

5. All used motor vehicles turned in to the state vehicle dispatcher shall be disposed of by public auction, and the sales shall be advertised in a newspaper of general circulation one week in advance of sale, and the receipts from the sale shall be deposited in the depreciation fund to the credit of that unit within the department or agency turning in the vehicle; except that, in the case of a used motor vehicle of special design, the state vehicle dispatcher may, with the approval of the executive council, instead of selling it at public auction, authorize the motor vehicle to be traded for another vehicle of similar design.

Sec. 13. Section 18.120, Code 1983, is amended to read as follows:

18.120 REPLACEMENT FUND. The vehicle dispatcher shall maintain a depreciation fund for the purchase of replacement motor vehicles and additions to the fleet. The dispatcher's records shall show the total funds deposited by and credited to each department or agency thereof. At the end of each month, the state vehicle dispatcher shall render a statement to each state department or agency thereof for additions to the fleet and total depreciation on each motor vehicle assigned to and owned by such credited to that department or agency. Such depreciation expense shall be paid by the state departments or agencies in the same manner as other expenses of such department are paid, and shall be deposited in the depreciation fund to the credit of the ~~individual motor vehicle within the department or agency thereof~~. The funds credited to each department or agency thereof shall remain the property of the department or agency. However, at the end of each biennium, the state vehicle dispatcher shall cause to revert to the fund from which it accumulated any unassigned depreciation.

Sec. 14. Section 2.53, Code 1983, is repealed.

Sec. 15. All federal grants to and the federal receipts of the agencies appropriated funds under this Act, not otherwise appropriated, are appropriated for the purposes set forth in the federal grants or receipts unless otherwise provided by the general assembly.

Approved June 7, 1983

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## CHAPTER 201

### CERTAIN DEPARTMENT OF SOCIAL SERVICES APPROPRIATIONS

*H.F. 641*

**AN ACT** relating to the administration and financing of current programs other than correctional and mental health programs under the jurisdiction of the department of social services for the fiscal period beginning July 1, 1983, and ending June 30, 1984.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. GENERAL ADMINISTRATION. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1983, and ending June 30, 1984, to the department of social services, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1983-1984  
Fiscal Year

1. For general administration, other than for the division of adult corrections, including salaries and support of not more than four hundred twenty-four and seven-tenths full-time equivalent positions annually not including positions in general administration relating to corrections, maintenance, and miscellaneous purposes .....

\$ 7,528,800

a. The commissioner shall develop a proposal which, if implemented, would reduce the number of upper-level management positions in the department by at least five percent. In the proposal, at least five percent of the filled positions in the table of organization of the department shall be designated as being upper-level management positions and these designated positions shall be selected from among the top twenty-five percent of the highest salaried positions in the department. The proposal shall provide for the reduction by reorganization, consolidation, layoff, attrition, or other means determined by the department, shall be based on a table of organization and the actual number of employees employed by the department on January 1, 1983, and shall be capable of implementation not later than July 1, 1984. In determining the actual number of management positions to be included in the reduction, a fractional number shall be increased or reduced to the nearest whole number. The reduction proposal may include recommendations which require legislative action, but the reduction shall be capable of implementation by July 1, 1984. The reduction proposal shall be submitted to the governor, the legislative council, and the members of the social services appropriations subcommittee by October 1, 1983. The reduction proposal shall not include reductions of personnel engaged in direct client work or contact. As used in this section, "permanent, full-time position" means a position which requires more than twenty hours per week of work for more than four consecutive months.

b. If a separate department of corrections is established and if the department of social services is renamed the department of human services, the commissioner of human services shall work with the director of the department of corrections in providing for the transfer of necessary funding for staff and support from the department of human services to the department of corrections. If the separate department of corrections is established, the proposal required to be developed in paragraph a shall apply only to the staff who will continue to be employees of the department of human services.

2. For purchases of motor fuel and special fuel .....

\$ 12,825

3. For distribution of federal surplus commodities, including salaries and support, maintenance, and miscellaneous purposes .....

\$ 100,000

For the fiscal year beginning July 1, 1983, and ending June 30, 1984, the department may receive and there is appropriated, in addition to its appropriations from the general fund of the state, such funds from damages awarded to the state by the civil antitrust judgment involving the sale of chickens, to the department for use in the distribution of federal surplus commodities, if the judgment allows the funds received to be used for such purposes.

