparagraph, \$426,839  
7 shall be utilized for the public purpose of providing grant  
8 funding for organizations that provide programming that  
9 includes youth development and leadership. The programs shall  
10 also be recognized as being programs that are scientifically  
11 based with evidence of their effectiveness in reducing  
12 substance abuse in children.

13 (c) The Iowa department of public health shall utilize a  
14 request for proposals process to implement the grant program.

15 (d) All grant recipients shall participate in a program  
16 evaluation as a requirement for receiving grant funds.

17 (e) Of the funds allocated for the grant program, \$44,922  
18 shall be used to administer substance abuse prevention grants  
19 and for program evaluations.

20 (2) It is the intent of the general assembly that from the  
21 moneys allocated in this lettered paragraph persons with a dual  
22 diagnosis of substance abuse and gambling addictions shall be  
23 given priority in treatment services.

24 e. Of the funds appropriated in this subsection, \$273,062  
25 shall be used for culturally competent substance abuse  
26 treatment pilot projects.

27 (1) The department shall utilize the amount allocated  
28 in this lettered paragraph for at least three pilot projects  
29 to provide culturally competent substance abuse treatment in  
30 various areas of the state. Each pilot project shall target  
31 a particular ethnic minority population. The populations  
32 targeted shall include but are not limited to African-American,  
33 Asian, and Latino.

34 (2) The pilot project requirements shall provide for  
35 documentation or other means to ensure access to the cultural

1 competence approach used by a pilot project so that such  
2 approach can be replicated and improved upon in successor  
3 programs.

4 f. The requirement of section 123.53, subsection 5, is met  
5 by the appropriations and allocations made in this Act for  
6 purposes of substance abuse treatment and addictive disorders  
7 for the fiscal year beginning July 1, 2011.

8 g. The department of public health shall work with all other  
9 departments that fund substance abuse prevention and treatment  
10 services and all such departments shall collectively meet the  
11 state maintenance of effort requirements for expenditures  
12 for substance abuse services as required under the federal  
13 substance abuse prevention and treatment block grant.

14 h. The department shall amend or otherwise revise  
15 departmental policies and contract provisions in order to  
16 eliminate free t-shirt distribution, banner production, and  
17 other unnecessary promotional expenditures.

18 2. HEALTHY CHILDREN AND FAMILIES

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

23 .....	\$	2,451,905
24 .....	FTEs	10.00

25 a. Of the funds appropriated in this subsection, not more  
26 than \$639,318 shall be used for the healthy opportunities to  
27 experience success (HOPES)-healthy families Iowa (HFI) program  
28 established pursuant to section 135.106. The funding shall  
29 be distributed to renew the grants that were provided to the  
30 grantees that operated the program during the fiscal year  
31 ending June 30, 2011.

32 b. Of the funds appropriated in this subsection, \$287,520  
33 shall be used to continue to address the healthy mental  
34 development of children from birth through five years of age  
35 through local evidence-based strategies that engage both the

1 public and private sectors in promoting healthy development,  
2 prevention, and treatment for children.

3 c. Of the funds appropriated in this subsection, \$31,597  
4 shall be distributed to a statewide dental carrier to provide  
5 funds to continue the donated dental services program patterned  
6 after the projects developed by the national foundation of  
7 dentistry for the handicapped to provide dental services to  
8 indigent elderly and disabled individuals.

9 d. Of the funds appropriated in this subsection, \$112,677  
10 shall be used for childhood obesity prevention.

11 e. Of the funds appropriated in this subsection, \$163,760  
12 shall be used to provide audiological services and hearing  
13 aids for children. The department may enter into a contract  
14 to administer this paragraph.

15 3. CHRONIC CONDITIONS

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

19 .....	\$	3,386,865
20 .....	FTEs	4.00

21 a. Of the funds appropriated in this subsection, \$136,808  
22 shall be used for grants to individual patients who have  
23 phenylketonuria (PKU) to assist with the costs of necessary  
24 special foods.

25 b. Of the funds appropriated in this subsection, \$383,600  
26 is allocated for continuation of the contracts for resource  
27 facilitator services in accordance with section 135.22B,  
28 subsection 9, and for brain injury training services and  
29 recruiting of service providers to increase the capacity within  
30 this state to address the needs of individuals with brain  
31 injuries and such individuals' families.

32 c. Of the funds appropriated in this subsection, \$468,874  
33 shall be used as additional funding to leverage federal funding  
34 through the federal Ryan White Care Act, Tit. II, AIDS drug  
35 assistance program supplemental drug treatment grants.



1 d. Of the funds appropriated in this subsection, \$31,254  
2 shall be used for the public purpose of providing a grant to an  
3 existing national-affiliated organization to provide education,  
4 client-centered programs, and client and family support for  
5 people living with epilepsy and their families.

6 e. Of the funds appropriated in this subsection, \$770,791  
7 shall be used for child health specialty clinics.

8 f. Of the funds appropriated in this subsection, \$733,311  
9 shall be used for the comprehensive cancer control program to  
10 reduce the burden of cancer in Iowa through prevention, early  
11 detection, effective treatment, and ensuring quality of life.  
12 Of the funds allocated in this lettered paragraph, \$363,987  
13 shall be used to support a melanoma research symposium, a  
14 melanoma biorepository and registry, basic and translational  
15 melanoma research, and clinical trials.

16 g. Of the funds appropriated in this subsection, \$134,560  
17 shall be used for cervical and colon cancer screening.

18 h. Of the funds appropriated in this subsection, \$421,782  
19 shall be used for the center for congenital and inherited  
20 disorders.

21 i. Of the funds appropriated in this subsection, \$129,937  
22 shall be used for the prescription drug donation repository  
23 program created in chapter 135M.

24 4. COMMUNITY CAPACITY

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

28 .....	\$	3,610,740
29 .....	FTEs	14.00

30 a. Of the funds appropriated in this subsection, \$33,081  
31 is allocated for a child vision screening program implemented  
32 through the university of Iowa hospitals and clinics in  
33 collaboration with community empowerment areas.

34 b. Of the funds appropriated in this subsection, \$118,981 is  
35 allocated for continuation of an initiative implemented at the

1 university of Iowa and \$107,420 is allocated for continuation  
2 of an initiative at the state mental health institute at  
3 Cherokee to expand and improve the workforce engaged in  
4 mental health treatment and services. The initiatives shall  
5 receive input from the university of Iowa, the department  
6 of human services, the department of public health, and the  
7 mental health, mental retardation, developmental disabilities,  
8 and brain injury commission to address the focus of the  
9 initiatives.

10 c. Of the funds appropriated in this subsection, \$1,171,491  
11 shall be used for essential public health services that promote  
12 healthy aging throughout the lifespan, contracted through a  
13 formula for local boards of health, to enhance health promotion  
14 and disease prevention services.

15 d. Of the funds appropriated in this section, \$121,817 shall  
16 be deposited in the governmental public health system fund  
17 created in section 135A.8 to be used for the purposes of the  
18 fund.

19 e. Of the funds appropriated in this subsection, \$113,605  
20 shall be used for the mental health professional shortage area  
21 program implemented pursuant to section 135.80.

22 f. Of the funds appropriated in this subsection,  
23 \$40,900 shall be used for a grant to a statewide association  
24 of psychologists that is affiliated with the American  
25 psychological association to be used for continuation of a  
26 program to rotate intern psychologists in placements in urban  
27 and rural mental health professional shortage areas, as defined  
28 in section 135.80.

29 g. Of the funds appropriated in this subsection, the  
30 following amounts shall be allocated to the Iowa collaborative  
31 safety net provider network established pursuant to section  
32 135.153 to be used for the purposes designated:

33 (1) For distribution to the Iowa-Nebraska primary  
34 care association for statewide coordination of the Iowa  
35 collaborative safety net provider network:

1 ..... \$ 116,597

2 (2) For distribution to the local boards of health that

3 provide direct services for pilot programs in three counties to

4 assist patients in determining an appropriate medical home:

5 ..... \$ 68,332

6 (3) For distribution to maternal and child health centers

7 for pilot programs in three counties to assist patients in

8 determining an appropriate medical home:

9 ..... \$ 68,332

10 (4) For distribution to free clinics for necessary

11 infrastructure, statewide coordination, provider recruitment,

12 service delivery, and provision of assistance to patients in

13 determining an appropriate medical home:

14 ..... \$ 113,754

15 (5) For distribution to rural health clinics for necessary

16 infrastructure, statewide coordination, provider recruitment,

17 service delivery, and provision of assistance to patients in

18 determining an appropriate medical home:

19 ..... \$ 101,264

20 (6) For continuation of the safety net provider patient

21 access to specialty health care initiative as described in 2007

22 Iowa Acts, chapter 218, section 109:

23 ..... \$ 238,420

24 (7) For continuation of the pharmaceutical infrastructure

25 for safety net providers as described in 2007 Iowa Acts,

26 chapter 218, section 108:

27 ..... \$ 247,590

28 The Iowa collaborative safety net provider network may

29 continue to distribute funds allocated pursuant to this

30 lettered paragraph through existing contracts or renewal of

31 existing contracts.

32 h. The department shall utilize funds received through

33 the grant by the United States department of health and human

34 services, health resources and services administration to

35 develop and pilot a training and credentialing model for direct

1 care professionals, to the extent allowable, to continue  
2 implementation of the recommendations of the direct care worker  
3 task force established pursuant to 2005 Iowa Acts, chapter 88,  
4 based upon the report submitted to the governor and the general  
5 assembly in December 2006.

6 i. The department may utilize one of the full-time  
7 equivalent positions authorized in this subsection for  
8 administration of the activities related to the Iowa  
9 collaborative safety net provider network.

10 j. Of the funds appropriated in this subsection, the  
11 department may use up to \$60,000 for up to one full-time  
12 equivalent position to administer the volunteer health care  
13 provider program pursuant to section 135.24.

14 5. HEALTHY AGING

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

19 ..... \$ 7,297,142

20 a. Of the funds appropriated in this subsection, \$2,009,187  
21 shall be used for local public health nursing services.

22 b. Of the funds appropriated in this subsection, \$5,287,955  
23 shall be used for home care aide services.

24 6. ENVIRONMENTAL HAZARDS

25 For reducing the public's exposure to hazards in the  
26 environment, primarily chemical hazards, and for not more than  
27 the following full-time equivalent positions:

28 ..... \$ 813,777

29 ..... FTEs 4.00

30 Of the funds appropriated in this subsection, \$575,631 shall  
31 be used for childhood lead poisoning provisions.

32 7. INFECTIOUS DISEASES

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

1	.....	\$	1,345,847
2	.....	FTEs	4.00

3 8. PUBLIC PROTECTION

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

7	.....	\$	2,956,532
8	.....	FTEs	125.00

9 a. Of the funds appropriated in this subsection, not more  
10 than \$424,146 shall be credited to the emergency medical  
11 services fund created in section 135.25. Moneys in the  
12 emergency medical services fund are appropriated to the  
13 department to be used for the purposes of the fund.

14 b. Of the funds appropriated in this subsection, \$210,619  
15 shall be used for sexual violence prevention programming  
16 through a statewide organization representing programs serving  
17 victims of sexual violence through the department's sexual  
18 violence prevention program. The amount allocated in this  
19 lettered paragraph shall not be used to supplant funding  
20 administered for other sexual violence prevention or victims  
21 assistance programs.

22 c. Of the funds appropriated in this subsection, not more  
23 than \$436,582 shall be used for the state poison control  
24 center.

25 d. If 2011 Iowa Acts, House File 457, is enacted, the  
26 department of public health shall transfer \$189,196 to the  
27 department of agriculture and land stewardship for the purposes  
28 of performing functions pursuant to section 192.109, as amended  
29 by House File 457.

30 9. RESOURCE MANAGEMENT

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

34	.....	\$	819,554
35	.....	FTEs	7.00

1 The university of Iowa hospitals and clinics under the  
2 control of the state board of regents shall not receive  
3 indirect costs from the funds appropriated in this section.  
4 The university of Iowa hospitals and clinics billings to the  
5 department shall be on at least a quarterly basis.

6 DIVISION III

7 DEPARTMENT OF VETERANS AFFAIRS

8 Sec. 3. DEPARTMENT OF VETERANS AFFAIRS. There is  
9 appropriated from the general fund of the state to the  
10 department of veterans affairs for the fiscal year beginning  
11 July 1, 2011, and ending June 30, 2012, the following amounts,  
12 or so much thereof as is necessary, to be used for the purposes  
13 designated:

14 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

15 For salaries, support, maintenance, and miscellaneous  
16 purposes, including the war orphans educational assistance fund  
17 created in section 35.8, and for not more than the following  
18 full-time equivalent positions:

19 .....	\$	998,832
20 .....	FTEs	16.34

21 2. IOWA VETERANS HOME

22 For salaries, support, maintenance, and miscellaneous  
23 purposes:

24 .....	\$	8,952,151
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25 a. The Iowa veterans home billings involving the department  
26 of human services shall be submitted to the department on at  
27 least a monthly basis.

28 b. If there is a change in the employer of employees  
29 providing services at the Iowa veterans home under a collective  
30 bargaining agreement, such employees and the agreement shall  
31 be continued by the successor employer as though there had not  
32 been a change in employer.

33 c. Within available resources and in conformance with  
34 associated state and federal program eligibility requirements,  
35 the Iowa veterans home may implement measures to provide

1 financial assistance to or on behalf of veterans or their  
2 spouses participating in the community reentry program.

