

CHAPTER 1200

APPROPRIATIONS – HEALTH AND HUMAN RIGHTS

H.F. 2376

AN ACT relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, and the commission of veterans affairs.

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

Section 1. DEPARTMENT FOR THE BLIND. There is appropriated from the general fund of the state to the department for the blind for the fiscal year beginning July 1, 1994, and ending June 30, 1995, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

.....	\$	1,370,334
.....	FTEs	95.00

Sec. 2. CIVIL RIGHTS COMMISSION. There is appropriated from the general fund of the state to the Iowa state civil rights commission for the fiscal year beginning July 1, 1994, and ending June 30, 1995, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

.....	\$	1,083,962
.....	FTEs	29.00

1. The department shall seek alternatives to travel through the use of video and teleconferencing technology.

2. If the anticipated amount of federal funding from the federal equal employment opportunity commission and the federal department of housing and urban development exceeds \$387,900 during the fiscal year beginning July 1, 1994, and ending June 30, 1995, the Iowa state civil rights commission may exceed their authorized staffing level to hire additional professional staff to investigate employment and housing complaints.

Sec. 3. DEPARTMENT OF ELDER AFFAIRS. There is appropriated from the general fund of the state to the department of elder affairs for the fiscal year beginning July 1, 1994, and ending June 30, 1995, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	429,287
.....	FTEs	28.50

The department shall seek alternatives to travel through the use of video and teleconferencing technology.

2. For aging programs and services:

.....	\$	2,319,893
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All funds appropriated in this subsection shall be received and disbursed by the director of elder affairs for aging programs and services, shall not be used by the department for administrative purposes, not more than \$151,654 shall be used for area agencies on aging administrative purposes, and shall be used for citizens of Iowa over 60 years of age for case management for the frail elderly, mental health outreach, Alzheimer's support, retired senior volunteer program, care review committee coordination, employment, adult day care, respite care, chore services, telephone reassurance, information and assistance, and home repair services, including the winterizing of homes, and for the construction of entrance ramps which make residences

accessible to the physically handicapped. Funds appropriated in this subsection may be used to supplement federal funds under federal regulations. Funds appropriated in this subsection may be used for elderly services not specifically enumerated in this subsection only if approved by an area agency on aging for provision of the service within the area.

The department shall maintain policies and procedures regarding Alzheimer's support and the retired senior volunteer program. To receive funds appropriated in this subsection, a local area agency on aging shall match the funds with funds from other sources according to rules promulgated by the department.

Sec. 4. DEPARTMENT OF PUBLIC HEALTH. There is appropriated from the general fund of the state to the Iowa department of public health for the fiscal year beginning July 1, 1994, and ending June 30, 1995, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. a. PLANNING AND ADMINISTRATION DIVISION

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

.....	\$	2,044,397
.....	FTEs	60.40

The department shall seek alternatives to travel through the use of video and teleconferencing technology.

Of the funds appropriated in this lettered paragraph, \$743,949 shall be used for the chronic renal disease program. The types of assistance available to eligible recipients under the program may include hospital and medical expenses, home dialysis supplies, insurance premiums, travel expenses, prescription and nonprescription drugs, and lodging expenses for persons in training. The program expenditures shall not exceed this allocation. If projected expenditures will exceed the allocation, the department shall establish by administrative rule a mechanism to reduce financial assistance under the renal disease program in order to keep expenditures within the allocations.

Hospitals shall not collect fees for birth certificates in excess of the fees as set out in the administrative rules of the Iowa department of public health.

Of the funds appropriated in this lettered paragraph, \$100,000 shall be used to provide regulatory oversight of accountable health plans.

b. PROFESSIONAL LICENSURE

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

.....	\$	745,895
.....	FTEs	11.00

The department shall confer with the boards funded under this lettered paragraph in estimating the boards' annual fee generation and administrative costs. When the department develops each board's annual budget, a board's budget shall not exceed 85 percent of fees collected, based on the average of the previous two years.

c. HEALTH DELIVERY SYSTEMS

(1) For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,264,037
.....	FTEs	17.00

(2) Of the funds appropriated in this lettered paragraph, \$149,151 is allocated for the office of rural health to provide technical assistance to rural areas in the area of health care delivery.