Sec. 2. FIELD OPERATIONS. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1983, and ending June 30, 1984, to the department of social services for the division of field operations, the following amounts, or so much thereof as is necessary:

1983-1984  
Fiscal Year

1. For salaries and support of not more than two thousand one hundred ninety-four full-time equivalent positions annually, maintenance, and miscellaneous purposes .....	\$ 21,005,100
2. For purchases of motor fuel and special fuel .....	\$ 43,463

Sec. 3. SPECIAL PROGRAMS. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1983, and ending June 30, 1984, to the department of social services, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1983-1984  
Fiscal Year

**SPECIAL PROGRAMS**

1. For aid to families with dependent children .....	\$ 64,000,000
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a. The department shall establish the schedule of basic needs for two persons at three hundred five dollars. The department shall establish the schedule of living costs for one person at one hundred fifty-four dollars, for two persons at four hundred dollars, for three persons at four hundred ninety-four dollars, for four persons at five hundred seventy-two dollars, for five persons at six hundred thirty-two dollars, for six persons at seven hundred three dollars, for seven persons at seven hundred seventy-three dollars, for eight persons at eight hundred forty-three dollars, for nine persons at nine hundred thirteen dollars, for ten persons at nine hundred eighty-three dollars, and for each additional person at seventy dollars per person.

The department shall not withhold an amount greater than ten percent of the schedule of basic needs in recouping an overpayment due to an error by a recipient under the aid to families with dependent children program, unless the recipient elects to have a greater amount withheld. If an overpayment is due to an error by the department, the department shall not withhold an amount greater than one percent of the schedule of basic needs, unless the recipient elects to have a greater amount withheld. However, if in a case of departmental error the amount withheld will not recoup the overpayment within twenty-four months, the department may establish a recoupment schedule which will recoup the overpayment over a twenty-four month period, provided the amount withheld does not exceed five percent of the schedule of basic needs.

b. The department of social services shall provide benefits under an unemployed parent program under the aid to families with dependent children program. The department shall withdraw its waiver request to the United States department of health and human services and shall not limit grants under the unemployed parent program to six months for any eligible group. The department may require a participant to apply for a certain number of jobs either on a monthly or a weekly basis.

c. The department shall provide assistance under the aid to families with dependent children program to eighteen year old persons in accordance with federal regulations.

d. The department shall seek to operate a community work program in each county for unemployed parents by contracting at reasonable cost with county boards of supervisors or another local organization designated by both the county board of supervisors and the department. The county board of supervisors or the designated local organization may charge the entity responsible for a work site a reasonable fee to cover the cost of workers' compensation liability insurance provided by or through the board or organization which is not reimbursed

through federal participation, and the administrative costs in providing the insurance, to program participants employed at the work site. However, the fee shall be the actual cost of coverage and administration, not to exceed fifty-five cents per hour per participant.

The work schedule of a participating unemployed parent who is employed in or obtains unsubsidized employment shall be arranged so that the work schedule does not interfere with the participant's ability to retain the unsubsidized employment. A participant shall be required to work only during those hours normally worked by regular employees at the work site, but shall not be required to work between the hours of six o'clock p.m. and seven o'clock a.m., unless the participant voluntarily agrees to work between those hours. A participant shall not be required to work on the participant's sabbath, on legal federal holidays, or on state public holidays, unless the participant voluntarily agrees to work on those days. A participant shall not be required to work more than four days per week.

With the approval of the department, a participant may establish the participant's own work program by arranging and performing voluntary community service work with an approved nonprofit agency which agrees to meet all requirements of the program.

In addition to the basic grant under the aid to families with dependent children program, a recipient shall receive a monthly allowance for costs incurred while participating in a community work program as provided by departmental rule. If a participant's work expenses exceed twenty-five dollars per month, the number of hours the participant is required to work shall be reduced, unless the government entity or nonprofit agency pays the excess expenses. Mileage expenses shall be calculated at eighteen cents per mile under the program. Clothing, shoes, gloves, and health and safety equipment necessary for the performance of work at a work site under the program, which the participant does not already possess, shall be provided to the participant by the entity responsible for the work site. The items provided shall remain the property of the entity responsible for the work site, unless the participant and the entity responsible for the work site agree to a different arrangement. Work sites under the program are subject to the occupational safety and health standards adopted pursuant to chapter 88 and federal law.