3 3. STATE EDUCATIONAL ASSISTANCE — CHILDREN OF DECEASED  
4 VETERANS

5 For provision of educational assistance pursuant to section  
6 35.9:

7 ..... \$ 12,416

8 Sec. 4. LIMITATION OF COUNTY COMMISSION OF VETERANS AFFAIRS  
9 FUND STANDING APPROPRIATIONS. Notwithstanding the standing  
10 appropriation in the following designated section for the  
11 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
12 the amounts appropriated from the general fund of the state  
13 pursuant to that section for the following designated purposes  
14 shall not exceed the following amount:

15 For the county commissions of veterans affairs fund under  
16 section 35A.16:

17 ..... \$ 990,000

18 DIVISION IV

19 DEPARTMENT OF HUMAN SERVICES

20 Sec. 5. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK  
21 GRANT. There is appropriated from the fund created in section  
22 8.41 to the department of human services for the fiscal year  
23 beginning July 1, 2011, and ending June 30, 2012, from moneys  
24 received under the federal temporary assistance for needy  
25 families (TANF) block grant pursuant to the federal Personal  
26 Responsibility and Work Opportunity Reconciliation Act of 1996,  
27 Pub. L. No. 104-193, and successor legislation, and from moneys  
28 received under the emergency contingency fund for temporary  
29 assistance for needy families state program established  
30 pursuant to the federal American Recovery and Reinvestment Act  
31 of 2009, Pub. L. No. 111-5 § 2101, and successor legislation,  
32 the following amounts, or so much thereof as is necessary, to  
33 be used for the purposes designated:

34 1. To be credited to the family investment program account  
35 and used for assistance under the family investment program

1 under chapter 239B:

2 ..... \$ 21,500,738

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

7 ..... \$ 12,411,528

8 Notwithstanding section 8.33, not more than 5 percent of  
9 the moneys designated in this subsection that are allocated  
10 by the department for contracted services, other than  
11 family self-sufficiency grant services allocated under this  
12 subsection, that remain unencumbered or unobligated at the  
13 close of the fiscal year shall not revert but shall remain  
14 available for expenditure for the purposes designated until  
15 the close of the succeeding fiscal year. However, unless such  
16 moneys are encumbered or obligated on or before September 30,  
17 2012, the moneys shall revert.

18 3. To be used for the family development and  
19 self-sufficiency grant program in accordance with section  
20 216A.107:

21 ..... \$ 2,898,980

22 Notwithstanding section 8.33, moneys appropriated in this  
23 subsection that remain unencumbered or unobligated at the close  
24 of the fiscal year shall not revert but shall remain available  
25 for expenditure for the purposes designated until the close of  
26 the succeeding fiscal year. However, unless such moneys are  
27 encumbered or obligated on or before September 30, 2012, the  
28 moneys shall revert.

29 4. For field operations:

30 ..... \$ 31,296,232

31 5. For general administration:

32 ..... \$ 3,744,000

33 6. For state child care assistance:

34 ..... \$ 16,382,687

35 The funds appropriated in this subsection shall be



1 transferred to the child care and development block grant  
2 appropriation made by the Eighty-fourth General Assembly, 2011  
3 Session, for the federal fiscal year beginning October 1,  
4 2011, and ending September 30, 2012. Of this amount, \$200,000  
5 shall be used for provision of educational opportunities to  
6 registered child care home providers in order to improve  
7 services and programs offered by this category of providers  
8 and to increase the number of providers. The department may  
9 contract with institutions of higher education or child care  
10 resource and referral centers to provide the educational  
11 opportunities. Allowable administrative costs under the  
12 contracts shall not exceed 5 percent. The application for a  
13 grant shall not exceed two pages in length.

14 7. For mental health and developmental disabilities  
15 community services:

16 ..... \$ 4,894,052

17 8. For child and family services:

18 ..... \$ 32,084,430

19 9. For child abuse prevention grants:

20 ..... \$ 125,000

21 10. For pregnancy prevention grants on the condition that  
22 family planning services are funded:

23 ..... \$ 1,930,067

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

34 11. For technology needs and other resources necessary  
35 to meet federal welfare reform reporting, tracking, and case

1 management requirements:

2 ..... \$ 1,037,186

3 12. To be credited to the state child care assistance  
4 appropriation made in this section to be used for funding of  
5 community-based early childhood programs targeted to children  
6 from birth through five years of age developed by early  
7 childhood Iowa areas as provided in section 256I.11:

8 ..... \$ 6,350,000

9 The department shall transfer TANF block grant funding  
10 appropriated and allocated in this subsection to the child care  
11 and development block grant appropriation in accordance with  
12 federal law as necessary to comply with the provisions of this  
13 subsection.

14 13. a. Notwithstanding any provision to the contrary,  
15 including but not limited to requirements in section 8.41 or  
16 provisions in 2010 or 2011 Iowa Acts regarding the receipt  
17 and appropriation of federal block grants, federal funds  
18 from the emergency contingency fund for temporary assistance  
19 for needy families state program established pursuant to the  
20 federal American Recovery and Reinvestment Act of 2009, Pub.  
21 L. No. 111-5 § 2101, received by the state during the fiscal  
22 year beginning July 1, 2010, and ending June 30, 2011, not  
23 otherwise appropriated in this section and remaining available  
24 as of July 1, 2011, and received by the state during the fiscal  
25 year beginning July 1, 2011, and ending June 30, 2012, are  
26 appropriated to the extent as may be necessary to be used in  
27 the following priority order: the family investment program  
28 for the fiscal year and for state child care assistance program  
29 payments for individuals enrolled in the family investment  
30 program who are employed. The federal funds appropriated in  
31 this paragraph "a" shall be expended only after all other  
32 funds appropriated in subsection 1 for the assistance under  
33 the family investment program under chapter 239B have been  
34 expended.

35 b. The department shall, on a quarterly basis, advise the

1 legislative services agency and department of management of  
2 the amount of funds appropriated in this subsection that was  
3 expended in the prior quarter.

4 14. Of the amounts appropriated in this section,  
5 \$12,962,008 for the fiscal year beginning July 1, 2011, shall  
6 be transferred to the appropriation of the federal social  
7 services block grant made for that fiscal year.

8 15. For continuation of the program allowing the department  
9 to maintain categorical eligibility for the food assistance  
10 program as required under the section of this division relating  
11 to the family investment account:

12 ..... \$ 146,072

13 16. The department may transfer funds allocated in this  
14 section to the appropriations made in this Act for general  
15 administration and field operations for resources necessary to  
16 implement and operate the services referred to in this section  
17 and those funded in the appropriation made in this division of  
18 this Act for the family investment program from the general  
19 fund of the state.

20 Sec. 6. FAMILY INVESTMENT PROGRAM ACCOUNT.

21 1. Moneys credited to the family investment program (FIP)  
22 account for the fiscal year beginning July 1, 2011, and  
23 ending June 30, 2012, shall be used to provide assistance in  
24 accordance with chapter 239B.

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

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

35 4. Moneys appropriated in this division of this Act and

1 credited to the FIP account for the fiscal year beginning July  
2 1, 2011, and ending June 30, 2012, are allocated as follows:

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

9 ..... \$ 20,000

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

14 ..... \$ 5,342,834

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

19 (2) The department of human rights may continue to implement  
20 the family development and self-sufficiency grant program  
21 statewide during fiscal year 2011-2012.

22 c. For the diversion subaccount of the FIP account:  
23 ..... \$ 1,698,400

24 A portion of the moneys allocated for the subaccount may  
25 be used for field operations salaries, data management system  
26 development, and implementation costs and support deemed  
27 necessary by the director of human services in order to  
28 administer the FIP diversion program.

29 d. For the food stamp employment and training program:  
30 ..... \$ 66,588

31 (1) The department shall amend the food stamp employment and  
32 training state plan in order to maximize to the fullest extent  
33 permitted by federal law the use of the 50-50 match provisions  
34 for the claiming of allowable federal matching funds from the  
35 United States department of agriculture pursuant to the federal

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

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

14 e. For the JOBS program:

15 ..... \$ 20,235,905

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

33 6. The department may adopt emergency rules for the family  
34 investment, JOBS, food stamp, and medical assistance programs  
35 if necessary to comply with federal requirements.

1     Sec. 7. FAMILY INVESTMENT PROGRAM GENERAL FUND. There  
2 is appropriated from the general fund of the state to the  
3 department of human services for the fiscal year beginning July  
4 1, 2011, and ending June 30, 2012, the following amount, or  
5 so much thereof as is necessary, to be used for the purpose  
6 designated:

7     To be credited to the family investment program (FIP)  
8 account and used for family investment program assistance under  
9 chapter 239B:

10 ..... \$ 50,421,027

11     1. Of the funds appropriated in this section, \$7,824,377 is  
12 allocated for the JOBS program.

13     2. Of the funds appropriated in this section, \$2,463,854 is  
14 allocated for the family development and self-sufficiency grant  
15 program.

16     3. Notwithstanding section 8.39, for the fiscal year  
17 beginning July 1, 2011, if necessary to meet federal  
18 maintenance of effort requirements or to transfer federal  
19 temporary assistance for needy families block grant funding  
20 to be used for purposes of the federal social services block  
21 grant or to meet cash flow needs resulting from delays in  
22 receiving federal funding or to implement, in accordance with  
23 this division of this Act, activities currently funded with  
24 juvenile court services, county, or community moneys and state  
25 moneys used in combination with such moneys, the department  
26 of human services may transfer funds within or between any  
27 of the appropriations made in this division of this Act and  
28 appropriations in law for the federal social services block  
29 grant to the department for the following purposes, provided  
30 that the combined amount of state and federal temporary  
31 assistance for needy families block grant funding for each  
32 appropriation remains the same before and after the transfer:

- 33     a. For the family investment program.
- 34     b. For child care assistance.
- 35     c. For child and family services.

- 1 d. For field operations.
- 2 e. For general administration.
- 3 f. MH/MR/DD/BI community services (local purchase).

4 This subsection shall not be construed to prohibit the use  
 5 of existing state transfer authority for other purposes. The  
 6 department shall report any transfers made pursuant to this  
 7 subsection to the legislative services agency.

8 4. Of the funds appropriated in this section, \$195,678 shall  
 9 be used for continuation of a grant to an Iowa-based nonprofit  
 10 organization with a history of providing tax preparation  
 11 assistance to low-income Iowans in order to expand the usage of  
 12 the earned income tax credit. The purpose of the grant is to  
 13 supply this assistance to underserved areas of the state.

14 Sec. 8. CHILD SUPPORT RECOVERY. There is appropriated  
 15 from the general fund of the state to the department of human  
 16 services for the fiscal year beginning July 1, 2011, and ending  
 17 June 30, 2012, the following amount, or so much thereof as is  
 18 necessary, to be used for the purposes designated:

19 For child support recovery, including salaries, support,  
 20 maintenance, and miscellaneous purposes, and for not more than  
 21 the following full-time equivalent positions:

22 .....	\$ 12,811,565
23 .....	FTEs 475.00

24 1. The department shall expend up to \$24,329, including  
 25 federal financial participation, for the fiscal year beginning  
 26 July 1, 2011, for a child support public awareness campaign.  
 27 The department and the office of the attorney general shall  
 28 cooperate in continuation of the campaign. The public  
 29 awareness campaign shall emphasize, through a variety of  
 30 media activities, the importance of maximum involvement of  
 31 both parents in the lives of their children as well as the  
 32 importance of payment of child support obligations.

33 2. Federal access and visitation grant moneys shall be  
 34 issued directly to private not-for-profit agencies that provide  
 35 services designed to increase compliance with the child access

1 provisions of court orders, including but not limited to  
2 neutral visitation sites and mediation services.

3 3. The appropriation made to the department for child  
4 support recovery may be used throughout the fiscal year in the  
5 manner necessary for purposes of cash flow management, and for  
6 cash flow management purposes the department may temporarily  
7 draw more than the amount appropriated, provided the amount  
8 appropriated is not exceeded at the close of the fiscal year.

9 4. With the exception of the funding amount specified, the  
10 requirements established under 2001 Iowa Acts, chapter 191,  
11 section 3, subsection 5, paragraph "c", subparagraph (3), shall  
12 be applicable to parental obligation pilot projects for the  
13 fiscal year beginning July 1, 2011, and ending June 30, 2012.

14 Sec. 9. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE. Any  
15 funds remaining in the health care trust fund created in  
16 section 453A.35A for the fiscal year beginning July 1, 2011,  
17 and ending June 30, 2012, are appropriated to the department  
18 of human services to supplement the medical assistance program  
19 appropriations made in this Act, for medical assistance  
20 reimbursement and associated costs, including program  
21 administration and costs associated with implementation.

22 Sec. 10. MEDICAL ASSISTANCE. There is appropriated from the  
23 general fund of the state to the department of human services  
24 for the fiscal year beginning July 1, 2011, and ending June 30,  
25 2012, the following amount, or so much thereof as is necessary,  
26 to be used for the purpose designated:

27 For medical assistance reimbursement and associated costs  
28 as specifically provided in the reimbursement methodologies  
29 in effect on June 30, 2011, except as otherwise expressly  
30 authorized by law, including reimbursement for abortion  
31 services which shall be available under the medical assistance  
32 program only for those abortions which are medically necessary:  
33 ..... \$897,237,190

34 1. Medically necessary abortions are those performed under  
35 any of the following conditions:



1 a. The attending physician certifies that continuing the  
2 pregnancy would endanger the life of the pregnant woman.

3 b. Any spontaneous abortion, commonly known as a  
4 miscarriage, if not all of the products of conception are  
5 expelled.

6 2. The department shall utilize not more than \$60,000 of  
7 the funds appropriated in this section to continue the AIDS/HIV  
8 health insurance premium payment program as established in 1992  
9 Iowa Acts, Second Extraordinary Session, chapter 1001, section  
10 409, subsection 6. Of the funds allocated in this subsection,  
11 not more than \$5,000 may be expended for administrative  
12 purposes.

13 3. Of the funds appropriated in this Act to the department  
14 of public health for addictive disorders, \$950,000 for the  
15 fiscal year beginning July 1, 2011, shall be transferred to  
16 the department of human services for an integrated substance  
17 abuse managed care system. The department shall not assume  
18 management of the substance abuse system in place of the  
19 managed care contractor unless such a change in approach is  
20 specifically authorized in law. The departments of human  
21 services and public health shall work together to maintain  
22 the level of mental health and substance abuse services  
23 provided by the managed care contractor through the Iowa plan  
24 for behavioral health. Each department shall take the steps  
25 necessary to continue the federal waivers as necessary to  
26 maintain the level of services.

