

determined by a court of competent jurisdiction to be unenforceable due to the state's constitutional limitations on its ability to pay the obligation, then that state shall use its best efforts to obtain an appropriation to pay the obligation, and, if the state is a party state, its right to have low-level radioactive waste generated within its borders disposed of at compact facilities, or a noncompact facility made available to the region by an agreement entered into by the commission pursuant to article III, section h, subsection 6, shall be suspended until the appropriation is obtained.

Approved April 4, 1996

CHAPTER 1052

DEPARTMENT OF INSPECTIONS AND APPEALS – MISCELLANEOUS PROVISIONS H.F. 2230

AN ACT relating to the duties of the department of inspections and appeals concerning liens on improper provider payments from the department of human services, the administration of certain health care statutes, and the conducting of audits.

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

Section 1. Section 10A.104, subsection 9, Code Supplement 1995, is amended to read as follows:

9. Administer and enforce this chapter, and chapters 99B, 135B, 135C, 135G, 135H, 135J, 137A, 137B, 137C, 137D, and 137E.

Sec. 2. Section 10A.108, subsection 1, unnumbered paragraph 1, Code 1995, is amended to read as follows:

If a person refuses or neglects to repay benefits or provider payments inappropriately obtained from the department of human services, the amount inappropriately obtained, including any interest, penalty, or costs attached to the amount, constitutes a debt and is a lien in favor of the state upon all property and any rights or title to or interest in property, whether real or personal, belonging to the person for the period established in subsection 2, with the exception of property which is exempt from execution pursuant to chapter 627.

Sec. 3. Section 10A.302, subsections 1 and 5, Code 1995, are amended by striking the subsections.

Approved April 4, 1996