The department shall give each participant a copy of the rules and procedures governing the community work program. The procedures shall include notice of a participant's right to appeal any disqualification or decision affecting the participant under the program, the time limits for the appeal, and the conditions for continuance of the grant under the aid to families with dependent children program. The procedures shall include a grievance procedure for public complaints regarding the displacement of regular workers with participants. Upon the filing of a complaint, the department shall require the establishment of local impartial boards consisting of representatives of the legal profession, organized labor, private industry, and the department to hear and resolve the complaints. The department shall refer all complaints regarding violations of occupational safety and health standards to the labor commissioner.

Participation in a program funded under the federal Job Training Partnership Act, Pub. L. No. 97-300, meets the participation requirements of the community work program.

e. Of the funds appropriated in this subsection, one hundred sixty-five thousand (165,000) dollars, or so much thereof as is necessary, is appropriated to the department to continue the coordinated manpower services demonstration projects for recipients of aid to families with dependent children in two of the department's districts. The department shall continue the current monthly incentive allowances for participants in the coordinated manpower services demonstration projects.

The department shall administer the coordinated manpower services demonstration projects in such a manner as to assure the availability to the projects of the maximum amount of funds available to local service delivery areas under the federal Job Training Partnership Act,

Pub. L. No. 97-300. After March 31, 1984, funds appropriated in section 2 of this Act and allocated to the coordinated manpower services demonstration projects shall not be expended for job training.

2. For medical assistance, including reimbursement for abortion services, which shall be available under the medical assistance program only for those abortions which are medically necessary. Medically necessary abortions are those performed under any of the following conditions:

- a. The attending physician certifies that continuing the pregnancy would endanger the life of the pregnant woman.
- b. The attending physician certifies that the fetus is physically deformed, mentally deficient, or afflicted with a congenital illness.
- c. The pregnancy is the result of a rape which is reported within forty-five days of the incident to a law enforcement agency or public or private health agency which may include a family physician.
- d. The pregnancy is the result of incest which is reported within one hundred fifty days of the incident to a law enforcement agency or public or private health agency which may include a family physician.

e. Any spontaneous abortion, commonly known as a miscarriage, if not all of the products of conception are expelled ..... \$ 129,050,000

Medical assistance shall be made available to children under twenty-one years of age who meet all eligibility criteria of the aid to families with dependent children program except that the children are not deprived of parental support.

The maximum co-payments allowed by federal law or regulation shall be placed on all optional services to all recipients under the medical assistance program. A fixed co-payment shall be established for each optional service. The co-pay requirement shall not apply to the services if federal law or regulation prohibits application of the requirement. However, a co-payment shall not be imposed on services furnished to individuals in residential care facilities.

3. For contractual services-medical carrier ..... \$ 2,040,000  
4. For work and training programs ..... \$ 42,000

5. For child support recoveries, including salary and support of not more than ninety-six full-time equivalent positions annually, except as otherwise provided in this subsection, maintenance, and miscellaneous purposes ..... \$ 830,000

The commissioner of social services, within the limitations of the funds appropriated in this subsection or funds transferred from the aid to families with dependent children program for this purpose, may establish new positions and add additional employees to the child support recovery unit when the commissioner determines that additional employees can reasonably be expected to recover for the aid to families with dependent children program and the nonpublic assistance support recovery program more than twice the amount of money required to pay the salary and support for those additional employees. The department shall demonstrate the cost effectiveness of the additional employees by reporting to the social services appropriations subcommittee the ratio of the total amount of administrative costs for child support recoveries to the total amount of the child support recoveries.

6. For state supplementary assistance, including state supplementary assistance for the blind ..... \$ 7,250,000

The department of social services shall increase the personal needs allowance for eligible persons residing in residential care facilities by two dollars on July 1, 1983.

7. For aid to Indians under section 252.43 ..... \$ 36,000

The tribal council shall not use more than ten percent of the funds for administrative expenses.