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

1 provisions.

2     b. Of the funds appropriated in this section, \$100,000  
3 shall be used for participation in one or more pilot projects  
4 operated by a private provider to allow the individual or  
5 individuals to receive service in the community in accordance  
6 with principles established in *Olmstead v. L.C.*, 527 U.S. 581  
7 (1999), for the purpose of providing medical assistance or  
8 other assistance to individuals with special needs who become  
9 ineligible to continue receiving services under the early and  
10 periodic screening, diagnosis, and treatment program under  
11 the medical assistance program due to becoming 21 years of  
12 age who have been approved for additional assistance through  
13 the department's exception to policy provisions, but who have  
14 health care needs in excess of the funding available through  
15 the exception to the policy provisions.

16     5. Of the funds appropriated in this section, up to  
17 \$3,050,082 may be transferred to the field operations  
18 or general administration appropriations in this Act for  
19 operational costs associated with Part D of the federal  
20 Medicare Prescription Drug Improvement and Modernization Act  
21 of 2003, Pub. L. No. 108-173.

22     6. Of the funds appropriated in this section, up to \$442,100  
23 may be transferred to the appropriation in this Act for medical  
24 contracts to be used for clinical assessment services related  
25 to remedial services in accordance with federal law.

26     7. A portion of the funds appropriated in this section  
27 may be transferred to the appropriations in this division of  
28 this Act for general administration, medical contracts, the  
29 children's health insurance program, or field operations to be  
30 used for the state match cost to comply with the payment error  
31 rate measurement (PERM) program for both the medical assistance  
32 and children's health insurance programs as developed by the  
33 centers for Medicare and Medicaid services of the United States  
34 department of health and human services to comply with the  
35 federal Improper Payments Information Act of 2002, Pub. L. No.

1 107-300.

2 8. It is the intent of the general assembly that the  
3 department continue to implement the recommendations of  
4 the assuring better child health and development initiative  
5 II (ABCDII) clinical panel to the Iowa early and periodic  
6 screening, diagnostic, and treatment services healthy mental  
7 development collaborative board regarding changes to billing  
8 procedures, codes, and eligible service providers.

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

16 10. Of the funds appropriated in this section, the following  
17 amounts shall be transferred to the appropriations made in this  
18 division of this Act for the state mental health institutes:

19 a. Cherokee mental health institute .....	\$ 9,098,425
20 b. Clarinda mental health institute .....	\$ 1,977,305
21 c. Independence mental health institute .....	\$ 9,045,894
22 d. Mount Pleasant mental health institute ....	\$ 5,752,587

23 11. a. Of the funds appropriated in this section,  
24 \$7,425,684 is allocated for the state match for a  
25 disproportionate share hospital payment of \$19,133,430 to  
26 hospitals that meet both of the conditions specified in  
27 subparagraphs (1) and (2). In addition, the hospitals that  
28 meet the conditions specified shall either certify public  
29 expenditures or transfer to the medical assistance program  
30 an amount equal to provide the nonfederal share for a  
31 disproportionate share hospital payment of \$7,500,000. The  
32 hospitals that meet the conditions specified shall receive and  
33 retain 100 percent of the total disproportionate share hospital  
34 payment of \$26,633,430.

35 (1) The hospital qualifies for disproportionate share and

1 graduate medical education payments.

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

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

15 12. The university of Iowa hospitals and clinics shall  
16 either certify public expenditures or transfer to the medical  
17 assistance appropriation an amount equal to provide the  
18 nonfederal share for increased medical assistance payments for  
19 inpatient and outpatient hospital services of \$9,900,000. The  
20 university of Iowa hospitals and clinics shall receive and  
21 retain 100 percent of the total increase in medical assistance  
22 payments.

23 13. Of the funds appropriated in this section, up to  
24 \$4,480,304 may be transferred to the IowaCare account created  
25 in section 249J.24.

26 14. Of the funds appropriated in this section, \$200,000  
27 shall be used for the Iowa chronic care consortium pursuant to  
28 2003 Iowa Acts, chapter 112, section 12, as amended by 2003  
29 Iowa Acts, chapter 179, sections 166 and 167.

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

35 16. Any new or renewed contract entered into by the

1 department with a third party to administer behavioral health  
2 services under the medical assistance program shall provide  
3 that any interest earned on payments from the state during  
4 the state fiscal year shall be remitted to the department  
5 and treated as recoveries to offset the costs of the medical  
6 assistance program.

7 17. The department shall continue to implement the  
8 provisions in 2007 Iowa Acts, chapter 218, section 124 and  
9 section 126, as amended by 2008 Iowa Acts, chapter 1188,  
10 section 55, relating to eligibility for certain persons with  
11 disabilities under the medical assistance program in accordance  
12 with the federal family opportunity Act.

13 18. A portion of the funds appropriated in this section  
14 may be transferred to the appropriation in this division of  
15 this Act for medical contracts to be used for administrative  
16 activities associated with the money follows the person  
17 demonstration project.

18 19. Notwithstanding section 8.33, the portion of the  
19 funds appropriated in this section that is the result of the  
20 application of the increased federal medical assistance match  
21 percentage under the federal American Recovery and Reinvestment  
22 Act of 2009, as amended by the federal Education Jobs and  
23 Medicaid Assistance Act, Pub. L. No. 111-226, or successor  
24 legislation to the amount the state pays the federal government  
25 as required under the federal Medicare Prescription Drug  
26 Improvement and Modernization Act of 2003, known as clawback  
27 payments, for the period October 1, 2008, through June 30,  
28 2011, that remains unobligated or unencumbered at the close of  
29 the fiscal year, shall not revert to any fund but shall remain  
30 available for expenditure for the purposes of the medical  
31 assistance program until the close of the succeeding fiscal  
32 year.

33 20. Of the funds appropriated in this section, \$349,011  
34 shall be used for the administration of the health insurance  
35 premium payment program, including salaries, support,

1 maintenance, and miscellaneous purposes for the fiscal year  
2 beginning July 1, 2011.

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

10 b. If the savings to the medical assistance program exceed  
11 the cost, the department may transfer any savings generated  
12 for the fiscal year due to medical assistance program cost  
13 containment efforts initiated pursuant to 2010 Iowa Acts,  
14 chapter 1031, Executive Order No. 20, issued December 16,  
15 2009, or cost containment efforts initiated by the department  
16 during fiscal year 2011-2012, to the appropriation made in  
17 this division of this Act for medical contracts or general  
18 administration to defray the increased contract costs  
19 associated with implementing such efforts.

20 22. The department may implement cost containment  
21 strategies recommended by the governor by using a sole  
22 source contract process or by expanding an existing contract  
23 without using a competitive process. The department may adopt  
24 emergency rules to implement the cost containment strategies  
25 recommended by the governor.

26 23. The department shall report the implementation of  
27 any cost containment strategies under this section to the  
28 individuals specified in this Act to receive reports on a  
29 quarterly basis.

30 24. Notwithstanding any provision of law to the contrary,  
31 the department of human services shall amend the section  
32 1915(b) waiver and Iowa plan contract to include remedial  
33 services under the Iowa plan contract effective July 1, 2011.

34 Sec. 11. MEDICAL CONTRACTS. There is appropriated from the  
35 general fund of the state to the department of human services

1 for the fiscal year beginning July 1, 2011, and ending June 30,  
2 2012, the following amount, or so much thereof as is necessary,  
3 to be used for the purpose designated:

4 For medical contracts, including salaries, support,  
5 maintenance, and miscellaneous purposes, and for not more than  
6 the following full-time equivalent positions:

7 .....	\$	5,773,844
8 .....	FTEs	2.0

9 The department of inspections and appeals shall provide all  
10 state matching funds for survey and certification activities  
11 performed by the department of inspections and appeals.

12 The department of human services is solely responsible for  
13 distributing the federal matching funds for such activities.

14 Sec. 12. STATE SUPPLEMENTARY ASSISTANCE.

15 1. There is appropriated from the general fund of the  
16 state to the department of human services for the fiscal year  
17 beginning July 1, 2011, and ending June 30, 2012, the following  
18 amount, or so much thereof as is necessary, to be used for the  
19 purpose designated:

20 For the state supplementary assistance program:  
21 .....

	\$	16,850,747
--	----	------------

22 2. The department shall increase the personal needs  
23 allowance for residents of residential care facilities by the  
24 same percentage and at the same time as federal supplemental  
25 security income and federal social security benefits are  
26 increased due to a recognized increase in the cost of living.  
27 The department may adopt emergency rules to implement this  
28 subsection.

29 3. If during the fiscal year beginning July 1, 2011,  
30 the department projects that state supplementary assistance  
31 expenditures for a calendar year will not meet the federal  
32 pass-through requirement specified in Tit. XVI of the federal  
33 Social Security Act, section 1618, as codified in 42 U.S.C.  
34 § 1382g, the department may take actions including but not  
35 limited to increasing the personal needs allowance for

1 residential care facility residents and making programmatic  
2 adjustments or upward adjustments of the residential care  
3 facility or in-home health-related care reimbursement rates  
4 prescribed in this division of this Act to ensure that federal  
5 requirements are met. In addition, the department may make  
6 other programmatic and rate adjustments necessary to remain  
7 within the amount appropriated in this section while ensuring  
8 compliance with federal requirements. The department may adopt  
9 emergency rules to implement the provisions of this subsection.

10 Sec. 13. CHILDREN'S HEALTH INSURANCE PROGRAM.

11 1. There is appropriated from the general fund of the  
12 state to the department of human services for the fiscal year  
13 beginning July 1, 2011, and ending June 30, 2012, the following  
14 amount, or so much thereof as is necessary, to be used for the  
15 purpose designated:

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

21 ..... \$ 32,927,152

22 2. If the funds appropriated in this section are  
23 insufficient to cover the costs of both full coverage services  
24 and supplemental dental services, priority in expenditure of  
25 funds shall be given to covering the costs of full coverage  
26 services.

27 Sec. 14. CHILD CARE ASSISTANCE. 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, 2011, and ending  
30 June 30, 2012, the following amount, or so much thereof as is  
31 necessary, to be used for the purpose designated:

32 For child care programs:

33 ..... \$ 51,237,662

34 1. Of the funds appropriated in this section, \$49,868,235  
35 shall be used for state child care assistance in accordance



1 with section 237A.13.

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

9 3. Of the funds appropriated in this section, \$432,453 is  
10 allocated for the statewide program for child care resource  
11 and referral services under section 237A.26. A list of the  
12 registered and licensed child care facilities operating in the  
13 area served by a child care resource and referral service shall  
14 be made available to the families receiving state child care  
15 assistance in that area.

16 4. Of the funds appropriated in this section, \$936,974  
17 is allocated for child care quality improvement initiatives  
18 including but not limited to the voluntary quality rating  
19 system in accordance with section 237A.30. The combined state  
20 and federal funding allocated for quality improvement shall be  
21 reduced by \$2,000,000 from the amount allocated for quality  
22 improvement in the prior fiscal year.

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

1 or innovation projects.

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

7 7. If a uniform reduction ordered by the governor under  
8 section 8.31 or other operation of law, transfer, or federal  
9 funding reduction reduces the appropriation made in this  
10 section for the fiscal year, the percentage reduction in the  
11 amount paid out to or on behalf of the families participating  
12 in the state child care assistance program shall be equal to or  
13 less than the percentage reduction made for any other purpose  
14 payable from the appropriation made in this section and the  
15 federal funding relating to it. The percentage reduction to  
16 the other allocations made in this section shall be the same as  
17 the uniform reduction ordered by the governor or the percentage  
18 change of the federal funding reduction, as applicable.

19 If there is an unanticipated increase in federal funding  
20 provided for state child care assistance, the entire amount  
21 of the increase shall be used for state child care assistance  
22 payments. If the appropriations made for purposes of the  
23 state child care assistance program for the fiscal year are  
24 determined to be insufficient, it is the intent of the general  
25 assembly to appropriate sufficient funding for the fiscal year  
26 in order to avoid establishment of waiting list requirements.

27 8. Notwithstanding section 8.33, moneys appropriated in  
28 this section or received from the federal appropriations made  
29 for the purposes of this section that remain unencumbered or  
30 unobligated at the close of the fiscal year shall not revert  
31 to any fund but shall remain available for expenditure for the  
32 purposes designated until the close of the succeeding fiscal  
33 year.

34 Sec. 15. JUVENILE INSTITUTIONS. There is appropriated  
35 from the general fund of the state to the department of human

1 services for the fiscal year beginning July 1, 2011, and ending  
2 June 30, 2012, the following amounts, or so much thereof as is  
3 necessary, to be used for the purposes designated:

4 1. For operation of the Iowa juvenile home at Toledo and for  
5 salaries, support, maintenance, and miscellaneous purposes, and  
6 for not more than the following full-time equivalent positions:

7 ..... \$ 8,258,251  
8 ..... FTEs 125.00

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

12 positions:

13 ..... \$ 10,638,677  
14 ..... FTEs 202.70

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

20 3. A portion of the moneys appropriated in this section  
21 shall be used by the state training school and by the Iowa  
22 juvenile home for grants for adolescent pregnancy prevention  
23 activities at the institutions in the fiscal year beginning  
24 July 1, 2011.

25 Sec. 16. CHILD AND FAMILY SERVICES.

26 1. There is appropriated from the general fund of the  
27 state to the department of human services for the fiscal year  
28 beginning July 1, 2011, and ending June 30, 2012, the following  
29 amount, or so much thereof as is necessary, to be used for the  
30 purpose designated:

31 For child and family services:

32 ..... \$ 82,020,163

33 2. In order to address a reduction of \$5,200,000 from the  
34 amount allocated under the appropriation made for the purposes  
35 of this section in prior years for purposes of juvenile

1 delinquent graduated sanction services, up to \$5,200,000 of the  
2 amount of federal temporary assistance for needy families block  
3 grant funding appropriated in this division of this Act for  
4 child and family services shall be made available for purposes  
5 of juvenile delinquent graduated sanction services.

