

Sec. 15. Section 384.12, Code 1993, is amended by adding the following new subsection: NEW SUBSECTION. 18A. A tax to fund an emergency medical services district under chapter 357G.

Sec. 16. This Act is retroactively applicable to districts established on or after January 1, 1993.

Approved April 14, 1994

---

**CHAPTER 1076**  
**TARGETED BUSINESSES**  
*H.F. 2403*

**AN ACT** relating to direct purchasing from vendors for the purpose of attaining targeted small business procurement goals.

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

Section 1. Section 10A.104, subsection 8, Code Supplement 1993, is amended to read as follows:

8. Establish by rule standards and procedures for certifying that targeted small businesses are eligible to participate in the procurement set-aside program and that small businesses are eligible to participate in the construction procurement set-aside program established in sections 73.15 through 73.21. The procedure for determination of eligibility shall not include self-certification by a business. Rules and guidelines adopted pursuant to this subsection are subject to review and approval by the director of the department of management. The director shall maintain a current directory of targeted small businesses which have been certified pursuant to this subsection.

Sec. 2. Section 15.102, subsection 5, Code 1993, is amended to read as follows:

5. a. "Targeted small business" means a small business which is fifty-one percent or more owned, operated, and actively managed by one or more women, ~~or~~ minority persons, or persons with a disability provided the business meets all of the following requirements:

a. (1) Is located in this state.

b. (2) Is operated for profit.

c. (3) Has an annual gross income of less than three million dollars computed as an average of the three preceding fiscal years.

b. As used in this subsection:

(1) "~~minority~~ Minority person" means an individual who is a Black, Hispanic, Asian or Pacific Islander, American Indian, or Alaskan native American.

(2) "Disability" means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of the individual, a record of physical or mental impairment that substantially limits one or more of the major life activities of the individual, or being regarded as an individual with a physical or mental impairment that substantially limits one or more of the major life activities of the individual. "Disability" does not include any of the following:

(a) Homosexuality or bisexuality.

(b) Transvestitism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identify\* disorders not resulting from physical impairments, or other sexual behavior disorders.

(c) Compulsive gambling, kleptomania, or pyromania.

(d) Psychoactive substance abuse disorders resulting from current illegal use of drugs.

\*"identity" probably intended

(3) “Major life activity” includes functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, or working.

Sec. 3. Section 15.241, unnumbered paragraphs 1, 2, and 4, Code 1993, are amended to read as follows:

A “self-employment loan program account” is established within the strategic investment fund created in section 15.313 to provide funding for the self-employment loan program which is to be conducted in coordination with the job training partnership program and other programs administered under section 15.108, subsection 6, paragraph “c”. The department may contract with local community action agencies or other local entities in administering the program, and shall work with the department of employment services and the department of human services in developing the program. The department shall cooperate with the division of vocational rehabilitation under the department of education to implement a business development initiative for entrepreneurs with disabilities.

The self-employment loan program shall administer a low-interest loan program to provide loans to low-income persons and persons with disabilities for the purpose of establishing or expanding small business ventures. The terms of the loans shall be determined by the department, but shall not be in excess of ten thousand dollars to any single applicant or at a rate to exceed five percent simple interest per annum. The department shall maintain records of all loans approved and the effectiveness of those loans in establishing or expanding small business ventures.

Payments of interest, recaptures of awards, and repayments of moneys loaned under this program shall be deposited into the strategic investment fund. Receipts from loans or grants under the business development initiative for entrepreneurs with disabilities may be maintained in a separate account within the fund.

Sec. 4. Section 18.6, subsection 8, unnumbered paragraph 1, Code 1993, is amended to read as follows:

The director shall establish rules providing that any state agency may, upon request, purchase directly from a vendor if the direct purchasing is as economical or more economical than purchasing through the department, or upon a showing that direct purchasing by the state agency would be in the best interests of the state due to an immediate or emergency need. The rules shall include a provision permitting a state agency to purchase directly from a vendor, on the agency’s own authority, if the purchase will not exceed five thousand dollars and the purchase will contribute to the agency complying with or exceeding the targeted small business procurement goals under sections 73.15 through 73.21.

Sec. 5. Section 73.16, subsection 2, Code 1993, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Of the total value of anticipated procurements of goods and services under this subsection, an additional goal shall be established to procure at least forty percent from minority-owned businesses, and forty percent from female-owned businesses.

Sec. 6. **ENTREPRENEURS WITH DISABILITIES.** From the moneys appropriated for small business programs in House File 2415,\* section 1, subsection 2, paragraph “b”, if enacted, to the business development division of the department of economic development, \$40,000 shall be used to match federal funds to design and implement a business development initiative for entrepreneurs with disabilities. The business development division shall develop a program to provide technical and financial assistance to help persons with disabilities to become self-sufficient and create additional employment opportunities by establishing or expanding small business ventures. The division shall enter into an interagency agreement with the division of vocational rehabilitation of the department of education to implement the program. The

\*Chapter 1201 herein

purpose of the interagency agreement is to strengthen initial placements and long-term successes of individuals with disabilities through self-employment, by combining the business expertise of the department of economic development with the experience of the division of vocational rehabilitation of the department of education in working with people with disabilities. The business development division shall design the program to make the maximum amount of resources expended by the business development of the department of economic development eligible for federal reimbursement.

Approved April 14, 1994

---

## CHAPTER 1077

### SCREENING AND ASSESSMENT FOR NURSING FACILITY PLACEMENT

*H.F. 582*

**AN ACT** relating to the establishment of a screening and assessment pilot program to determine the appropriateness of community-based services for elders considering placement or residing in a nursing facility.

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

#### Section 1. PREADMISSION SCREENING AND ASSESSMENT PILOT PROGRAM.

1. As used in this section, unless the context otherwise requires:

- a. "Assessment" means a face-to-face conference between a case management program assessor and the elder which includes an evaluation of physical health, cognitive and emotional status, activities of daily living, transportation needs, a support system, the physical environment, and the financial status of the elder.
- b. "Case management program for elders" means a comprehensive system administered by the department as specified in this chapter.
- c. "Department" means the department of elder affairs.
- d. "Elder" means a person sixty-five years of age or older.
- e. "Nursing facility" means a nursing facility as defined in section 135C.1.
- f. "Screening" means an initial review to determine if a face-to-face comprehensive assessment by a case management program assessor is necessary prior to admission or following admission to a nursing facility.

2. Beginning July 1, 1994, and ending June 30, 1996, the department shall administer a preadmission screening and assessment pilot program for elders seeking admission to nursing facilities, in three to six counties in the state, which have existing case management programs for elders, in consultation with area agencies on the aging, service providers, and the peer review organization. The counties selected shall represent both rural and urban populations. Unless an elder is exempt from the preadmission screening and assessment pilot program pursuant to subsection 5 or 6, an elder shall not be admitted to a nursing facility in a participating county prior to completion of a preadmission screening and, if necessary, an assessment.

3. The department shall determine the appropriate agency to conduct the screening program.

a. The screening shall include but is not limited to a utilization review for the level of care needed and the identification of mental illness, mental retardation, and related mental health conditions of an elder.

b. The screening shall be conducted not more than three months prior to the application for admission of the elder to a nursing facility. If the screening of an elder has not been completed during the three-month period prior to the application for admission, the nursing facility shall request a screening prior to the admission of the elder.