(3) Of the funds appropriated in this lettered paragraph, \$1,010,886 shall be used for the training of emergency medical services (EMS) personnel at the state, county, and local levels.

If a person in the course of responding to an emergency renders aid to an injured person and becomes exposed to bodily fluids of the injured person, that emergency responder shall be entitled to hepatitis testing and immunization in accordance with the latest available medical technology to determine if infection with hepatitis has occurred. The person shall be

entitled to reimbursement from the EMS funds available under this lettered paragraph only if the reimbursement is not available through any employer or third-party payor.

(4) Of the funds appropriated in this lettered paragraph, \$104,000 shall be used to develop, implement, and maintain rural health provider recruitment and retention efforts.

d. HEALTH DATA COMMISSION

For the health data commission:

..... \$ 240,250

The funds appropriated in this lettered paragraph shall be used for the collection, verification, updating, and storage of data, including long-term care data, received pursuant to chapters 145 and 255A, and for the production of mandated reports. The health data commission shall establish a fee schedule, in consultation with its consultant, for the costs of providing data to organizations which request the data. The fee established shall be based upon the marginal cost and a portion of the fixed cost of providing the data.

Prior to December 1, 1994, the commission shall submit to the general assembly a useful, comprehensive report for use by members of the general assembly in making informed decisions on public policy issues involving health.

2. HEALTH PROTECTION DIVISION

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 2,246,543
..... FTEs 75.37

b. Of the funds appropriated in this subsection, \$75,000 shall be used for chlamydia testing.

c. Of the funds appropriated in this subsection, \$15,000 is allocated to support the surveillance and reporting of disabilities suffered by persons engaged in agriculture resulting from diseases or injuries, including identifying the amount and severity of agriculture-related injuries and diseases in the state, identifying causal factors associated with agriculture-related injuries and diseases, and evaluating the effectiveness of intervention programs designed to reduce injuries and diseases. The department shall cooperate with the department of agriculture and land stewardship, Iowa state university of science and technology, and the college of medicine at the state university of Iowa in accomplishing these duties.

d. Of the funds appropriated in this subsection, \$74,547 shall be used for the lead abatement program.

e. Of the funds appropriated in this subsection, \$38,046 shall be used for radon program activities. The department shall also retain \$30,000 of federal radon funds for additional radon program activities.

f. The state university of Iowa hospitals and clinics shall not receive indirect costs from the funds appropriated in this subsection.

g. The division shall seek alternatives to travel through the use of video and teleconferencing technology.

3. SUBSTANCE ABUSE AND HEALTH PROMOTION DIVISION

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 604,663
..... FTEs 27.73

The department shall seek alternatives to travel through the use of video and teleconferencing technology.

(1) The division shall create a task force composed of substance abuse treatment and prevention providers regardless of funding source to study treatment and prevention service areas and the fiscal implications of awarding funds to more than one provider per service area.

(2) The substance abuse division of the department of public health shall investigate the feasibility of applying for a grant to receive federal "section 402," "motorcycle helmet" transfer funds, pursuant to 23 U.S.C. § 402 and 49 U.S.C. Appx. § 2302, to be used for adolescent

substance abuse prevention and, if feasible, shall apply for the funds.

(3) It is the intent of the general assembly that by July 1, 1997, the commission on substance abuse, in conjunction with the division, shall coordinate delivery of substance abuse services involving prevention, social and medical detoxification, and other treatment by medical and nonmedical providers to uninsured and court-ordered substance abuse patients in all counties of the state. The department of public health shall apply for a grant to receive federal "section 402," "motorcycle helmet" transfer funds, pursuant to 23 U.S.C. § 402 and 49 U.S.C. Appx. § 2302, for an amount up to \$500,000 to be used for court-ordered social and medical detoxification. If the grant moneys are received, the department shall develop a payment formula which provides an initial partial reimbursement at a percentage rate established by rule for services of covered claims during the first quarter of the fiscal year. At the end of each quarter of the fiscal year, the department shall compare the amount expended and adjust reimbursement for the upcoming quarter payments to each provider which uniformly increases or decreases the reimbursement percentage to the level permitted by the fiscal quarter's appropriation, but not exceeding 100 percent reimbursement. The formula for payment to providers shall balance formula factors of financial need of the providers, county per capita usage, and maximum daily rate. If funds remain for a quarter reimbursing at 100 percent, they shall be carried over to the next quarter. Moneys provided under this subparagraph shall not be used to supplant any existing funds. An annual report shall be provided to the legislative fiscal bureau on all claims submitted to the division for uninsured and court-ordered medical and social detoxification. A plan outlining the coordination activities and projects shall be developed by January 1, 1995. Projects under the plan shall be implemented during the fiscal year beginning July 1, 1995, and ending June 30, 1996, provided the projects can be funded within budget limitations.