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

16 4. a. Of the funds appropriated in this section, up to  
17 \$30,169,129 is allocated as the statewide expenditure target  
18 under section 232.143 for group foster care maintenance and  
19 services. If the department projects that such expenditures  
20 for the fiscal year will be less than the target amount  
21 allocated in this lettered paragraph, the department may  
22 reallocate the excess to provide additional funding for shelter  
23 care or the child welfare emergency services addressed with the  
24 allocation for shelter care.

25 b. If at any time after September 30, 2011, annualization  
26 of a service area's current expenditures indicates a service  
27 area is at risk of exceeding its group foster care expenditure  
28 target under section 232.143 by more than 5 percent, the  
29 department and juvenile court services shall examine all  
30 group foster care placements in that service area in order to  
31 identify those which might be appropriate for termination.  
32 In addition, any aftercare services believed to be needed  
33 for the children whose placements may be terminated shall be  
34 identified. The department and juvenile court services shall  
35 initiate action to set dispositional review hearings for the

1 placements identified. In such a dispositional review hearing,  
2 the juvenile court shall determine whether needed aftercare  
3 services are available and whether termination of the placement  
4 is in the best interest of the child and the community.

5 5. In accordance with the provisions of section 232.188,  
6 the department shall continue the child welfare and juvenile  
7 justice funding initiative during fiscal year 2011-2012. Of  
8 the funds appropriated in this section, \$1,717,753 is allocated  
9 specifically for expenditure for fiscal year 2011-2012 through  
10 the decategorization service funding pools and governance  
11 boards established pursuant to section 232.188.

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

17 7. Notwithstanding section 234.35 or any other provision  
18 of law to the contrary, state funding for shelter care and  
19 the child welfare emergency services contracting implemented  
20 to provide for or prevent the need for shelter care shall be  
21 limited in each fiscal year to \$7,170,116. The department may  
22 execute contracts that result from the department's request  
23 for proposal, bid number ACFS-11-114, to provide the range of  
24 child welfare emergency services described in the request for  
25 proposals, and any subsequent amendments to the request for  
26 proposals.

27 8. Federal funds received by the state during the fiscal  
28 years beginning July 1, 2011, or July 1, 2012, as the result of  
29 the expenditure of state funds appropriated during a previous  
30 state fiscal year for a service or activity funded under this  
31 section are appropriated to the department to be used as  
32 additional funding for services and purposes provided for under  
33 this section. Notwithstanding section 8.33, moneys received  
34 in accordance with this subsection that remain unencumbered or  
35 unobligated at the close of the fiscal year shall not revert to

1 any fund but shall remain available for the purposes designated  
2 until the close of the succeeding fiscal year.

3 9. Of the funds appropriated in this section, at least  
4 \$3,696,285 shall be used for protective child care assistance.

5 10. a. Of the funds appropriated in this section, up to  
6 \$2,062,488 is allocated for the payment of the expenses of  
7 court-ordered services provided to juveniles who are under the  
8 supervision of juvenile court services, which expenses are a  
9 charge upon the state pursuant to section 232.141, subsection  
10 4. Of the amount allocated in this lettered paragraph, up to  
11 \$1,556,287 shall be made available to provide school-based  
12 supervision of children adjudicated under chapter 232, of which  
13 not more than \$15,000 may be used for the purpose of training.  
14 A portion of the cost of each school-based liaison officer  
15 shall be paid by the school district or other funding source as  
16 approved by the chief juvenile court officer.

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

22 c. Notwithstanding section 232.141 or any other provision  
23 of law to the contrary, the amounts allocated in this  
24 subsection shall be distributed to the judicial districts  
25 as determined by the state court administrator and to the  
26 department's service areas as determined by the administrator  
27 of the department's division of child and family services. The  
28 state court administrator and the division administrator shall  
29 make the determination of the distribution amounts on or before  
30 June 15, 2011.

31 d. Notwithstanding chapter 232 or any other provision of  
32 law to the contrary, a district or juvenile court shall not  
33 order any service which is a charge upon the state pursuant  
34 to section 232.141 if there are insufficient court-ordered  
35 services funds available in the district court or departmental

1 service area distribution amounts to pay for the service. The  
2 chief juvenile court officer and the departmental service area  
3 manager shall encourage use of the funds allocated in this  
4 subsection such that there are sufficient funds to pay for  
5 all court-related services during the entire year. The chief  
6 juvenile court officers and departmental service area managers  
7 shall attempt to anticipate potential surpluses and shortfalls  
8 in the distribution amounts and shall cooperatively request the  
9 state court administrator or division administrator to transfer  
10 funds between the judicial districts' or departmental service  
11 areas' distribution amounts as prudent.

12 e. Notwithstanding any provision of law to the contrary,  
13 a district or juvenile court shall not order a county to pay  
14 for any service provided to a juvenile pursuant to an order  
15 entered under chapter 232 which is a charge upon the state  
16 under section 232.141, subsection 4.

17 f. Of the funds allocated in this subsection, not more than  
18 \$83,000 may be used by the judicial branch for administration  
19 of the requirements under this subsection.

20 g. Of the funds allocated in this subsection, \$17,000  
21 shall be used by the department of human services to support  
22 the interstate commission for juveniles in accordance with  
23 the interstate compact for juveniles as provided in section  
24 232.173.

25 11. Of the funds appropriated in this section, \$4,522,602 is  
26 allocated for juvenile delinquent graduated sanctions services.  
27 Any state funds saved as a result of efforts by juvenile court  
28 services to earn federal Tit. IV-E match for juvenile court  
29 services administration may be used for the juvenile delinquent  
30 graduated sanctions services.

31 12. Of the funds appropriated in this section, \$988,285  
32 shall be transferred to the department of public health to  
33 be used for the child protection center grant program in  
34 accordance with section 135.118.

35 13. If the department receives federal approval to

1 implement a waiver under Tit. IV-E of the federal Social  
2 Security Act to enable providers to serve children who remain  
3 in the children's families and communities, for purposes of  
4 eligibility under the medical assistance program, children who  
5 participate in the waiver shall be considered to be placed in  
6 foster care.

7 14. Of the funds appropriated in this section, \$3,069,832 is  
8 allocated for the preparation for adult living program pursuant  
9 to section 234.46.

10 15. Of the funds appropriated in this section, \$520,150  
11 shall be used for juvenile drug courts. The amount allocated  
12 in this subsection shall be distributed as follows:

13 To the judicial branch for salaries to assist with the  
14 operation of juvenile drug court programs operated in the  
15 following jurisdictions:

- 16 a. Marshall county:
- 17 ..... \$ 62,708
- 18 b. Woodbury county:
- 19 ..... \$ 125,682
- 20 c. Polk county:
- 21 ..... \$ 195,892
- 22 d. The third judicial district:
- 23 ..... \$ 67,934
- 24 e. The eighth judicial district:
- 25 ..... \$ 67,934

26 16. Of the funds appropriated in this section, \$227,337  
27 shall be used for the public purpose of providing a grant to  
28 a nonprofit human services organization providing services to  
29 individuals and families in multiple locations in southwest  
30 Iowa and Nebraska for support of a project providing immediate,  
31 sensitive support and forensic interviews, medical exams, needs  
32 assessments, and referrals for victims of child abuse and their  
33 nonoffending family members.

34 17. Of the funds appropriated in this section, \$125,590  
35 is allocated for the elevate approach of providing a support



1 network to children placed in foster care.

2 18. Of the funds appropriated in this section, \$202,000 is  
3 allocated for use pursuant to section 235A.1 for continuation  
4 of the initiative to address child sexual abuse implemented  
5 pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection  
6 21.

7 19. Of the funds appropriated in this section, \$630,240 is  
8 allocated for the community partnership for child protection  
9 sites.

10 20. Of the funds appropriated in this section, \$371,250  
11 is allocated for the department's minority youth and family  
12 projects under the redesign of the child welfare system.

13 21. Of the funds appropriated in this section, \$1,200,495  
14 is allocated for funding of the state match for the federal  
15 substance abuse and mental health services administration  
16 (SAMHSA) system of care grant.

17 22. Of the funds appropriated in this section, at least  
18 \$147,158 shall be used for the child welfare training academy.

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

29 Sec. 17. 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, 2011, and ending June 30, 2012, the following  
33 amount, or so much thereof as is necessary, to be used for the  
34 purpose designated:

35 For adoption subsidy payments and services:

1 ..... \$ 36,697,591

2 2. The department may transfer funds appropriated in this  
3 section to the appropriation made in this Act for general  
4 administration for costs paid from the appropriation relating  
5 to adoption subsidy.

6 3. Federal funds received by the state during the  
7 fiscal year beginning July 1, 2011, as the result of the  
8 expenditure of state funds during a previous state fiscal  
9 year for a service or activity funded under this section are  
10 appropriated to the department to be used as additional funding  
11 for the services and activities funded under this section.  
12 Notwithstanding section 8.33, moneys received in accordance  
13 with this subsection that remain unencumbered or unobligated  
14 at the close of the fiscal year shall not revert to any fund  
15 but shall remain available for expenditure for the purposes  
16 designated until the close of the succeeding fiscal year.

17 Sec. 18. JUVENILE DETENTION HOME FUND. Moneys deposited  
18 in the juvenile detention home fund created in section 232.142  
19 during the fiscal year beginning July 1, 2011, and ending June  
20 30, 2012, are appropriated to the department of human services  
21 for the fiscal year beginning July 1, 2011, and ending June 30,  
22 2012, for distribution of an amount equal to a percentage of  
23 the costs of the establishment, improvement, operation, and  
24 maintenance of county or multicounty juvenile detention homes  
25 in the fiscal year beginning July 1, 2010. Moneys appropriated  
26 for distribution in accordance with this section shall be  
27 allocated among eligible detention homes, prorated on the basis  
28 of an eligible detention home's proportion of the costs of all  
29 eligible detention homes in the fiscal year beginning July  
30 1, 2010. The percentage figure shall be determined by the  
31 department based on the amount available for distribution for  
32 the fund. Notwithstanding section 232.142, subsection 3, the  
33 financial aid payable by the state under that provision for the  
34 fiscal year beginning July 1, 2011, shall be limited to the  
35 amount appropriated for the purposes of this section.



1 beginning July 1, 2011, and ending June 30, 2012, the following  
2 amounts, or so much thereof as is necessary, to be used for the  
3 purposes designated:

4 a. For the state mental health institute at Cherokee for  
5 salaries, support, maintenance, and miscellaneous purposes, and  
6 for not more than the following full-time equivalent positions:  
7 ..... \$ 5,877,308  
8 ..... FTEs 177.83

9 b. For the state mental health institute at Clarinda for  
10 salaries, support, maintenance, and miscellaneous purposes, and  
11 for not more than the following full-time equivalent positions:  
12 ..... \$ 6,411,734  
13 ..... FTEs 99.20

14 c. For the state mental health institute at Independence for  
15 salaries, support, maintenance, and miscellaneous purposes, and  
16 for not more than the following full-time equivalent positions:  
17 ..... \$ 10,275,685  
18 ..... FTEs 248.00

19 d. For the state mental health institute at Mount Pleasant  
20 for salaries, support, maintenance, and miscellaneous purposes,  
21 and for not more than the following full-time equivalent  
22 positions:  
23 ..... \$ 944,323  
24 ..... FTEs 97.72

25 2. The department, as part of efforts to develop and  
26 implement the comprehensive mental health and disability  
27 services plan as provided in section 225C.6B, shall review  
28 services provided by or offered at the state mental health  
29 institutes and may modify such services to further the plan  
30 and provide cost-effective and necessary services. As part  
31 of the review, the department shall consult with stakeholders  
32 concerning developing subacute mental health care options at  
33 the institutes. In addition, the department shall consider the  
34 feasibility of developing treatment facilities of sixteen beds  
35 or fewer that would be eligible for federal Medicaid program

1 match; identify provisions to increase the participation of  
2 students of medical, dental, psychiatry, psychology, social  
3 work, and other health care and behavioral health professions  
4 in clinical practice training at the institutions administered  
5 by the department; and develop methods for the department  
6 and the judicial branch to facilitate regular meetings and  
7 other communication between representatives of the criminal  
8 justice system, service providers, county central point of  
9 coordination administrators, other pertinent state agencies,  
10 and other stakeholders to improve the processes for involuntary  
11 commitment for chronic substance abuse under chapter 125 and  
12 serious mental illness under chapter 229.

13 Sec. 22. STATE RESOURCE CENTERS.

14 1. There is appropriated from the general fund of the  
15 state to the department of human services for the fiscal year  
16 beginning July 1, 2011, and ending June 30, 2012, the following  
17 amounts, or so much thereof as is necessary, to be used for the  
18 purposes designated:

19 a. For the state resource center at Glenwood for salaries,  
20 support, maintenance, and miscellaneous purposes:  
21 ..... \$ 18,807,801

22 b. For the state resource center at Woodward for salaries,  
23 support, maintenance, and miscellaneous purposes:  
24 ..... \$ 13,085,658

25 2. The department may continue to bill for state resource  
26 center services utilizing a scope of services approach used for  
27 private providers of ICFMR services, in a manner which does not  
28 shift costs between the medical assistance program, counties,  
29 or other sources of funding for the state resource centers.

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

32 4. If the department's administration and the department  
33 of management concur with a finding by a state resource  
34 center's superintendent that projected revenues can reasonably  
35 be expected to pay the salary and support costs for a new

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

13 5. If existing capacity limitations are reached in  
14 operating units, a waiting list is in effect for a service or  
15 a special need for which a payment source or other funding  
16 is available for the service or to address the special need,  
17 and facilities for the service or to address the special need  
18 can be provided within the available payment source or other  
19 funding, the superintendent of a state resource center may  
20 authorize opening not more than two units or other facilities  
21 and begin implementing the service or addressing the special  
22 need during fiscal year 2011-2012.