8. For home-based services ..... \$ 4,540,000

Of the funds appropriated by this subsection, nine hundred sixty thousand (960,000) dollars, or so much thereof as is necessary, is appropriated for the development and establishment of family-centered services in all districts of the department where such services are currently not available.

9. For foster care ..... \$ 20,950,000

The department, based on the recommendation of each district administrator, may transfer a portion of the funds appropriated by this subsection to the districts for use in providing in-home services designed to prevent the placement of children outside their own homes or to reunite children, who have been placed in foster care, with their parents. The commissioner of social services shall not transfer the funds unless the commissioner determines that the transfer will be cost effective.

No more than forty-five percent of all children in foster care funded under Title IV, Part E of the federal Social Security Act shall be in foster care for more than twenty-four months.

10. For community-based services ..... \$ 1,593,000

a. Of the funds appropriated by this subsection, two hundred seventy-five thousand (275,000) dollars, or so much thereof as is necessary, is appropriated to assist child care centers under section 237A.13.

Notwithstanding section 237A.13, subsection 4, funds unencumbered as of April 30, 1984, shall not be reallocated unless the unencumbered funds reclaimed exceed two thousand dollars.

b. Of the funds appropriated by this subsection, one hundred twenty thousand (120,000) dollars, or so much thereof as is necessary, is appropriated for child abuse prevention services.

c. Of the funds appropriated by this subsection, one hundred thousand (100,000) dollars, or so much thereof as is necessary, is appropriated for programs for displaced homemakers, and one hundred thousand (100,000) dollars, or so much thereof as is necessary, is appropriated for programs for victims of domestic abuse.

Funds appropriated by this paragraph for programs for displaced homemakers and for victims of domestic abuse may be used to provide start-up moneys for programs which will develop community support and establish means of support independent of long-term state funding. Where possible, special programs receiving state funds under this paragraph for more than one year should be established to receive declining amounts of state funding after the first twelve months of full operation and to be supported locally after thirty-six months of operation. Special programs deviating from these guidelines shall be reported to the joint social services appropriations subcommittee. The department shall consult persons knowledgeable in the respective subjects of domestic abuse and displaced homemakers with respect to establishment and selection of the programs.

d. Of the funds appropriated by this subsection, five hundred thousand (500,000) dollars, or so much thereof as is necessary, is appropriated to provide grants for community-based juvenile services to reduce the need for long-term state juvenile institutional placements and to encourage home-based treatment programs as alternatives to state juvenile institutional care. The department shall approve grants for additional community-based residential beds only if the beds are designed specifically to reduce the population at state juvenile institutions.

The commissioner of social services shall pay from funds appropriated by this subsection, as the entitled aid from the state under section 232.142, subsection 4, one-half of one percent of the total cost of the establishment, improvements, operation, and maintenance of approved county or multicounty juvenile homes.

11. For county-based reimbursement under section 232.141, subsection 4, paragraph d ..... \$ 1,600,000

A judge of the juvenile court shall certify the reasonableness of compensation paid to an attorney and charged to a county under section 232.141, subsection 1. The certification shall include a review of the hourly fee and the hours of service billed to the county.

The department shall collect information on expenses charged to the counties under section 232.141 and on the expenses reimbursed by the state under section 232.141, subsection 4, paragraph d, and shall report the information to the social services appropriations subcommittee by January 15, 1984. The report shall include a breakdown of the services and expenses charged and reimbursed under section 232.141. The department shall recommend cost containment alternatives which limit reimbursements under section 232.141, subsection 4, paragraph d.

12. For operation of the state training school and the Iowa juvenile home:

a. For salaries and support of not more than two hundred one full-time equivalent positions annually at the state training school, and of not more than one hundred fifteen full-time equivalent positions annually at the Iowa juvenile home, maintenance, and miscellaneous purposes ..... \$ 7,478,000

b. For purchases of motor fuel and special fuel ..... \$ 21,375

Within the limitations of the funds appropriated in this subsection, the department may establish new positions for two youth service workers for night coverage and for responding to emergency situations at the Iowa juvenile home.