b. For program grants:

..... \$ 8,390,159

Of the funds appropriated in this lettered paragraph, \$193,500 shall be used for the provision of aftercare services for persons completing substance abuse treatment.

4. FAMILY AND COMMUNITY HEALTH DIVISION

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 3,042,496
..... FTEs 58.50

(1) Of the funds appropriated in this lettered paragraph at least \$587,865 shall be allocated for the birth defects and genetics counseling program and of these funds, \$279,402 shall be allocated for regional genetic counseling services contracted from the state university of Iowa hospitals and clinics under the control of the state board of regents.

(2) Of the funds appropriated in this lettered paragraph, the following amounts shall be allocated to the state university of Iowa hospitals and clinics under the control of the state board of regents for the following programs under the Iowa specialized child health care services:

(a) Mobile and regional child health specialty clinics:

..... \$ 392,931

The regional clinic located in Sioux City shall maintain a social worker component to assist the families of children participating in the clinic program.

(b) Muscular dystrophy and related genetic disease programs:

..... \$ 115,613

(c) Statewide perinatal program:

..... \$ 61,693

(3) The birth defects and genetic counseling service shall apply a sliding fee scale to determine the amount a person receiving the services is required to pay for the services. These fees shall be considered repayment receipts and used for the program.

(4) Of the funds allocated to the mobile and regional child health specialty clinics in subparagraph (2), subparagraph subdivision (a), \$97,937 shall be used for a specialized medical home

care program providing care planning and coordination of community support services for children who require technical medical care in the home.

(5) The state university of Iowa hospitals and clinics shall not receive indirect costs from the funds for each program.

(6) Of the funds appropriated in this lettered paragraph, \$1,001,209 shall be used for maternal and child health services.

(7) The Iowa department of public health shall administer the statewide maternal and child health program, conduct mobile and regional child health specialty clinics, and conduct other activities to improve the health of low-income women and children and to promote the welfare of children with actual or potential handicapping conditions and chronic illnesses in accordance with the requirements of Title V of the federal Social Security Act.

(8) The department shall budget for the fiscal year beginning July 1, 1995, for the programs in the family and community health division in accordance with the performance-based budgeting method. Notwithstanding section 8.23, the department is not required to submit a budget for the programs using 75 percent based budgeting and decision package methodology.

The department shall track the programs which were in the family and community health division in the fiscal year beginning July 1, 1991, in accordance with the program performance-based budgeting method.

(9) The department shall work with the department of elder affairs to realize the "Healthy Iowans 2000" goal of providing nutrition screening to 90 percent of the elderly persons participating in well-elderly screening clinics, congregate meal programs, and home care aide programs, and shall submit a progress report to the general assembly by January 1, 1995, regarding the number of personnel trained and the number of persons served.

(10) The department shall continue efforts to realize the "Healthy Iowans 2000" goal of the involvement of 50 counties in the Iowa community nutrition coalition and shall submit a progress report to the general assembly by January 1, 1995.

(11) The department shall seek alternatives to travel through the use of video and teleconferencing technology.

b. Sudden infant death syndrome autopsies:

For reimbursing counties for expenses resulting from autopsies of suspected victims of sudden infant death syndrome required under section 331.802, subsection 3, paragraph "j":

..... \$ 9,675

c. For grants to local boards of health for the public health nursing program:

..... \$ 2,511,871

(1) Funds appropriated in this lettered paragraph shall be used to maintain and expand the existing public health nursing program for elderly and low-income persons with the objective of preventing or reducing inappropriate institutionalization. The funds shall not be used for any other purpose. As used in this lettered paragraph, "elderly person" means a person who is 60 years of age or older and "low-income person" means a person whose income and resources are below the guidelines established by the department.