23 Sec. 23. MI/MR/DD STATE CASES.

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, 2011, and ending June 30, 2012, the following  
27 amount, or so much thereof as is necessary, to be used for the  
28 purpose designated:

29 For distribution to counties for state case services  
30 for persons with mental illness, mental retardation, and  
31 developmental disabilities in accordance with section 331.440:  
32 ..... \$ 12,169,482

33 2. For the fiscal year beginning July 1, 2011, and ending  
34 June 30, 2012, \$200,000 is allocated for state case services  
35 from the amounts appropriated from the fund created in section

1 8.41 to the department of human services from the funds  
2 received from the federal government under 42 U.S.C. ch. 6A,  
3 subch. XVII, relating to the community mental health center  
4 block grant, for the federal fiscal years beginning October  
5 1, 2009, and ending September 30, 2010, beginning October 1,  
6 2010, and ending September 30, 2011, and beginning October 1,  
7 2011, and ending September 30, 2012. The allocation made in  
8 this subsection shall be made prior to any other distribution  
9 allocation of the appropriated federal funds.

10 3. Notwithstanding section 8.33, moneys appropriated in  
11 this section that remain unencumbered or unobligated at the  
12 close of the fiscal year shall not revert but shall remain  
13 available for expenditure for the purposes designated until the  
14 close of the succeeding fiscal year.

15 Sec. 24. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES  
16 — COMMUNITY SERVICES FUND. There is appropriated from  
17 the general fund of the state to the mental health and  
18 developmental disabilities community services fund created in  
19 section 225C.7 for the fiscal year beginning July 1, 2011, and  
20 ending June 30, 2012, the following amount, or so much thereof  
21 as is necessary, to be used for the purpose designated:

22 For mental health and developmental disabilities community  
23 services in accordance with this division of this Act:  
24 ..... \$ 14,211,100

25 1. Of the funds appropriated in this section, \$14,187,556  
26 shall be allocated to counties for funding of community-based  
27 mental health and developmental disabilities services. The  
28 moneys shall be allocated to a county as follows:

29 a. Fifty percent based upon the county's proportion of the  
30 state's population of persons with an annual income which is  
31 equal to or less than the poverty guideline established by the  
32 federal office of management and budget.

33 b. Fifty percent based upon the county's proportion of the  
34 state's general population.

35 2. a. A county shall utilize the funding the county

1 receives pursuant to subsection 1 for services provided to  
2 persons with a disability, as defined in section 225C.2.  
3 However, no more than 50 percent of the funding shall be used  
4 for services provided to any one of the service populations.

5 b. A county shall use at least 50 percent of the funding the  
6 county receives under subsection 1 for contemporary services  
7 provided to persons with a disability, as described in rules  
8 adopted by the department.

9 3. Of the funds appropriated in this section, \$23,544  
10 shall be used to support the Iowa compass program providing  
11 computerized information and referral services for Iowans with  
12 disabilities and their families.

13 4. a. Funding appropriated for purposes of the federal  
14 social services block grant is allocated for distribution  
15 to counties for local purchase of services for persons with  
16 mental illness or mental retardation or other developmental  
17 disability.

18 b. The funds allocated in this subsection shall be expended  
19 by counties in accordance with the county's county management  
20 plan approved by the board of supervisors. A county without  
21 an approved county management plan shall not receive allocated  
22 funds until the county's management plan is approved.

23 c. The funds provided by this subsection shall be allocated  
24 to each county as follows:

25 (1) Fifty percent based upon the county's proportion of the  
26 state's population of persons with an annual income which is  
27 equal to or less than the poverty guideline established by the  
28 federal office of management and budget.

29 (2) Fifty percent based upon the amount provided to the  
30 county for local purchase of services in the preceding fiscal  
31 year.

32 5. A county is eligible for funds under this section if the  
33 county qualifies for a state payment as described in section  
34 331.439.

35 6. The latest certified census issued by the United States



1 bureau of the census shall be applied for the population  
2 factors utilized in this section.

3 Sec. 25. SEXUALLY VIOLENT PREDATORS.

4 1. There is appropriated from the general fund of the  
5 state to the department of human services for the fiscal year  
6 beginning July 1, 2011, and ending June 30, 2012, the following  
7 amount, or so much thereof as is necessary, to be used for the  
8 purpose designated:

9 For costs associated with the commitment and treatment of  
10 sexually violent predators in the unit located at the state  
11 mental health institute at Cherokee, including costs of legal  
12 services and other associated costs, including salaries,  
13 support, maintenance, and miscellaneous purposes, and for not  
14 more than the following full-time equivalent positions:

15 .....	\$	7,550,727
16 .....	FTEs	89.00

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

26 Sec. 26. FIELD OPERATIONS. There is appropriated from the  
27 general fund of the state to the department of human services  
28 for the fiscal year beginning July 1, 2011, and ending June 30,  
29 2012, the following amount, or so much thereof as is necessary,  
30 to be used for the purposes designated:

31 For field operations, including salaries, support,  
32 maintenance, and miscellaneous purposes, and for not more than  
33 the following full-time equivalent positions:

34 .....	\$	54,175,521
35 .....	FTEs	1,702.00

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

4 Sec. 27. GENERAL ADMINISTRATION. 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, 2011, and ending  
7 June 30, 2012, the following amount, or so much thereof as is  
8 necessary, to be used for the purpose designated:

9 For general administration, including salaries, support,  
10 maintenance, and miscellaneous purposes, and for not more than  
11 the following full-time equivalent positions:

12 .....	\$ 15,146,745
13 .....	FTEs 282.00

14 1. Of the funds appropriated in this section, \$43,700  
15 allocated for the prevention of disabilities policy council  
16 established in section 225B.3.

17 2. The department shall report at least monthly to the  
18 legislative services agency concerning the department's  
19 operational and program expenditures.

20 3. Of the funds appropriated in this section, \$150,000 shall  
21 be used to implement a program to provide technical assistance,  
22 support, and consultation to providers of habilitation services  
23 and home and community-based waiver services for adults with  
24 disabilities under the medical assistance program.

25 4. Of the funds appropriated in this section, \$200,000 shall  
26 be used to expand the provision of nationally accredited and  
27 recognized internet-based training to include mental health and  
28 disability services providers.

29 Sec. 28. VOLUNTEERS. There is appropriated from the general  
30 fund of the state to the department of human services for the  
31 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
32 the following amount, or so much thereof as is necessary, to be  
33 used for the purpose designated:

34 For development and coordination of volunteer services:	
35 .....	\$ 84,660

1     Sec. 29. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY  
2 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE  
3 DEPARTMENT OF HUMAN SERVICES.

4     1. a. (1) For the fiscal year beginning July 1, 2011,  
5 the total state funding amount for the nursing facility budget  
6 shall not exceed \$224,835,691.

7     (2) For the fiscal year beginning July 1, 2011, the  
8 department shall rebase case-mix nursing facility rates  
9 effective July 1, 2011. However, total nursing facility budget  
10 expenditures, including both case-mix and noncase-mix shall  
11 not exceed the amount specified in subparagraph (1). When  
12 calculating case-mix per diem cost and the patient-day-weighted  
13 medians used in rate-setting for nursing facilities effective  
14 July 1, 2011, the inflation factor applied from the midpoint  
15 of the cost report period to the first day of the state fiscal  
16 year rate period shall be adjusted to maintain state funding  
17 within the amount specified in subparagraph (1).

18     (3) The department, in cooperation with nursing facility  
19 representatives, shall review projections for state funding  
20 expenditures for reimbursement of nursing facilities on a  
21 quarterly basis and the department shall determine if an  
22 adjustment to the medical assistance reimbursement rate is  
23 necessary in order to provide reimbursement within the state  
24 funding amount for the fiscal year. Notwithstanding 2001  
25 Iowa Acts, chapter 192, section 4, subsection 2, paragraph  
26 "c", and subsection 3, paragraph "a", subparagraph (2),  
27 if the state funding expenditures for the nursing facility  
28 budget for the fiscal year is projected to exceed the amount  
29 specified in subparagraph (1), the department shall adjust  
30 the reimbursement for nursing facilities reimbursed under the  
31 case-mix reimbursement system to maintain expenditures of the  
32 nursing facility budget within the specified amount for the  
33 fiscal year.

34     (4) For the fiscal year beginning July 1, 2011, special  
35 population nursing facilities shall be reimbursed in accordance

1 with the methodology in effect on June 30, 2011.

2 b. For the fiscal year beginning July 1, 2011, the  
3 department shall reimburse pharmacy dispensing fees using a  
4 single rate of \$4.34 per prescription or the pharmacy's usual  
5 and customary fee, whichever is lower.

6 c. (1) For the fiscal year beginning July 1, 2011,  
7 reimbursement rates for outpatient hospital services shall be  
8 rebased effective January 1, 2012.

9 (2) For the fiscal year beginning July 1, 2011,  
10 reimbursement rates for inpatient hospital services shall be  
11 rebased effective October 1, 2011.

12 (3) The total amount of increased funding available for  
13 reimbursement attributable to rebasing under this paragraph  
14 for the fiscal year beginning July 1, 2011, shall not exceed  
15 \$4,500,000.

16 (4) For the fiscal year beginning July 1, 2011, the graduate  
17 medical education and disproportionate share hospital fund  
18 shall remain at the amount in effect on June 30, 2011.

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

25 d. For the fiscal year beginning July 1, 2011, reimbursement  
26 rates for rural health clinics, hospices, and acute mental  
27 hospitals shall be increased in accordance with increases under  
28 the federal Medicare program or as supported by their Medicare  
29 audited costs.

30 e. For the fiscal year beginning July 1, 2011, independent  
31 laboratories and rehabilitation agencies shall be reimbursed  
32 using the same methodology in effect on June 30, 2011.

33 f. For the fiscal year beginning July 1, 2011, reimbursement  
34 rates for home health agencies shall remain at the rates in  
35 effect on June 30, 2011, not to exceed a home health agency's

1 actual allowable cost.

2 g. For the fiscal year beginning July 1, 2011, federally  
3 qualified health centers shall receive cost-based reimbursement  
4 for 100 percent of the reasonable costs for the provision of  
5 services to recipients of medical assistance.

6 h. For the fiscal year beginning July 1, 2011, the  
7 reimbursement rates for dental services shall remain at the  
8 rates in effect on June 30, 2011.

9 i. For the fiscal year beginning July 1, 2011, state-owned  
10 psychiatric medical institutions for children shall receive  
11 cost-based reimbursement for 100 percent of the actual and  
12 allowable costs for the provision of services to recipients of  
13 medical assistance. For nonstate-owned psychiatric medical  
14 institutions for children, reimbursement rates shall remain at  
15 the rates in effect on June 30, 2011.

16 j. For the fiscal year beginning July 1, 2011, unless  
17 otherwise specified in this Act, all noninstitutional medical  
18 assistance provider reimbursement rates shall remain at the  
19 rates in effect on June 30, 2011, except for area education  
20 agencies, local education agencies, infant and toddler services  
21 providers, and those providers whose rates are required to be  
22 determined pursuant to section 249A.20.

23 k. Notwithstanding any provision to the contrary, for the  
24 fiscal year beginning July 1, 2011, the reimbursement rate for  
25 anesthesiologists shall remain at the rate in effect on June  
26 30, 2011.

27 l. Notwithstanding section 249A.20, for the fiscal year  
28 beginning July 1, 2011, the average reimbursement rate for  
29 health care providers eligible for use of the federal Medicare  
30 resource-based relative value scale reimbursement methodology  
31 under that section shall remain at the rate in effect on June  
32 30, 2011; however, this rate shall not exceed the maximum level  
33 authorized by the federal government.

34 m. For the fiscal year beginning July 1, 2011, the  
35 reimbursement rate for residential care facilities shall not

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

8 n. For the fiscal year beginning July 1, 2011, inpatient  
9 mental health services provided at hospitals shall remain at  
10 the rates in effect on June 30, 2011, subject to Medicaid  
11 program upper payment limit rules; community mental health  
12 centers and providers of mental health services to county  
13 residents pursuant to a waiver approved under section 225C.7,  
14 subsection 3, shall be reimbursed at 100 percent of the  
15 reasonable costs for the provision of services to recipients of  
16 medical assistance; and psychiatrists shall be reimbursed at  
17 the medical assistance program fee for service rate.

18 o. For the fiscal year beginning July 1, 2011, the  
19 reimbursement rate for consumer-directed attendant care shall  
20 remain at the rates in effect on June 30, 2011.

21 p. For the fiscal year beginning July 1, 2011, the  
22 reimbursement rate for providers of family planning services  
23 that are eligible to receive a 90 percent federal match shall  
24 remain at the rates in effect on June 30, 2011.

25 2. For the fiscal year beginning July 1, 2011, the  
26 reimbursement rate for providers reimbursed under the  
27 in-home-related care program shall not be less than the minimum  
28 payment level as established by the federal government to meet  
29 the federally mandated maintenance of effort requirement.

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

1 4. For the fiscal year beginning July 1, 2011,  
2 notwithstanding section 234.38, the foster family basic daily  
3 maintenance rate and the maximum adoption subsidy rate for  
4 children ages 0 through 5 years shall be \$15.74, the rate for  
5 children ages 6 through 11 years shall be \$16.37, the rate for  
6 children ages 12 through 15 years shall be \$17.92, and the  
7 rate for children and young adults ages 16 and older shall be  
8 \$18.16. The maximum supervised apartment living foster care  
9 reimbursement rate shall be \$25.00 per day. For youth ages  
10 18 to 21 who have exited foster care, the maximum preparation  
11 for adult living program maintenance rate shall be \$574.00 per  
12 month.

13 5. For the fiscal year beginning July 1, 2011, the maximum  
14 reimbursement rates under the supervised apartment living  
15 program and for social services providers under contract  
16 shall remain at the rates in effect on June 30, 2011, or the  
17 provider's actual and allowable cost plus inflation for each  
18 service, whichever is less. However, if a new service or  
19 service provider is added after June 30, 2011, the initial  
20 reimbursement rate for the service or provider shall be  
21 based upon actual and allowable costs. Providers may also  
22 be eligible for an additional amount as specified under the  
23 department's request for proposal, bid number ACFS-11-115.

