

Sec. 9. Section 514I.8, subsection 2, paragraph c, Code 1999, is amended to read as follows:

c. Is a member of a family whose ~~adjusted gross~~ income does not exceed ~~one two~~ hundred ~~eighty-five~~ percent of the federal poverty level, as defined in 42 U.S.C. § 9902(2), including any revision required by such section.

Sec. 10. Section 514I.10, Code 1999, is amended to read as follows:

514I.10 COST SHARING.

1. Cost sharing for eligible children whose family ~~adjusted gross~~ income is at or below one hundred fifty percent of the federal poverty level shall not exceed the standards permitted under 42 U.S.C. § 1396(o)(a)(3) or § 1396(o)(b)(1).

2. Cost sharing for eligible children whose family ~~adjusted gross~~ income is between one hundred fifty percent and ~~one two~~ hundred ~~eighty-five~~ percent of the federal poverty level shall include a premium or copayment amount which is at least a minimum amount but which does not exceed five percent of the annual family ~~adjusted gross~~ income. The amount of the premium or the copayment amount shall be based on ~~a sliding fee scale established by rule which is based on~~ family ~~adjusted gross~~ income and the size of the family.

Sec. 11. EMERGENCY RULES. If specifically authorized by a provision of this Act, the department of human services may adopt administrative rules under section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph "b", to implement the provisions and the rules shall become effective immediately upon filing, unless the effective date is delayed by the administrative rules review committee, notwithstanding section 17A.4, subsection 5, and section 17A.8, subsection 9, or a later effective date is specified in the rules. Any rules adopted in accordance with the provisions of this section shall also be published as notice of intended action as provided in section 17A.4 no later than June 14, 2000.

Sec. 12. EFFECTIVE DATE — RETROACTIVE APPLICABILITY. Section 2 of this Act, relating to appropriation of funding for the appropriation of funds to the Iowa department of public health for a tobacco use prevention and control program, being deemed of immediate importance, takes effect upon enactment and is retroactively applicable to April 1, 2000. Section 11 of this Act, being deemed of immediate importance, takes effect upon enactment.

Approved May 5, 2000

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## CHAPTER 1222

### APPROPRIATIONS — HEALTH AND HUMAN RIGHTS

S.F. 2429

**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, the governor's office of drug control policy, and the commission of veterans affairs, and providing effective dates and retroactive applicability provisions.

*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, 2000,

and ending June 30, 2001, 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:

.....	\$	1,784,950
.....	FTEs	106.50

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, 2000, and ending June 30, 2001, 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:

.....	\$	1,222,910
.....	FTEs	38.50

If the anticipated amount of federal funding from the federal equal employment opportunity commission and the federal department of housing and urban development exceeds \$736,000 during the fiscal year beginning July 1, 2000, the Iowa state civil rights commission may exceed the staffing level authorized in this section to hire additional staff to process or to support the processing of employment and housing complaints during that fiscal year.

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, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

.....	\$	5,070,492
.....	FTEs	30.00

a. Of the funds appropriated in this subsection, \$4,371,598 shall be received and disbursed by the director of elder affairs for aging programs and services. These funds shall not be used by the department for administrative purposes, and 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, resident advocate 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.

b. Funds appropriated in this subsection may be used to supplement federal funds under federal regulations. To receive funds appropriated in this subsection, a local area agency on aging shall match the funds with moneys from other sources according to rules adopted by the department. Funds appropriated in this 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.

c. It is the intent of the general assembly that the Iowa chapters of the Alzheimer's association and the case management program for the frail elderly shall collaborate and cooperate fully to assist families in maintaining family members with Alzheimer's disease in the community for the longest period of time possible.

d. The department shall maintain policies and procedures regarding Alzheimer's support and the retired senior volunteer program.

2. The department may grant an exception for a limited period of time, determined by the department to be reasonable, to allow for compliance by persons regulated by the department or applicants for assisted living certification with any part of chapter 104A relative to

buildings in existence on July 1, 1998. The determination of the period of time allowed for compliance shall be commensurate with the anticipated magnitude of expenditure, disruption of services, and the degree of hazard presented. The department shall also be authorized to modify the accessibility requirements otherwise applicable to such applicants for buildings in existence on July 1, 1998, if the department determines that compliance with the requirements would be unreasonable, but only if it is determined that noncompliance with the requirements would not present an unreasonable degree of danger.

Sec. 4. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. There is appropriated from the general fund of the state to the governor's office of drug control policy for the fiscal year beginning July 1, 2000, and ending June 30, 2001, 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:

.....	\$	506,659
.....	FTEs	13.00

2. For statewide coordination of the drug abuse resistance education (D.A.R.E.) program:

.....	\$	80,000
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Sec. 5. 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, 2000, and ending June 30, 2001, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADDICTIVE DISORDERS

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

.....	\$	2,360,907
.....	FTEs	21.65

a. The department shall continue to coordinate with substance abuse treatment and prevention providers regardless of funding source to assure the delivery of substance abuse treatment and prevention programs.

b. The commission on substance abuse, in conjunction with the department, shall continue to coordinate the 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.