(2) One-fourth of the total amount to be allocated shall be divided so that an equal amount is available for use in each county in the state. Three-fourths of the total amount to be allocated shall be divided so that the share available for use in each county is proportionate to the number of elderly and low-income persons living in that county in relation to the total number of elderly and low-income persons living in the state.

(3) In order to receive allocations under this lettered paragraph, the local board of health having jurisdiction shall prepare a proposal for the use of the allocated funds available for that jurisdiction that will provide the maximum benefits of expanded public health nursing care to elderly and low-income persons in the jurisdiction. After approval of the proposal by the department, the department shall enter into a contract with the local board of health. The local board of health shall subcontract with a nonprofit nurses' association, an independent nonprofit agency, or a suitable local governmental body to use the allocated funds to provide public health nursing care. Local boards of health shall make an effort to prevent duplication of services.

(4) If by July 30 of the fiscal year, the department is unable to conclude contracts for use of the allocated funds in a county, the department shall consider the unused funds appropriated under this lettered paragraph an unallocated pool. If the unallocated pool is \$50,000 or more it shall be reallocated to the counties in substantially the same manner as the original allocations. The reallocated funds are available for use in those counties during the period beginning January 1 and ending June 30 of the fiscal year. If the unallocated pool is less than \$50,000, the department may allocate it to counties with demonstrated special needs for public health nursing.

(5) The department shall maintain rules governing the expenditure of funds appropriated by this lettered paragraph. The rules shall require each local agency receiving funds to establish and use a sliding fee scale for those persons able to pay for all or a portion of the cost of the care.

(6) The department shall annually evaluate the success of the public health nursing program. The evaluation shall include the extent to which the program reduced or prevented inappropriate institutionalization, the extent to which the program increased the availability of public health nursing care to elderly and low-income persons, and the extent of public health nursing care provided to elderly and low-income persons. The department shall submit a report of each annual evaluation to the governor and the general assembly.

d. For grants to county boards of supervisors for the home care aide program:

..... \$ 8,586,716

Funds appropriated in this lettered paragraph shall be used to provide home care aide services with emphasis on services to elderly and persons below the poverty level and children and adults in need of protective services with the objective of preventing or reducing inappropriate institutionalization. In addition, up to 15 percent of the funds appropriated in this lettered paragraph may be used to provide chore services. The funds shall not be used for any other purposes. In providing services to elderly persons, the service provider shall coordinate efforts with the integrated case management for the frail elderly program of the department of elder affairs. As used in this lettered paragraph:

(1) "Chore services" means services provided to individuals or families, who, due to incapacity, or illness, are unable to perform certain home maintenance functions. The services include but are not limited to yard work such as mowing lawns, raking leaves, and shoveling walks; window and door maintenance such as hanging screen windows and doors, replacing windowpanes, and washing windows; and minor repairs to walls, floors, stairs, railings, and handles. It also includes heavy house cleaning which includes cleaning attics or basements to remove fire hazards, moving heavy furniture, extensive wall washing, floor care or painting, and trash removal.

(2) "Elderly person" means a person who is 60 years of age or older.

(3) "Home care aide services" means services intended to enhance the capacity of household members to attain or maintain the independence of the household members and provided by trained and supervised workers to individuals or families, who, due to the absence, incapacity, or limitations of the usual homemaker, are experiencing stress or crisis. The services include but are not limited to essential shopping, housekeeping, meal preparation, child care, respite care, money management and consumer education, family management, personal services, transportation and providing information, assistance, and household management.

(4) "Low-income person" means a person whose income and resources are below the guidelines established by the department.

(5) "Protective services" means those home care aide services intended to stabilize a child's or an adult's residential environment and relationships with relatives, caretakers, and other persons or household members in order to alleviate a situation involving abuse or neglect or to otherwise protect the child or adult from a threat of abuse or neglect.

The amount appropriated in this lettered paragraph shall be allocated for use in the counties of the state. Fifteen percent of the amount shall be divided so that an equal amount is available for use in each county in the state. The following percentages of the remaining amount

shall be allocated to each county according to that county's proportion of residents with the following demographic characteristics: 60 percent according to the number of elderly persons living in the county, 20 percent according to the number of persons below the poverty level living in the county, and 20 percent according to the number of substantiated cases of child abuse in the county during the three most recent fiscal years for which data is available.