24 6. For the fiscal year beginning July 1, 2011, the  
25 reimbursement rates for family-centered service providers,  
26 family foster care service providers, group foster care service  
27 providers, and the resource family recruitment and retention  
28 contractor shall remain at the rates in effect on June 30,  
29 2011.

30 7. The group foster care reimbursement rates paid for  
31 placement of children out of state shall be calculated  
32 according to the same rate-setting principles as those used for  
33 in-state providers, unless the director of human services or  
34 the director's designee determines that appropriate care cannot  
35 be provided within the state. The payment of the daily rate

1 shall be based on the number of days in the calendar month in  
2 which service is provided.

3 8. For the fiscal year beginning July 1, 2011, remedial  
4 service providers shall receive the same level of reimbursement  
5 under the same methodology in effect on June 30, 2011.

6 9. a. For the fiscal year beginning July 1, 2011, the  
7 reimbursement rate paid for child welfare emergency services  
8 shall be established in a contract based on the requirements of  
9 the department's request for proposal, bid number ACFS-11-114.

10 b. For the fiscal year beginning July 1, 2011, the combined  
11 service and maintenance components of the reimbursement rate  
12 paid for shelter care services shall be based on the financial  
13 and statistical report submitted to the department. The  
14 maximum reimbursement rate shall be \$92.36 per day. The  
15 department shall reimburse a shelter care provider at the  
16 provider's actual and allowable unit cost, plus inflation, not  
17 to exceed the maximum reimbursement rate.

18 c. Notwithstanding section 232.141, subsection 8, for the  
19 fiscal year beginning July 1, 2011, the amount of the statewide  
20 average of the actual and allowable rates for reimbursement of  
21 juvenile shelter care homes that is utilized for the limitation  
22 on recovery of unpaid costs shall remain at the amount in  
23 effect for this purpose in the fiscal year beginning July 1,  
24 2010.

25 10. For the fiscal year beginning July 1, 2011, the  
26 department shall calculate reimbursement rates for intermediate  
27 care facilities for persons with mental retardation at the  
28 80th percentile. Beginning July 1, 2011, the rate calculation  
29 methodology shall utilize the consumer price index inflation  
30 factor applicable to the fiscal year beginning July 1, 2011.

31 11. For the fiscal year beginning July 1, 2011, for child  
32 care providers reimbursed under the state child care assistance  
33 program, the department shall set provider reimbursement  
34 rates based on the rate reimbursement survey completed in  
35 December 2004. Effective July 1, 2011, the child care provider



1 reimbursement rates shall remain at the rates in effect on June  
2 30, 2011. The department shall set rates in a manner so as  
3 to provide incentives for a nonregistered provider to become  
4 registered by applying the increase only to registered and  
5 licensed providers.

6 12. The department shall adopt rules to replace the medical  
7 assistance drug reimbursement methodology of average wholesale  
8 price minus 12 percent with a reimbursement methodology based  
9 on average acquisition cost for covered brand-name prescription  
10 drugs, generic drugs, and over-the-counter drugs. For the  
11 purposes of this subsection, "average acquisition cost" means  
12 the average amount paid by pharmacies to suppliers including  
13 wholesalers and manufacturers for the drugs. Payment under the  
14 average acquisition cost methodology shall be subject to the  
15 upper limits specified in 42 C.F.R. §§ 447.500 through 447.520.

16 13. The department may adopt emergency rules to implement  
17 this section.

18 Sec. 30. EMERGENCY RULES.

19 1. If specifically authorized by a provision of this  
20 division of this Act, the department of human services or  
21 the mental health, and disability services commission may  
22 adopt administrative rules under section 17A.4, subsection  
23 3, and section 17A.5, subsection 2, paragraph "b", to  
24 implement the provisions and the rules shall become effective  
25 immediately upon filing or on a later effective date specified  
26 in the rules, unless the effective date is delayed by the  
27 administrative rules review committee. Any rules adopted in  
28 accordance with this section shall not take effect before  
29 the rules are reviewed by the administrative rules review  
30 committee. The delay authority provided to the administrative  
31 rules review committee under section 17A.4, subsection 7, and  
32 section 17A.8, subsection 9, shall be applicable to a delay  
33 imposed under this section, notwithstanding a provision in  
34 those sections making them inapplicable to section 17A.5,  
35 subsection 2, paragraph "b". Any rules adopted in accordance

1 with the provisions of this section shall also be published as  
2 notice of intended action as provided in section 17A.4.

3 2. If during the fiscal year beginning July 1, 2011, the  
4 department of human services is adopting rules in accordance  
5 with this section or as otherwise directed or authorized by  
6 state law, and the rules will result in an expenditure increase  
7 beyond the amount anticipated in the budget process or if the  
8 expenditure was not addressed in the budget process for the  
9 fiscal year, the department shall notify the persons designated  
10 by this division of this Act for submission of reports,  
11 the chairpersons and ranking members of the committees on  
12 appropriations, and the department of management concerning the  
13 rules and the expenditure increase. The notification shall be  
14 provided at least 30 calendar days prior to the date notice of  
15 the rules is submitted to the administrative rules coordinator  
16 and the administrative code editor.

17 Sec. 31. REPORTS. Any reports or information required to be  
18 compiled and submitted under this Act shall be submitted to the  
19 chairpersons and ranking members of the joint appropriations  
20 subcommittee on health and human services, the legislative  
21 services agency, and the legislative caucus staffs on or  
22 before the dates specified for submission of the reports or  
23 information.

24 Sec. 32. EFFECTIVE DATE. The following provision of this  
25 division of this Act, being deemed of immediate importance,  
26 take effect upon enactment:

27 The provision under the appropriation for child and family  
28 services, relating to requirements of section 232.143 for  
29 representatives of the department of human services and  
30 juvenile court services to establish a plan for continuing  
31 group foster care expenditures for fiscal year 2011-2012.

32 DIVISION V

33 PHARMACEUTICAL SETTLEMENT ACCOUNT,

34 IOWACARE ACCOUNT, HEALTH CARE

35 TRANSFORMATION ACCOUNT, MEDICAID FRAUD ACCOUNT,

1                                   QUALITY ASSURANCE TRUST FUND,  
2                                   AND HOSPITAL HEALTH CARE ACCESS TRUST FUND

3       Sec. 33. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is  
4 appropriated from the pharmaceutical settlement account created  
5 in section 249A.33 to the department of human services for the  
6 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
7 the following amount, or so much thereof as is necessary, to be  
8 used for the purpose designated:

9       Notwithstanding any provision of law to the contrary, to  
10 supplement the appropriations made in this Act for medical  
11 contracts under the medical assistance program:

12 ..... \$ 5,027,613

13       Sec. 34. APPROPRIATIONS FROM IOWACARE ACCOUNT.

14       1. There is appropriated from the IowaCare account  
15 created in section 249J.24 to the state board of regents for  
16 distribution to the university of Iowa hospitals and clinics  
17 for the fiscal year beginning July 1, 2011, and ending June 30,  
18 2012, the following amount, or so much thereof as is necessary,  
19 to be used for the purposes designated:

20       For salaries, support, maintenance, equipment, and  
21 miscellaneous purposes, for the provision of medical and  
22 surgical treatment of indigent patients, for provision of  
23 services to members of the expansion population pursuant to  
24 chapter 249J, and for medical education:  
25 ..... \$ 27,284,584

26       a. Funds appropriated in this subsection shall not be used  
27 to perform abortions except medically necessary abortions,  
28 and shall not be used to operate the early termination of  
29 pregnancy clinic except for the performance of medically  
30 necessary abortions. For the purpose of this subsection,  
31 medically necessary abortions are those performed under any of  
32 the following conditions:

- 33       (1) The attending physician certifies that continuing the  
34 pregnancy would endanger the life of the pregnant woman.  
35       (2) Any spontaneous abortion, commonly known as a



1 services to members of the expansion population pursuant to  
2 chapter 249J, and for medical education:

3 ..... \$ 24,000,000

4 Notwithstanding any provision of law to the contrary, the  
5 amount appropriated in this subsection shall be distributed  
6 based on claims submitted, adjudicated, and paid by the Iowa  
7 Medicaid enterprise. Once the entire amount appropriated in  
8 this subsection has been distributed, claims shall continue to  
9 be submitted and adjudicated by the Iowa Medicaid enterprise;  
10 however, no payment shall be made based upon such claims.

11 4. There is appropriated from the IowaCare account created  
12 in section 249J.24 to the department of human services for the  
13 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
14 the following amount, or so much thereof as is necessary, to be  
15 used for the purposes designated:

16 For distribution to a publicly owned acute care teaching  
17 hospital located in a county with a population over 350,000 for  
18 the provision of medical and surgical treatment of indigent  
19 patients, for provision of services to members of the expansion  
20 population pursuant to chapter 249J, and for medical education:  
21 ..... \$ 51,000,000

22 a. Notwithstanding any provision of law to the contrary,  
23 the amount appropriated in this subsection shall be distributed  
24 based on claims submitted, adjudicated, and paid by the Iowa  
25 Medicaid enterprise plus a monthly disproportionate share  
26 hospital payment. Any amount appropriated in this subsection  
27 in excess of \$48,000,000 shall be distributed only if the sum  
28 of the expansion population claims adjudicated and paid by the  
29 Iowa Medicaid enterprise plus the estimated disproportionate  
30 share hospital payments exceeds \$48,000,000. The amount paid  
31 in excess of \$48,000,000 shall not adjust the original monthly  
32 payment amount but shall be distributed monthly based on actual  
33 claims adjudicated and paid by the Iowa Medicaid enterprise  
34 plus the estimated disproportionate share hospital amount. Any  
35 amount appropriated in this subsection in excess of \$48,000,000

1 shall be allocated only if federal funds are available to match  
2 the amount allocated.

3     b. Notwithstanding the total amount of proceeds distributed  
4 pursuant to section 249J.24, subsection 6, paragraph "a",  
5 unnumbered paragraph 1, for the fiscal year beginning July  
6 1, 2011, and ending June 30, 2012, the county treasurer of a  
7 county with a population of over 350,000 in which a publicly  
8 owned acute care teaching hospital is located shall distribute  
9 the proceeds collected pursuant to section 347.7 in a total  
10 amount of \$38,000,000, which would otherwise be distributed to  
11 the county hospital, to the treasurer of state for deposit in  
12 the IowaCare account.

13     c. (1) Notwithstanding the amount collected and  
14 distributed for deposit in the IowaCare account pursuant to  
15 section 249J.24, subsection 6, paragraph "a", subparagraph  
16 (1), the first \$19,000,000 in proceeds collected pursuant to  
17 section 347.7 between July 1, 2011, and December 31, 2011,  
18 shall be distributed to the treasurer of state for deposit in  
19 the IowaCare account and collections during this time period in  
20 excess of \$19,000,000 shall be distributed to the acute care  
21 teaching hospital identified in this subsection.

22     (2) Notwithstanding the amount collected and distributed  
23 for deposit in the IowaCare account pursuant to section  
24 249J.24, subsection 6, paragraph "a", subparagraph (2),  
25 the first \$19,000,000 in collections pursuant to section  
26 347.7 between January 1, 2012, and June 30, 2012, shall be  
27 distributed to the treasurer of state for deposit in the  
28 IowaCare account and collections during this time period in  
29 excess of \$19,000,000 shall be distributed to the acute care  
30 teaching hospital identified in this subsection.

31     5. There is appropriated from the IowaCare account created  
32 in section 249J.24 to the department of human services for the  
33 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
34 the following amount, or so much thereof as is necessary to be  
35 used for the purpose designated:

1 For payment to the regional provider network specified  
2 by the department pursuant to section 249J.7 for provision  
3 of covered services to members of the expansion population  
4 pursuant to chapter 249J:

5 ..... \$ 6,000,000

6 Notwithstanding any provision of law to the contrary, the  
7 amount appropriated in this subsection shall be distributed  
8 based on claims submitted, adjudicated, and paid by the Iowa  
9 Medicaid enterprise. Once the entire amount appropriated in  
10 this subsection has been distributed, claims shall continue to  
11 be submitted and adjudicated by the Iowa Medicaid enterprise;  
12 however, no payment shall be made based upon such claims.

13 6. There is appropriated from the IowaCare account created  
14 in section 249J.24 to the department of human services for the  
15 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
16 the following amount, or so much thereof as is necessary to be  
17 used for the purposes designated:

18 For payment to nonparticipating providers for covered  
19 services provided in accordance with section 249J.24A:

20 ..... \$ 2,000,000

21 Sec. 35. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE  
22 TRANSFORMATION — DEPARTMENT OF HUMAN SERVICES.

23 Notwithstanding any provision to the contrary, there is  
24 appropriated from the account for health care transformation  
25 created in section 249J.23 to the department of human services  
26 for the fiscal year beginning July 1, 2011, and ending June  
27 30, 2012, the following amounts, or so much thereof as is  
28 necessary, to be used for the purposes designated:

29 1. For the costs of medical examinations for the expansion  
30 population pursuant to section 249J.6:

31 ..... \$ 556,800

32 2. For the provision of an IowaCare nurse helpline for the  
33 expansion population as provided in section 249J.6:

34 ..... \$ 100,000

35 3. For other health promotion partnership activities

- 1 pursuant to section 249J.14:
- 2 ..... \$ 600,000
- 3 4. For the costs related to audits, performance
- 4 evaluations, and studies required pursuant to chapter 249J:
- 5 ..... \$ 125,000
- 6 5. For administrative costs associated with chapter 249J:
- 7 ..... \$ 1,132,412
- 8 6. For planning and development, in cooperation with the
- 9 department of public health, of a phased-in program to provide
- 10 a dental home for children in accordance with section 249J.14:
- 11 ..... \$ 1,000,000
- 12 7. For continuation of the establishment of the tuition
- 13 assistance for individuals serving individuals with
- 14 disabilities pilot program, as enacted in 2008 Iowa Acts,
- 15 chapter 1187, section 130:
- 16 ..... \$ 50,000
- 17 8. For medical contracts:
- 18 ..... \$ 2,000,000
- 19 9. For payment to the publicly owned acute care teaching
- 20 hospital located in a county with a population of over 350,000
- 21 that is a participating provider pursuant to chapter 249J:
- 22 ..... \$ 290,000

23 Disbursements under this subsection shall be made monthly.  
 24 The hospital shall submit a report following the close of the  
 25 fiscal year regarding use of the funds appropriated in this  
 26 subsection to the persons specified in this Act to receive  
 27 reports.