13. For volunteers ..... \$ 83,000

Sec. 4. BLOCK GRANT SUPPLEMENTATION. There is appropriated from the general fund of this state for the fiscal year beginning July 1, 1983, and ending June 30, 1984, to the department of social services for supplementation of federal social services block grant funds and for allocation to the various counties for the purchase of local services for eligible individuals, the following amount, or so much thereof as is necessary:

1983-1984  
Fiscal Year  
\$ 3,115,000

1. The department shall increase the current income guidelines for income eligible persons receiving services funded with federal social services block grant funds by five and one-half percent for the fiscal year beginning July 1, 1983. The department shall allocate the funds appropriated by this section to the districts and then to the counties within the districts. Fifty percent of the allocation to each county shall be based on the county's allocation for the fiscal year beginning July 1, 1982, and the other fifty percent of the allocation shall be based on the federal poverty level in the county as determined by the United States census bureau. The county shall match every three dollars of funds allocated to the county with one dollar of local funds. The county board of supervisors shall determine, in accordance with departmental rules, the services which the county will fund. A county may use up to four percent of the

federal social services block grant funds and funds allocated to the county under this section for the purchase of child day care services without matching the federal and state funds with local funds.

2. A person receiving sheltered work or work activity services is eligible for funding under the federal social services block grant if the person's income, other than income from sheltered work or work activities, does not exceed the income eligibility standard for the person's family size, adopted by the department by rule. An eligible person may retain all income up to the income eligibility standard and one-half of all income above the standard. The eligible person shall pay the remaining one-half of the income to the provider as a client participation fee and the department's reimbursement to the provider shall be reduced by the same amount. If the required client participation fee equals or exceeds the department's reimbursement to the provider, the person is no longer eligible. However, if federal law or regulation prohibits the provider from collecting client participation fees, the department shall establish eligibility and income guidelines in accordance with the rules which were in effect immediately prior to July 1, 1983.

3. Notwithstanding 770 Iowa administrative code, rule 132.4(2)(b), if a recipient under the aid to families with dependent children program who is eligible for the child care work expense deduction under the program declines to take the deduction, the recipient is eligible for child day care services if the services are funded in the county plan for use of federal social services block grant funds in the county in which the recipient resides.

#### Sec. 5. REIMBURSEMENT RATES.

1. The current reimbursement methodologies under the medical assistance program shall be retained. Except for inpatient and outpatient hospital services, skilled nursing facility services, intermediate care facility services, intermediate care facility services for the mentally retarded, home health agency services, rural health clinic services, and rehabilitation agency services, the current reimbursement rates for medical assistance providers shall not be increased by more than six percent for the fiscal year beginning July 1, 1983.

a. Physician fees reimbursed under the medical assistance program shall be limited to the amount of reimbursements under 770 Iowa administrative code, rule 79.1(2), as effective on July 1, 1983, or to the amount of reimbursements allowed by application of the economic index under Title XVIII of the federal Social Security Act, whichever is less.

b. Medical assistance payments for all mandatory and optional services, except for hospital services, physician services, intermediate care facility services, intermediate care facility services for the mentally retarded, services provided to recipients in state mental health institutes, medical transportation services other than ambulance services, and the material costs of products which are reimbursed at the acquisition cost, shall be reduced by a factor of two and one-half percent.

c. Beginning July 1, 1983, the basis for establishing the maximum medical assistance reimbursement rate for intermediate care facilities shall be the seventy-fourth percentile of all facilities' per diems as calculated from the June 30, 1981 compilation of unaudited financial and statistical reports, increased by a six percent inflation factor. The compilation is composed of facility cost reports received prior to May 1, 1981.

d. The department shall study the cost-effectiveness of establishing a limited formulary of nonlegend drugs prescribed by a physician and eligible for reimbursement under the medical assistance program and the appropriate reimbursement rate to pharmacists for providing these nonlegend drugs under the formulary. The department shall report the results of the study to the general assembly by January 15, 1984. However, the department may implement a reimbursement program under a formulary prior to January 15, 1984, if the department determines that the program would be cost-effective.



2. For the fiscal year beginning July 1, 1983:

a. The maximum reimbursement rate for residential care facilities utilizing the cost-related reimbursement system shall be established at the point where fifty-one percent of all state supplementary assistance recipients who are residential care facility residents are receiving full cost coverage for care, based on actual facility rates on file with the department on August 1, 1982.

b. The flat reimbursement rate for residential care facilities shall be established at eleven dollars and eighty-five cents per day.