In order to receive allocations in this lettered paragraph, the county board of supervisors, after consultation with the local boards of health, human services county cluster boards, area agency on aging advisory council, local office of the department of human services, and other in-home health care provider agencies in the jurisdiction, shall prepare a proposal for the use of the allocated funds available for that jurisdiction that will provide the maximum benefits of home care aide services to elderly and low-income persons and children and adults in need of protective services in the jurisdiction. An agency requesting service or financial information about a current subcontractor shall provide similar information concerning its own home care aide or chore services program to the current subcontractor. The proposal may provide that a maximum of 15 percent of the allocated funds will be used to provide chore services. The proposal shall include a statement assuring that children and adults in need of protective services are given priority for home care aide services and that the appropriate local agencies have participated in the planning for the proposal. After approval of the proposal by the department, the department shall enter into a contract with the county board of supervisors or a governmental body designated by the county board of supervisors. The county board of supervisors or its designee shall subcontract with a nonprofit nurses' association, an independent nonprofit agency, the department of human services, or a suitable local governmental body to use the allocated funds to provide home care aide services and chore services providing that the subcontract requires any service provided away from the home to be documented in a report available for review by the department, and that each home care aide subcontracting agency shall maintain the direct service workers' time assigned to direct client service at 70 percent or more of the workers' paid time and that not more than 35 percent of the total cost of the service be included in the combined costs for service administration and agency administration. The subcontract shall require that each home care aide subcontracting agency shall pay the employer's contribution of social security and provide workers' compensation coverage for persons providing direct home care aide service and meet any other applicable legal requirements of an employer-employee relationship.

If by July 30 of the fiscal year, the department is unable to conclude contracts for use of the allocated funds in a county, the department shall consider the unused funds appropriated in this lettered paragraph an unallocated pool. The department shall also identify any allocated funds which the counties do not anticipate spending during the fiscal year. If the anticipated excess funds to any county are substantial, the department and the county may agree to return those excess funds, if the funds are other than program revenues, to the department, and if returned, the department shall consider the returned funds a part of the unallocated pool. The department shall, prior to February 15 of the fiscal year, reallocate the funds in the unallocated pool among the counties in which the department has concluded contracts under this lettered paragraph. The department shall also review the first 10 months' expenditures for each county in May of the fiscal year, to determine if any counties possess contracted funds which they do not anticipate spending. If such funds are identified and the county agrees to release the funds, the released funds will be considered a new reallocation pool. The department may, prior to June 1 of the fiscal year, reallocate funds from this new reallocation pool to those counties which have experienced a high utilization of protective service hours for children and dependent adults.

The department shall maintain rules governing the expenditure of funds appropriated in this lettered paragraph. The rules require each local agency receiving funds to establish and use a sliding fee scale for those persons able to pay for all or a portion of the cost of the services and shall require the payments to be applied to the cost of the services. The department shall also maintain rules for standards regarding training, supervision, recordkeeping, appeals, program evaluation, cost analysis, and financial audits, and rules specifying reporting requirements.

The department shall annually evaluate the success of the home care aide program. The evaluation shall include a description of the program and its implementation, the extent of local participation, the extent to which the program reduced or prevented inappropriate institutionalization, the extent to which the program provided or increased the availability of home care aide services to elderly and low-income persons and children and adults in need of protective services, any problems and recommendations concerning the program, and an analysis of the costs of services across the state. The department shall submit a report of the annual evaluation to the governor and the general assembly.

e. For the development and maintenance of well-elderly clinics in the state:
..... \$ 585,337

Appropriations made in this lettered paragraph shall be provided by a formula to well-elderly clinics located in counties which provide funding on a matching basis for the well-elderly clinics.

f. For the physician care for children program:
..... \$ 411,187

The physician services shall be subject to managed care and selective contracting provisions and shall be used to provide treatment of the children in a physician's office and shall include coverage of diagnostic procedures and prescription drugs required for the treatment. Services provided under this lettered paragraph shall be reimbursed according to medical assistance reimbursement rates.

g. For primary and preventive health care for children:
..... \$ 75,000

Funds appropriated in this lettered paragraph shall be for the public purpose of providing a renewable grant, following a request for proposals, to a statewide charitable organization within the meaning of section 501(c)(3) of the Internal Revenue Code which was organized prior to April 1, 1989, and has as one of its purposes the sponsorship or support for programs designed to improve the quality, awareness, and availability of health care for the young, to serve as the funding mechanism for the provision of primary health care and preventive services to children in the state who are uninsured and who are not eligible under any public plan of health insurance, provided all of the following conditions are met:

- (1) The organization shall provide a match of four dollars in advance of each state dollar provided.
(2) The organization coordinates services with new or existing public programs and services provided by or funded by appropriate state agencies in an effort to avoid inappropriate duplication of services and ensure access to care to the extent as is reasonably possible. The organization shall work with the Iowa department of public health, family and community health division, to ensure duplication is minimized.
(3) The organization's governing board includes in its membership representatives from the executive and legislative branches of state government.
(4) Grant funds are available as needed to provide services and shall not be used for administrative costs of the department or the grantee.

h. For the healthy family program:
..... \$ 665,000

The moneys appropriated in this lettered paragraph shall be granted pursuant to 1992 Iowa Acts, Second Extraordinary Session, chapter 1001, section 415. The administrative entities shall work collaboratively to assure continuity of the provision of services from the prenatal to the preschool period to an individual client by having a single resource mother work with that client. The department shall submit an annual report to the general assembly concerning the efficiency of the program and make any recommendations for improvements.

5. STATE BOARD OF DENTAL EXAMINERS

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

..... \$ 257,049
..... FTEs 4.00

The board shall seek alternatives to travel through the use of video and teleconferencing technology.

6. STATE BOARD OF MEDICAL EXAMINERS

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

.....	\$	979,949
.....	FTEs	18.00

The board shall seek alternatives to travel through the use of video and teleconferencing technology.

7. STATE BOARD OF NURSING EXAMINERS

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

.....	\$	874,166
.....	FTEs	16.00

The board shall seek alternatives to travel through the use of video and teleconferencing technology.

8. STATE BOARD OF PHARMACY EXAMINERS

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

.....	\$	652,224
.....	FTEs	11.00

The board shall seek alternatives to travel through the use of video and teleconferencing technology.

9. The state board of medical examiners, the state board of pharmacy examiners, the state board of dental examiners, and the state board of nursing examiners shall prepare estimates of projected receipts to be generated by the licensing, certification, and examination fees of each board as well as a projection of the fairly apportioned administrative costs and rental expenses attributable to each board. Each board shall annually review and adjust its schedule of fees so that, as nearly as possible, projected receipts equal projected costs.

10. The state board of medical examiners, the state board of pharmacy examiners, the state board of dental examiners, and the state board of nursing examiners shall retain their individual executive officers, but are strongly encouraged to share administrative, clerical, and investigative staffs to the greatest extent possible.

11. A local health care provider or nonprofit health care organization seeking grant moneys administered by the department of public health shall provide documentation that the provider or organization has coordinated its services with other local entities providing similar services.

Sec. 5. DEPARTMENT OF HUMAN RIGHTS. There is appropriated from the general fund of the state to the department of human rights for the fiscal year beginning July 1, 1994, and ending June 30, 1995, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. CENTRAL ADMINISTRATION DIVISION

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

.....	\$	176,836
.....	FTEs	6.60

The division shall seek alternatives to travel through the use of video and teleconferencing technology.

2. COMMUNITY ACTION AGENCIES DIVISION

For the expenses of the community action agencies commission:

.....	\$	3,401
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The division shall seek alternatives to travel through the use of video and teleconferencing technology.

3. DEAF SERVICES DIVISION

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

.....	\$	288,900
.....	FTEs	8.00

The fees collected by the division for provision of interpretation services by the division to obligated agencies shall be disbursed pursuant to the provisions of section 8.32, and shall be dedicated and used by the division for the provision of continued and expanded interpretation services.

4. PERSONS WITH DISABILITIES DIVISION

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

.....	\$	101,393
.....	FTEs	2.00

The division shall seek alternatives to travel through the use of video and teleconferencing technology.

5. LATINO AFFAIRS DIVISION

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

.....	\$	96,003
.....	FTEs	2.00

The division shall seek alternatives to travel through the use of video and teleconferencing technology.