28 Notwithstanding section 8.39, subsection 1, without the  
 29 prior written consent and approval of the governor and the  
 30 director of the department of management, the director of human  
 31 services may transfer funds among the appropriations made in  
 32 this section as necessary to carry out the purposes of the  
 33 account for health care transformation. The department shall  
 34 report any transfers made pursuant to this section to the  
 35 legislative services agency.





1 the contrary and subject to the availability of funds, there is  
2 appropriated from the hospital health care access trust fund  
3 created in section 249M.4 to the department of human services  
4 for the fiscal year beginning July 1, 2011, and ending June  
5 30, 2012, the following amounts, or so much thereof as is  
6 necessary, for the purposes designated:

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

10 ..... \$ 39,231,000

11 2. For deposit in the nonparticipating provider  
12 reimbursement fund created in section 249J.24A to be used for  
13 the purposes of the fund:

14 ..... \$ 769,000

15 Sec. 40. MEDICAL ASSISTANCE PROGRAM — NONREVERSION  
16 FOR FY 2011-2012. Notwithstanding section 8.33, if moneys  
17 appropriated for purposes of the medical assistance program  
18 for the fiscal year beginning July 1, 2011, and ending June  
19 30, 2012, from the general fund of the state, the Medicaid  
20 fraud account, the quality assurance trust fund, and the  
21 hospital health care access trust fund, are in excess of actual  
22 expenditures for the medical assistance program and remain  
23 unencumbered or unobligated at the close of the fiscal year,  
24 the excess moneys shall not revert but shall remain available  
25 for expenditure for the purposes of the medical assistance  
26 program until the close of the succeeding fiscal year.

27 DIVISION VI

28 MH/MR/DD SERVICES ALLOWED GROWTH FUNDING FOR FISCAL YEAR  
29 2011-2012

30 Sec. 41. MENTAL HEALTH, MENTAL RETARDATION, AND  
31 DEVELOPMENTAL DISABILITIES SERVICES PROPERTY TAX  
32 RELIEF. Notwithstanding the standing appropriation in section  
33 426B.1, subsection 2, for the fiscal year beginning July 1,  
34 2011, and ending June 30, 2012, the amount appropriated from  
35 the general fund of the state pursuant to that provision shall

1 not exceed the following amount:

2 ..... \$ 81,199,911

3 Sec. 42. 2010 Iowa Acts, chapter 1193, section 1, is amended  
4 to read as follows:

5 SECTION 1. ADULT MH/MR/DD SERVICES ALLOWED GROWTH FUNDING  
6 — FY 2011-2012.

7 1. Notwithstanding section 331.439, subsection 3, the  
8 allowed growth factor adjustment for county mental health,  
9 mental retardation, and developmental disabilities service  
10 expenditures for the fiscal year beginning July 1, 2011, shall  
11 be established by statute which shall be enacted within thirty  
12 calendar days of the convening of the Eighty-fourth General  
13 Assembly, 2011 Session, on January 10, 2011. The governor  
14 shall submit to the general assembly a recommendation for such  
15 allowed growth factor adjustment and the amounts of related  
16 appropriations to the general assembly on or before January 11,  
17 2011.

18 2. The appropriation and allocations made in this section  
19 fulfill the requirements of the governor and general assembly  
20 under subsection 1.

21 3. There is appropriated from the general fund of the  
22 state to the department of human services for the fiscal year  
23 beginning July 1, 2011, and ending June 30, 2012, the following  
24 amount, or so much thereof as is necessary, to be used for the  
25 purpose designated:

26 For distribution to counties of the county mental health,  
27 mental retardation, and developmental disabilities allowed  
28 growth factor adjustment for fiscal year 2011-2012 as provided  
29 in this section in lieu of the allowed growth factor provisions  
30 of section 331.438, subsection 2, and section 331.439,  
31 subsection 3, and chapter 426B:

32 ..... \$ 48,697,893

33 Sec. 43. 2010 Iowa Acts, chapter 1193, section 1, as  
34 amended by this division of this Act, is amended by adding the  
35 following new subsections:

1 NEW SUBSECTION. 4. Of the amount appropriated in this  
2 section, \$12,000,000 shall be distributed as provided in this  
3 subsection.

4 a. To be eligible to receive a distribution under this  
5 subsection, a county must meet the following requirements:

6 (1) The county is levying for the maximum amount allowed  
7 for the county's mental health, mental retardation, and  
8 developmental disabilities services fund under section 331.424A  
9 for taxes due and payable in the fiscal year beginning July 1,  
10 2011, or the county is levying for at least 90 percent of the  
11 maximum amount allowed for the county's services fund and that  
12 levy rate is more than \$2 per \$1,000 of the assessed value of  
13 all taxable property in the county.

14 (2) In the fiscal year beginning July 1, 2009, the  
15 county's mental health, mental retardation, and developmental  
16 disabilities services fund ending balance under generally  
17 accepted accounting principles was equal to or less than 15  
18 percent of the county's actual gross expenditures for that  
19 fiscal year.

20 b. The amount of a county's distribution from the allocation  
21 made in this subsection shall be determined based upon the  
22 county's proportion of the general population of the counties  
23 eligible to receive a distribution under this subsection. The  
24 latest certified federal census issued by the United States  
25 bureau of the census shall be applied in determining population  
26 for the purposes of this paragraph.

27 c. The distributions made pursuant to this subsection  
28 are subject to the distribution provisions and withholding  
29 requirements established in this section for the county mental  
30 health, mental retardation, and developmental disabilities  
31 allowed growth factor adjustment for the fiscal year beginning  
32 July 1, 2011.

33 NEW SUBSECTION. 5. The following amount of the funding  
34 appropriated in this section is the allowed growth factor  
35 adjustment for fiscal year 2011-2012, and shall be credited to

1 the allowed growth funding pool created in the property tax  
2 relief fund and for distribution in accordance with section  
3 426B.5, subsection 1:

4 ..... \$ 36,697,893

5 NEW SUBSECTION. 6. The following formula amounts shall be  
6 utilized only to calculate preliminary distribution amounts for  
7 the allowed growth factor adjustment for fiscal year 2011-2012  
8 under this section by applying the indicated formula provisions  
9 to the formula amounts and producing a preliminary distribution  
10 total for each county:

11 a. For calculation of a distribution amount for eligible  
12 counties from the allowed growth funding pool created in the  
13 property tax relief fund in accordance with the requirements in  
14 section 426B.5, subsection 1:

15 ..... \$ 49,772,936

16 b. For calculation of a distribution amount for counties  
17 from the mental health and developmental disabilities (MH/DD)  
18 community services fund in accordance with the formula provided  
19 in the appropriation made for the MH/DD community services fund  
20 for the fiscal year beginning July 1, 2011:

21 ..... \$ 14,187,556

22 NEW SUBSECTION. 7. a. After applying the applicable  
23 statutory distribution formulas to the amounts indicated in  
24 subsection 6 for purposes of producing preliminary distribution  
25 totals, the department of human services shall apply a  
26 withholding factor to adjust an eligible individual county's  
27 preliminary distribution total. In order to be eligible for  
28 a distribution under this section, a county must be levying  
29 90 percent or more of the maximum amount allowed for the  
30 county's mental health, mental retardation, and developmental  
31 disabilities services fund under section 331.424A for taxes due  
32 and payable in the fiscal year for which the distribution is  
33 payable.

34 b. An ending balance percentage for each county shall  
35 be determined by expressing the county's ending balance on a

1 modified accrual basis under generally accepted accounting  
2 principles for the fiscal year beginning July 1, 2009, in the  
3 county's mental health, mental retardation, and developmental  
4 disabilities services fund created under section 331.424A, as a  
5 percentage of the county's gross expenditures from that fund  
6 for that fiscal year. If a county borrowed moneys for purposes  
7 of providing services from the county's services fund on or  
8 before July 1, 2009, and the county's services fund ending  
9 balance for that fiscal year includes the loan proceeds or an  
10 amount designated in the county budget to service the loan for  
11 the borrowed moneys, those amounts shall not be considered  
12 to be part of the county's ending balance for purposes of  
13 calculating an ending balance percentage under this subsection.

14 c. For purposes of calculating withholding factors and for  
15 ending balance amounts used for other purposes under law, the  
16 county ending balances shall be adjusted, using forms developed  
17 for this purpose by the county finance committee, to disregard  
18 the temporary funding increase provided to the counties for  
19 the fiscal year through the federal American Recovery and  
20 Reinvestment Act of 2009, Pub. L. No. 111-5. In addition, a  
21 county may adjust the ending balance amount by rebating to the  
22 department all or a portion of the allowed growth and MH/DD  
23 services fund moneys the county received for the fiscal year  
24 beginning July 1, 2010, in accordance with 2009 Iowa Acts,  
25 chapter 179, section 1, as amended by 2009 Iowa Acts, chapter  
26 1192, sections 47 and 48, or from any other services fund  
27 moneys available to the county. The rebate must be remitted  
28 to the department on or before June 1, 2011, in order to be  
29 counted. The amount rebated by a county shall be subtracted  
30 dollar-for-dollar from the county's ending balance amount  
31 for the fiscal year beginning July 1, 2009, for purposes of  
32 calculating the withholding factor and for other ending balance  
33 purposes for the fiscal year beginning July 1, 2011. The  
34 rebates received by the department shall be credited to the  
35 property tax relief fund and distributed as additional funding

1 for the fiscal year beginning July 1, 2011, in accordance with  
2 the formula provisions in this section.

3 d. The withholding factor for a county shall be the  
4 following applicable percent:

5 (1) For an ending balance percentage of less than 5  
6 percent, a withholding factor of 0 percent. In addition,  
7 a county that is subject to this lettered paragraph shall  
8 receive an inflation adjustment equal to 3 percent of the gross  
9 expenditures reported for the county's services fund for the  
10 fiscal year.

11 (2) For an ending balance percentage of 5 percent or more  
12 but less than 10 percent, a withholding factor of 0 percent.  
13 In addition, a county that is subject to this lettered  
14 paragraph shall receive an inflation adjustment equal to 2  
15 percent of the gross expenditures reported for the county's  
16 services fund for the fiscal year.

17 (3) For an ending balance percentage of 10 percent or more  
18 but less than 25 percent, a withholding factor of 25 percent.  
19 However, for a county that is subject to this subparagraph, the  
20 amount withheld shall be limited to the amount by which the  
21 county's ending balance was in excess of the ending balance  
22 percentage of 10 percent.

23 (4) For an ending balance percentage of 25 percent or more,  
24 a withholding percentage of 100 percent.

25 NEW SUBSECTION. 8. The total withholding amounts applied  
26 pursuant to subsection 7 shall be equal to a withholding target  
27 amount of \$13,075,453. If the department of human services  
28 determines that the amount appropriated is insufficient or  
29 the amount to be withheld in accordance with subsection 7 is  
30 not equal to the target withholding amount, the department  
31 shall adjust the withholding factors listed in subsection 7 as  
32 necessary to achieve the target withholding amount. However,  
33 in making such adjustments to the withholding factors, the  
34 department shall strive to minimize changes to the withholding  
35 factors for those ending balance percentage ranges that are

1 lower than others and shall only adjust the zero withholding  
2 factor or the inflation adjustment percentages specified in  
3 subsection 7, paragraph "d", when the amount appropriated is  
4 insufficient.

5 DIVISION VII

6 PRIOR APPROPRIATIONS AND RELATED CHANGES

7 VIETNAM CONFLICT VETERANS BONUS

8 Sec. 44. Section 35A.8A, subsection 2, paragraph d, Code  
9 2011, is amended to read as follows:

10 *d.* The person files an application for compensation under  
11 this section, in a manner determined by the department of  
12 veterans affairs, by ~~July 1, 2010~~ May 1, 2011.

13 INJURED VETERANS GRANT PROGRAM

14 Sec. 45. 2008 Iowa Acts, chapter 1187, section 69, as  
15 amended by 2009 Iowa Acts, chapter 182, section 83, and 2010  
16 Iowa Acts, chapter 1192, section 56, is amended to read as  
17 follows:

18 Notwithstanding section 8.33, moneys appropriated in this  
19 subsection that remain unencumbered or unobligated at the close  
20 of the fiscal year shall not revert but shall remain available  
21 for expenditure for the purposes designated until the close of  
22 the fiscal year beginning July 1, ~~2010~~ 2011.

23 IOWA DEPARTMENT ON AGING CASE MANAGEMENT REVIEW

24 Sec. 46. 2010 Iowa Acts, chapter 1192, section 1, subsection  
25 2, is amended to read as follows:

26 2. ~~a.~~ Of the funds appropriated in this section, \$1,246,514  
27 shall be transferred to the department of human services in  
28 equal amounts on a quarterly basis for reimbursement of case  
29 management services provided under the medical assistance  
30 elderly waiver. The department of human services shall adopt  
31 rules for case management services provided under the medical  
32 assistance elderly waiver in consultation with the department  
33 on aging.