3. For the fiscal year beginning July 1, 1983, the current reimbursement rates for all foster family homes shall be increased, on the average, by six percent. However, that average increase shall be distributed in such a manner as to increase the reimbursements to all foster family age categories by the same dollar amount.

The department shall reimburse a licensed or approved public or private juvenile shelter care facility in this state, pursuant to rule, for the services provided by the facility for which the department is authorized to pay, subject to the maximum reimbursement rate established by rule. In lieu of the reimbursement for the actual services provided, a facility may choose to receive a uniform monthly payment. The department shall calculate a facility's uniform monthly payment rate by multiplying the facility's unit cost by either the actual average monthly utilization rate for the facility for the last completed twelve-month period or the projected average monthly utilization rate for the facility for the current twelve-month period, whichever is greater. The applicable utilization rate shall not exceed the licensed or approved capacity of the facility. If the uniform monthly payments to the facility exceed the facility's allowable costs, the facility shall reimburse the department the excess amount. If a facility which receives a uniform monthly payment provides units of service in excess of the facility's applicable monthly utilization rate over a six-month period, the department shall semiannually pay the facility an amount calculated by multiplying the facility's unit cost by the number of excess units of service provided.

4. The current reimbursement rate for subsidized adoptions under section 3, subsection 8 of this Act shall be increased by six percent for the fiscal year beginning July 1, 1983 and shall be distributed in the same manner as foster family home reimbursements.

5. For the fiscal year beginning July 1, 1983, the current reimbursement rates for purchase of service providers shall be increased by no more than six percent. If a provider's current reimbursement rate on June 30, 1983, is fifteen percent less than the provider's previous reimbursement rate, the department shall not apply the allowable percentage increase to the current rate, but shall apply the increase to the average of the provider's actual cost-based rates issued during the period beginning July 1, 1981, and ending June 30, 1983. If a provider's current reimbursement rate is lower than the cost-based rate which the provider could charge, the department shall not apply the allowable percentage increase to the current rate, but shall apply the increase to the cost-based rate the provider could charge. The department, in conjunction with providers participating in the purchase of service system, shall study the current reimbursement system for purchase of services and shall recommend to the social services appropriations subcommittee changes in the system to make the system more equitable.

6. The department shall collect information relating to the method of reimbursing optometrists and psychologists under the medical assistance program and shall make a recommendation concerning the adoption of a percentile reimbursement methodology to the social services appropriations subcommittee during the 1984 session of the general assembly. Optometrists and psychologists shall cooperate with the department in the collection of the information, and beginning July 1, 1983, shall include their usual, customary, and reasonable charges on their medical assistance reimbursement forms.

**Sec. 6. INVOLUNTARY TRANSFERS.** If a skilled nursing facility or an intermediate care facility receives payments under Title XIX of the federal Social Security Act for one or more patients in the facility, the facility shall not involuntarily transfer any patient to another facility if that patient had previously been receiving medical assistance under chapter 249A for care in the facility and has been disqualified for that medical assistance because of an increase in income, but agrees to pay all of the patient's income and resources not exempt under guidelines in Title XIX of the federal Social Security Act for continued care in the facility and that payment equals or exceeds the medical assistance reimbursement rate for the particular facility.

**Sec. 7. WAIVER.** The department, in conjunction with provider and consumer groups, shall develop a proposal for a statewide program of home and community-based services to be provided under a waiver under Title XIX of the federal Social Security Act. The department may include in the proposal one or more pilot projects or limited coverage programs of services funded under a Title XIX waiver if the costs of the community-based services provided to eligible persons will not exceed the costs of institutional services which would otherwise be provided to the eligible persons. The proposal shall include the provision of in-home health services under the state supplementary assistance program. The department shall report the plan to the general assembly in January, 1984. The department shall report its progress in developing the waiver proposal to the governor, to the legislative council, and to the members of the social services appropriations subcommittee by October 1, 1983. The report shall include the impact of the waiver proposal on the funding of in-home health services under the state supplementary assistance program. The department shall seek to implement the waiver proposal no later than March 31, 1984.