6. STATUS OF WOMEN DIVISION

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

.....	\$	391,644
.....	FTEs	4.50

a. Of the funds appropriated in this subsection, at least \$125,775 shall be spent for the displaced homemaker program.

b. Of the funds appropriated in this subsection, at least \$42,570 shall be spent for domestic violence and sexual assault-related grants.

c. Of the funds appropriated in this subsection, at least \$45,241 shall be spent for the mentoring project for family investment program participants developed in accordance with section 239.22.

The division shall seek alternatives to travel through the use of video and teleconferencing technology.

7. STATUS OF AFRICAN-AMERICANS DIVISION

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

.....	\$	85,877
.....	FTEs	2.00

The division shall seek alternatives to travel through the use of video and teleconferencing technology.

8. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

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

.....	\$	363,866
.....	FTEs	9.75

The division shall seek alternatives to travel through the use of video and teleconferencing technology.

a. The criminal and juvenile justice planning advisory council and the juvenile justice advisory council shall coordinate their efforts in carrying out their respective duties relative to juvenile justice.

b. Of the funds appropriated in this subsection, at least \$36,300 shall be spent for expenses relating to the administration of federal funds for juvenile assistance. It is the intent of the general assembly that the department of human rights employ sufficient staff to meet the federal funding match requirements established by the federal office for juvenile justice delinquency prevention. The governor's advisory council on juvenile justice shall determine the staffing level necessary to carry out federal and state mandates for juvenile justice.

9. PROGRAM PERFORMANCE-BASED BUDGETING. The department shall track all appropriations made to the programs of the department in the fiscal year beginning July 1, 1995, in accordance with the program performance-based budgeting method.

10. GRANT WRITING. The divisions of the department of human rights shall retain their individual administrators, but are strongly encouraged to share staff to the greatest extent possible and especially for the purpose of grant writing.

Sec. 6. COMMISSION OF VETERANS AFFAIRS. There is appropriated from the general fund of the state to the commission of veterans affairs for the fiscal year beginning July 1, 1994, and ending June 30, 1995, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. COMMISSION OF VETERANS AFFAIRS ADMINISTRATION

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

.....	\$	147,244
.....	FTEs	4.00

The commission shall seek alternatives to travel through the use of video and teleconferencing technology.

The commission of veterans affairs may use the gifts accepted by the chairperson of the commission of veterans affairs, or designee, and other resources available to the commission for use at its Camp Dodge office. The commission shall report annually to the governor and the general assembly on monetary gifts received by the commission for the Camp Dodge office.

2. WAR ORPHANS

For the war orphans educational aid fund established pursuant to chapter 35:

.....	\$	4,800
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3. IOWA VETERANS HOME

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

.....	\$	35,432,032
.....	FTEs	777.08

The veterans home shall seek alternatives to travel through the use of video and teleconferencing technology.

The Iowa veterans home may use the gifts accepted by the chairperson of the commission of veterans affairs and other resources available to the commission for use at the Iowa veterans home.

If medical assistance revenues are expanded at the Iowa veterans home, and this expansion results in medical assistance reimbursements which exceed the amount budgeted for that purpose in the fiscal year beginning July 1, 1994, and ending June 30, 1995, the Iowa veterans home may expend the excess amounts to exceed the number of full-time equivalent positions authorized in this section for the purpose of meeting related certification requirements or to provide additional beds. The expenditure of additional funds received, as outlined in this paragraph, is subject to the approval by the department of management. Any funds which are saved by reorganizing the department of human rights pursuant to Senate File 2144, if enacted by the Seventy-fifth General Assembly,** shall be appropriated to the veterans home.

Sec. 7. INTERIM STUDIES – SUBSTANCE ABUSE CARE AND TREATMENT PROGRAM AND DEPARTMENT OF HUMAN RIGHTS.

1. The legislative council is requested to provide for a study of programs and services available in this state for substance abuse care and treatment, the continuum of needs of substance

*Item veto; see message at end of the Act
**Senate File 2144 not enacted

abusers and whether the needs are being met satisfactorily, funding available for substance abuse care and treatment, including federal and state moneys, and payment mechanisms for the care and treatment, including medical assistance and third-party sources of payment, and the limitations of the payment. The study shall include a report to the general assembly, with recommendations to address identified problem areas on or before January 15, 1995.