34 ~~b. The department of human services shall review~~  
35 ~~projections for state funding expenditures for reimbursement~~



~~1 of case management services under the medical assistance  
2 elderly waiver on a quarterly basis and shall determine if an  
3 adjustment to the medical assistance reimbursement rates are  
4 necessary to provide reimbursement within the state funding  
5 amounts budgeted under the appropriations made for the fiscal  
6 year for the medical assistance program. Any temporary  
7 enhanced federal financial participation that may become  
8 available for the medical assistance program during the fiscal  
9 year shall not be used in projecting the medical assistance  
10 elderly waiver case management budget. The department of human  
11 services shall revise such reimbursement rates as necessary to  
12 maintain expenditures for medical assistance elderly waiver  
13 case management services within the state funding amounts  
14 budgeted under the appropriations made for the fiscal year for  
15 the medical assistance program.~~

16

IOWA VETERANS HOME

17 Sec. 47. 2010 Iowa Acts, chapter 1192, section 3, subsection  
18 2, is amended by adding the following new paragraph:

19 NEW PARAGRAPH. d. The funds appropriated in this subsection  
20 to the Iowa veterans home that remain available for expenditure  
21 for the succeeding fiscal year pursuant to section 35D.18,  
22 subsection 5, shall be distributed to be used in the succeeding  
23 fiscal year in accordance with this lettered paragraph. The  
24 first \$500,000 shall remain available to be used for the  
25 purposes of the Iowa veterans home. On or before October 15,  
26 2011, the department of management shall transfer the remaining  
27 balance to the appropriation to the department of human  
28 services for medical assistance.

29

MEDICAL ASSISTANCE PROGRAM

30 Sec. 48. 2010 Iowa Acts, chapter 1192, section 11, is  
31 amended by adding the following new subsection:

32 NEW SUBSECTION. 25. The department may increase the amounts  
33 allocated for salaries, support, maintenance, and miscellaneous  
34 purposes associated with the medical assistance program as  
35 necessary to implement cost containment efforts in order to

1 accomplish medical assistance program savings.

2 STATE SUPPLEMENTARY ASSISTANCE PROGRAM

3 Sec. 49. 2010 Iowa Acts, chapter 1192, section 14, is  
4 amended by adding the following new subsection:

5 NEW SUBSECTION. 4. Notwithstanding section 8.33, moneys  
6 appropriated in this section that remain unencumbered or  
7 unobligated at the close of the fiscal year shall remain  
8 available for expenditure for the purposes designated until the  
9 close of the succeeding fiscal year.

10 IOWA DEPARTMENT ON AGING CASE MANAGEMENT REVIEW

11 Sec. 50. 2010 Iowa Acts, chapter 1192, section 37,  
12 subsection 1, is amended to read as follows:

13 1. ~~a.~~ Of the funds appropriated in this section, \$1,010,000  
14 shall be transferred to the department of human services in  
15 equal amounts on a quarterly basis for reimbursement of case  
16 management services provided under the medical assistance  
17 elderly waiver.

18 ~~b.~~ ~~The department of human services shall review~~  
19 ~~projections for state funding expenditures for reimbursement~~  
20 ~~of case management services under the medical assistance~~  
21 ~~elderly waiver on a quarterly basis and shall determine if an~~  
22 ~~adjustment to the medical assistance reimbursement rates are~~  
23 ~~necessary to provide reimbursement within the state funding~~  
24 ~~amounts budgeted under the appropriations made for the fiscal~~  
25 ~~year for the medical assistance program. Any temporary~~  
26 ~~enhanced federal financial participation that may become~~  
27 ~~available for the medical assistance program during the fiscal~~  
28 ~~year shall not be used in projecting the medical assistance~~  
29 ~~elderly waiver case management budget. The department of human~~  
30 ~~services shall revise such reimbursement rates as necessary to~~  
31 ~~maintain expenditures for medical assistance elderly waiver~~  
32 ~~case management services within the state funding amounts~~  
33 ~~budgeted under the appropriations made for the fiscal year for~~  
34 ~~the medical assistance program.~~

35 Sec. 51. 2010 Iowa Acts, chapter 1192, section 44, is

1 amended to read as follows:

2 SEC. 44. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN  
3 SERVICES. Notwithstanding any provision to the contrary and  
4 subject to the availability of funds, there is appropriated  
5 from the quality assurance trust fund created in section  
6 249L.4 to the department of human services for the fiscal year  
7 beginning July 1, 2010, and ending June 30, 2011, the following  
8 amounts, or so much thereof as is necessary for the purposes  
9 designated:

10 To supplement the appropriation made in this Act from the  
11 general fund of the state to the department of human services  
12 for medical assistance:

13 .....	\$ <del>13,900,000</del>
14	<u>33,708,458</u>

15 1. Of the funds appropriated in this section, \$7,500,000  
16 shall be used for nursing facility reimbursement under the  
17 medical assistance program in accordance with the nursing  
18 facility reimbursement provisions of division IV of this  
19 Act, to continue application of the administrative rules  
20 changes relating to nursing facility reimbursement and payment  
21 procedures made pursuant to 2010 Iowa Acts, Senate File 2366,  
22 if enacted, for the fiscal year beginning July 1, 2010, and  
23 ending June 30, 2011, and to restore the 5 percent reduction  
24 made in nursing facility reimbursement in accordance with  
25 executive order number 19 issued October 8, 2009.

26 2. The costs associated with the implementation of this  
27 section shall be funded exclusively through moneys appropriated  
28 from the quality assurance trust fund, and shall result in  
29 budget neutrality to the general fund of the state for the  
30 fiscal year beginning July 1, 2010, and ending June 30, 2011.

31 MERCHANT MARINE BONUS FUND TRANSFER

32 Sec. 52. DEPARTMENT OF CULTURAL AFFAIRS — MERCHANT MARINE  
33 BONUS FUND.

34 1. The appropriation made from the merchant marine bonus  
35 fund to the department of cultural affairs for the fiscal year

1 beginning July 1, 2010, and ending June 30, 2011, in 2010 Iowa  
2 Acts, chapter 1193, section 82, shall be transferred on the  
3 effective date of this section to the department of veterans  
4 affairs to be used for departmental costs.

5 2. Moneys transferred pursuant to this section that remain  
6 unencumbered or unobligated at the close of the fiscal year  
7 shall be credited to the veterans trust fund created in section  
8 35A.13.

9 Sec. 53. FAMILY PLANNING WAIVER AND MAINTENANCE OF  
10 EFFORT. Notwithstanding 2010 Iowa Acts, chapter 1192, section  
11 11, subsection 24, the department of human services shall  
12 not amend the medical assistance waiver for the Iowa family  
13 planning network in accordance with that provision, but shall  
14 instead continue the Iowa family planning waiver in effect  
15 prior to June 30, 2011, and shall only amend the waiver to  
16 increase the income eligibility percentage above the percentage  
17 provided in the waiver in effect if necessary and only by the  
18 minimum percentage required to comply with maintenance of  
19 effort requirements.

20 Sec. 54. EFFECTIVE UPON ENACTMENT. This division of this  
21 Act, being deemed of immediate importance, takes effect upon  
22 enactment.

23 Sec. 55. RETROACTIVE APPLICABILITY. The section of  
24 this division of this Act amending section 35A.8A, applies  
25 retroactively to July 1, 2010.

26 DIVISION VIII

27 MISCELLANEOUS

28 Sec. 56. Section 232.188, subsection 5, paragraph b,  
29 unnumbered paragraph 1, Code 2011, is amended to read as  
30 follows:

31 Notwithstanding section 8.33, moneys designated for a  
32 project's decategorization services funding pool that remain  
33 unencumbered or unobligated at the close of the fiscal year  
34 shall not revert but shall remain available for expenditure as  
35 directed by the project's governance board for child welfare

1 and juvenile justice systems enhancements and other purposes of  
2 the project ~~until the close of the succeeding fiscal year and~~  
3 for the next two succeeding fiscal years. Such moneys shall be  
4 known as "*carryover funding*". Moneys may be made available to a  
5 funding pool from one or more of the following sources:

6 Sec. 57. Section 514I.5, subsection 8, paragraph h, Code  
7 2011, is amended to read as follows:

8 *h.* The amount of any cost sharing under the program which  
9 shall be assessed based on family income and which complies  
10 with federal law. The rules shall establish for children of  
11 families with incomes exceeding two hundred percent but not  
12 exceeding three hundred percent of the federal poverty level,  
13 family cost-sharing amounts, and graduated premiums based on a  
14 rationally developed sliding fee schedule, in accordance with  
15 federal law.

16 EXPLANATION

17 This bill relates to and makes appropriations for health  
18 and human services for fiscal year 2011-2012 to the department  
19 of veterans affairs, the Iowa veterans home, the department on  
20 aging, the department of public health, Iowa finance authority,  
21 state board of regents, department of inspections and appeals,  
22 and the department of human services. The bill is organized  
23 into divisions.

24 DEPARTMENT ON AGING. This division appropriates funding  
25 from the general fund of the state for the department on aging.

26 DEPARTMENT OF PUBLIC HEALTH. This division appropriates  
27 funding from the general fund of the state for the department  
28 of public health.

29 DEPARTMENT OF VETERANS AFFAIRS. This division appropriates  
30 funding from the general fund of the state for the department  
31 of veterans affairs.

32 DEPARTMENT OF HUMAN SERVICES. The division appropriates  
33 funding from the general fund of the state and the federal  
34 temporary assistance for needy families block grant to the  
35 department of human services. The allocation for the family

1 development and self-sufficiency grant program is made directly  
2 to the department of human rights.

3 An appropriation is made from the health care trust fund for  
4 the medical assistance (Medicaid) program in addition to the  
5 general fund appropriation made for this purpose.

6 The reimbursement section addresses reimbursement for  
7 providers reimbursed by the department of human services.

8 PHARMACEUTICAL SETTLEMENT ACCOUNT, IOWACARE ACCOUNT, HEALTH  
9 CARE TRANSFORMATION ACCOUNT, MEDICAID FRAUD ACCOUNT, QUALITY  
10 ASSURANCE TRUST FUND, AND HOSPITAL HEALTH CARE ACCESS TRUST  
11 FUND. This division makes appropriations for fiscal year  
12 2011-2012. The appropriation to the department of inspections  
13 and appeals is made from the Medicaid fraud account.

14 The division makes an appropriation from the pharmaceutical  
15 settlement account to the department of human services to  
16 supplement the medical contracts appropriation.

17 The division makes appropriations from the IowaCare  
18 account to the state board of regents for distribution to the  
19 university of Iowa hospitals and clinics and to the department  
20 of human services for distribution to a publicly owned acute  
21 care teaching hospital in a county with a population over  
22 350,000 related to the IowaCare program and indigent care. The  
23 division makes an appropriation to the department of human  
24 services from the health care transformation account for  
25 various health care reform initiatives.

26 Appropriations are made to supplement the Medicaid program  
27 from the following funds: quality assurance trust fund,  
28 Medicaid fraud account, and hospital health care access trust  
29 fund.

30 The division provides that if the total amount appropriated  
31 from all sources for the medical assistance program for fiscal  
32 year 2011-2012 exceeds the amount needed, the excess remains  
33 available to be used for the program in the succeeding fiscal  
34 year.

35 MH/MR/DD SERVICES ALLOWED GROWTH FUNDING FISCAL YEAR

1 2011-2012. This division allocates the appropriation made in  
2 2010 Iowa Acts, chapter 1193, for distribution to counties for  
3 adult mental illness, mental retardation, and developmental  
4 disabilities services allowed growth for fiscal year 2011-2012.

5 The standing appropriation from the general fund of the  
6 state of \$88.4 million for purposes of the property tax relief  
7 fund in Code section 426B.1 is reduced to approximately \$81.2  
8 million for FY 2011-2012.

9 PRIOR APPROPRIATIONS AND RELATED PROVISIONS. This division  
10 addresses previous appropriations and related provisions.

11 Code section 35A.8A, relating to Vietnam conflict veterans  
12 bonus compensation, is amended to change the application  
13 deadline from July 1, 2010, to May 1, 2011. This change is  
14 retroactive to July 1, 2010.

15 An existing nonreversion clause for purposes of the  
16 appropriation made for the injured veterans grant program in  
17 2008 Iowa Acts, chapter 1187, section 69, is extended through  
18 FY 2011-2012.

19 Requirements in 2010 Iowa Acts, chapter 1192, sections 1 and  
20 27, for quarterly review of reimbursement provisions for case  
21 management services under the Medicaid program elderly waiver,  
22 are deleted.

23 Funds remaining from the appropriation made in 2010 Iowa  
24 Acts, chapter 1192, section 3, for the Iowa veterans home are  
25 subject to a nonreversion clause under Code section 35D.18.  
26 The bill provides for the first \$500,000 to be used for the  
27 Iowa veterans home in the succeeding fiscal year and the  
28 remainder to be transferred to the department of human services  
29 to be used for the Medicaid program.

30 The appropriation made for the Medicaid program in 2010  
31 Iowa Acts, chapter 1192, section 11, is amended to allow the  
32 department of human services to increase the amounts allocated  
33 for staffing as necessary to implement cost containment efforts  
34 to accomplish Medicaid program savings.

35 A nonreversion clause is provided for the appropriation made

1 for the state supplementary assistance program in 2010 Iowa  
2 Acts, chapter 1192, section 14.

3 The appropriation made from the quality assurance fund in  
4 2010 Iowa Acts, chapter 1192, section 44, for the Medicaid  
5 program, is increased.

6 An appropriation made from the merchant marine bonus fund  
7 to the department of cultural affairs for FY 2010-2011 is  
8 transferred to the department of veterans affairs on the  
9 effective date of the provision. Transferred moneys remaining  
10 at the close of the fiscal year are required to be credited to  
11 the veterans trust fund.

12 MISCELLANEOUS. This division provides miscellaneous  
13 statutory provisions.

14 The division directs the department of human services to  
15 not amend the medical assistance waiver for the Iowa family  
16 planning network as provided in 2010 Iowa Acts, chapter 1192,  
17 and instead to continue the waiver as it exists on July 1,  
18 2011, and to only increase the eligibility percentage to the  
19 minimum extent necessary to comply with federal maintenance of  
20 effort requirements.

21 The nonreversion clause in Code section 232.188 applicable  
22 to carryover funding under the decategorization of child  
23 welfare funding initiative, is extended for an additional  
24 fiscal year.

25 Code section 514I.5 is amended to direct the hawk-i board  
26 to adopt rules that establish for children of families  
27 with incomes exceeding 200 percent but not 300 percent of  
28 the federal poverty level, family cost-sharing amounts and  
29 graduated premiums based on a rationally developed sliding fee  
30 schedule, in accordance with federal law.