**Sec. 8. TRANSFERS.** Except as provided in section 3, subsection 5 of this Act, funds appropriated under section 3, subsections 1, 2, and 11 of this Act, shall not be transferred or used for any other purposes than specified in those subsections, notwithstanding section 8.39. However, funds appropriated under section 3, subsections 1, 2, and 11 of this Act may be transferred under section 8.39 among those subsections and may be used for the purposes specified in those subsections.

**Sec. 9. ADDITIONAL STAFF.** Notwithstanding the limitations on full-time equivalent positions in section 1, subsection 1, section 2, subsection 1, and section 3, subsections 5 and 12 of this Act, the department of social services may add staff above the limitations if the department receives additional federal funding not originally anticipated and budgeted, including but not limited to increased federal funding from the Emergency Jobs Appropriations Act, Pub. L. No. 98-8.

**Sec. 10. FEDERAL FUNDS.** All federal grants to and the federal receipts of the department of social services are appropriated for the purposes set forth in the federal grants or receipts.

**Sec. 11. CAPITAL IMPROVEMENTS EXCLUDED.** Funds appropriated by this Act shall not be used for capital improvements.

**Sec. 12.** The department of social services shall adopt administrative rules under section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph b, relating to the recoupment of overpayments, the community work program, and the coordinated manpower services demonstration projects under the aid to families with dependent children program in section 3, subsection 1, paragraphs a, d, and e of this Act, medical assistance co-payments in section 3, subsection 2 of this Act, raising income guidelines for income eligible persons, allocations to the counties and sheltered work and work activity services under the social services block grant supplementation program in section 4 of this Act, and medical assistance, purchase of

service provider, and other reimbursements in section 5 of this Act, and may adopt administrative rules under section 17A.4, subsection 2 and section 17A.5, subsection 2, paragraph b, relating to the schedule of basic needs and the schedule of living costs, the unemployed parent program, and benefits to eighteen year old persons under the aid to families with dependent children program in section 3, subsection 1, paragraphs a, b, and c of this Act, medical assistance benefits to children under twenty-one years of age in section 3, subsection 2 of this Act, personal needs allowances under the state supplementary assistance program in section 3, subsection 6 of this Act, and child day care services under the social services block grant supplementation program in section 4 of this Act, and the rules shall become effective immediately upon filing, unless a later effective date is specified in the rules.

Sec. 13. Section 249A.4, subsection 8, unnumbered paragraph 1, Code 1983, is amended to read as follows:

Shall advise and consult at least semiannually with a council composed of the president, or his or her the president's representative who is a member of the professional organization represented by the president, of the Iowa Medical Society ~~medical society~~, the Iowa Society ~~society~~ of Osteopathic Physicians ~~osteopathic physicians~~ and Surgeons ~~surgeons~~, the Iowa State Dental Society ~~state dental society~~, the Iowa State Nurses Association ~~state nurses association~~, the Iowa Pharmaceutical Association ~~pharmacists association~~, the Iowa Podiatry Society ~~podiatry society~~, the Iowa Optometric Association ~~optometric association~~, the community mental health centers association of Iowa, the Iowa psychological association, the Iowa Hospital Association ~~hospital association~~, the Iowa Osteopathic Hospital Association ~~osteopathic hospital association~~, opticians' association of Iowa ~~Ophthalmic Dispensers, Inc., (opticians)~~ and the Iowa Nursing Home Association ~~health care association~~, the Iowa assembly of home health agencies, the Iowa council of health care centers, and the Iowa association of homes for the aging, together with one person designated by the Iowa state board of chiropractic examiners; one state representative from each of the two major political parties appointed by the speaker of the house, one state senator from each of the two major political parties appointed by the lieutenant governor, each for a term of two years; the president or the president's representative of the association for retarded citizens; four public representatives, two of whom shall be appointed each year by the governor for staggered terms of two years each, and none of whom shall be members of, or practitioners of or have a pecuniary interest in any of the professions or businesses represented by, any of the several professional groups and associations specifically represented on the council under this subsection, and at least one of whom shall be a recipient of medical assistance; the commissioner of public health, or a representative designated by ~~him~~ the commissioner, and the dean of the college of medicine, University ~~university~~ of Iowa, or a representative designated by ~~him~~ the dean.

Approved June 8, 1983