2. An interim committee is requested to be established by the legislative council to study the organizational structure of the department of human rights. The study shall include but not be limited to an examination of the administrative costs of the department, the costs and benefits of relocation of divisions of the department into other departments, and the continued viability of the department as a separate unit of government. Proposals for change in the organizational structure of the department shall be presented to the general assembly by January 1, 1995.

Sec. 8. LEASE-PURCHASE — BUDGET SUBMISSION. This section applies to each state agency receiving an appropriation in this Act. The departmental estimate required under section 8.23 for the fiscal period beginning July 1, 1995, which includes the state agency, shall provide an itemized list indicating the nature and amount of each lease-purchase contract payment included in the estimate for proposed contracts which have not been reported by the state agency to the legislative fiscal committee of the legislative council pursuant to section 8.46 prior to the submission of the estimate. The governor shall include in the governor's budget for the fiscal year beginning July 1, 1995, a listing indicating the nature and amount of each lease-purchase contract which was itemized in a departmental estimate in accordance with this section and is included in the governor's budget. A state agency receiving an appropriation in this Act shall not enter into a lease-purchase contract during the fiscal year beginning July 1, 1995, unless the contract was itemized in a departmental estimate and included in the governor's budget in accordance with this section.

Sec. 9. Section 35.9, Code 1993, is amended to read as follows:

35.9 EXPENDITURE BY COMMISSION.

The commission of veterans affairs may expend not more than ~~four~~ six hundred dollars per year for any one child who has lived in the state of Iowa for two years preceding application for aid, and who is the child of a person who died during World War I between the dates of April 6, 1917, and June 2, 1921, or during World War II between the dates of September 16, 1940, and December 31, 1946, both dates inclusive, or the Korean Conflict between June 25, 1950, and January 31, 1955, both dates inclusive, or the Vietnam Conflict between August 5, 1964, and May 7, 1975, both dates inclusive, or the Persian Gulf Conflict at any time between August 2, 1990, and the date the president or the congress of the United States declares a permanent cessation of hostilities, both dates inclusive, while serving in the military or naval forces of the United States, to include members of the reserve components performing service or duties required or authorized under chapter 39, United States Code and Title 32, United States Code, sections 502 through 505, and active state service required or authorized under chapter 29A, or as a result of such service, to defray the expenses of tuition, matriculation, laboratory and similar fees, books and supplies, board, lodging, and any other reasonably necessary expense for such child or children incident to attendance in this state at an educational or training institution of college grade, or in a business or vocational training school with standards approved by the commission of veterans affairs. However, if congress enacts a date different from August 2, 1990, as the beginning of the Persian Gulf Conflict for purposes of determining whether a veteran is entitled to receive military benefits as a veteran of the Persian Gulf Conflict, that date shall be substituted for August 2, 1990.

A child eligible to receive funds under this section shall not receive more than ~~two~~ three thousand dollars under this section during the child's lifetime.

*Item veto; see message at end of the Act

Approved May 13, 1994, except the items which I hereby disapprove and which are designated as Section 5, subsection 9 in its entirety; and Section 8 in its entirety. My reasons for vetoing these items are delineated in the item veto message pertaining to this Act to the Secretary of State this same date, a copy of which is attached hereto.

TERRY E. BRANSTAD, *Governor*

Dear Madam Secretary:

I hereby transmit House File 2376, an Act relating to and making appropriations to the Department for the Blind, the Iowa State Civil Rights Commission, the Department of Elder Affairs, the Iowa Department of Public Health, the Department of Human Rights, and the Commission of Veterans Affairs.

House File 2376 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the item designated as Section 5, subsection 9, in its entirety. This provision would require the Department of Human Rights to utilize performance-based budgeting in preparing and monitoring the department's budget. Performance-based budgeting will be applied on a test basis to track the appropriations of one division within the Department of Public Health. Until a determination can be made regarding the benefit to the state of using a different method of budgeting, it would be premature to impose this requirement on an entire department.

I am unable to approve the item designated as Section 8, in its entirety. This provision restricts executive branch agencies in their ability to enter into lease-purchase agreements. While the additional review and oversight of lease-purchase contracting by state agencies may be worthwhile, this provision does not allow agencies the flexibility they need to respond to situations which cannot be planned, e.g. emergencies and new federal requirements.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in House File 2376 are hereby approved as of this date.

Sincerely,

TERRY E. BRANSTAD, *Governor*