2. ADULT WELLNESS

For maintaining or improving the health status of adults, with target populations between the ages of 18 through 60, and for not more than the following full-time equivalent positions:

.....	\$	643,855
.....	FTEs	19.27

3. CHILD AND ADOLESCENT WELLNESS

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

.....	\$	1,424,456
.....	FTEs	45.61

a. Of the funds appropriated in this subsection, \$61,693 shall be allocated to the state university of Iowa hospitals and clinics under the control of the state board of regents for the statewide perinatal program.

b. Of the funds appropriated in this subsection, \$201,187 shall be allocated for the physician care for children program.

The program's physician services shall be subject to managed care and selective contracting provisions and shall be used to provide for the medical treatment of children and shall

include coverage of diagnostic procedures, prescription drugs, and physician-ordered treatments necessary to treat an acute condition. Services provided under this lettered paragraph shall be reimbursed according to medical assistance reimbursement rates in effect as of July 1, 1998.

c. Of the funds appropriated in this subsection, not more than \$165,000 shall be used to continue the existing infant mortality and morbidity prevention pilot projects in Polk, Scott, and Woodbury counties with no more than 15 percent being used for administrative expenses.

d. Of the funds appropriated in this subsection, not more than \$25,000 shall be used to continue supporting multidisciplinary research into the cause of individual infant deaths in the state and shall be used solely for research purposes.

4. CHRONIC CONDITIONS

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

.....	\$	1,841,486
.....	FTEs	6.75

a. Of the funds appropriated in this subsection, \$738,185 shall be used for the chronic renal disease program. The types of assistance available to eligible recipients under the program may include insurance premiums, travel reimbursement, and prescription and nonprescription drugs. The program expenditures shall not exceed this allocation. If projected expenditures would exceed the amount allocated in this paragraph, the department shall establish by administrative rule a mechanism to reduce financial assistance under the chronic renal disease program in order to keep expenditures within the amount allocated.

b. Of the funds appropriated in this subsection, at least \$587,865 shall be allocated by the department for the birth defects and genetics counseling program and of these funds, \$279,402 is 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. 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.

c. Of the funds appropriated in this subsection, 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:

(1) Mobile and regional child health specialty clinics:

.....	\$	392,931
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Of the funds allocated in this subparagraph, \$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.

(2) Muscular dystrophy and related genetic disease programs:

.....	\$	115,613
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5. COMMUNITY CAPACITY

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

.....	\$	1,637,872
.....	FTEs	24.15

a. Of the funds appropriated in this subsection, \$350,000 shall be allocated to and used by local boards of health to ensure that core public health functions are maintained and to support essential services in their communities.

b. Of the funds appropriated in this subsection, \$165,391 shall be allocated for the office of rural health to provide technical assistance to rural areas in the area of health care delivery.

c. Of the funds appropriated in this subsection, \$235,000 shall be allocated for primary care provider recruitment and retention endeavors.

6. ELDERLY WELLNESS

For optimizing the health of persons over 55 years of age:

.....	\$	10,932,737
.....	FTEs	0.40

7. ENVIRONMENTAL HAZARDS

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

.....	\$	165,721
.....	FTEs	5.00

Of the funds appropriated in this subsection, \$39,547 shall be used for the lead abatement program.

8. INFECTIOUS DISEASES

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

.....	\$	1,346,770
.....	FTEs	34.50

9. INJURIES

For providing support and protection to victims of abuse or injury, or programs that are designed to prevent abuse or injury, and for not more than the following full-time equivalent positions:

.....	\$	1,869,662
.....	FTEs	10.25

10. PUBLIC PROTECTION

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

.....	\$	7,068,352
.....	FTEs	133.27

a. Of the funds appropriated and full-time equivalent positions authorized in this subsection, not more than \$362,579 and 5.00 FTEs shall be used for salaries, support, maintenance, and miscellaneous purposes for operating the state board of dental examiners.

b. Of the funds appropriated and full-time equivalent positions authorized in this subsection, not more than \$1,557,201 and 24.00 FTEs shall be used for salaries, support, maintenance, and miscellaneous purposes for operating the state board of medical examiners.

c. Of the funds appropriated and full-time equivalent positions authorized in this subsection, not more than \$1,104,408 and 18.00 FTEs shall be used for salaries, support, maintenance, and miscellaneous purposes for operating the state board of nursing examiners.

d. Of the funds appropriated and full-time equivalent positions authorized in this subsection, not more than \$763,167 and 11.00 FTEs shall be used for salaries, support, maintenance, and miscellaneous purposes for operating the state board of pharmacy examiners.

e. Of the funds appropriated and full-time equivalent positions authorized in this subsection, not more than \$1,119,407 and 16.00 FTEs shall be used for salaries, support, maintenance, and miscellaneous purposes for the operation of the bureau of professional licensure.

The department may expend funds in addition to amounts allocated pursuant to this lettered paragraph, if those additional expenditures are directly the result of a scope of practice review committee or unanticipated litigation costs arising from the discharge of the board's regulatory duties. Before the department expends or encumbers funds for a scope of practice review committee or an amount in excess of the funds budgeted for a board, the director of the department of management shall approve the expenditure or encumbrance. The amounts necessary to fund the unanticipated litigation in the fiscal year beginning July 1, 2000, shall not exceed 5 percent of the average annual fees generated by the boards for the previous two fiscal years.

f. For the fiscal year beginning July 1, 2000, the department shall retain fees collected from the certification of lead inspectors and lead abaters pursuant to section 135.105A to

support the certification program; and shall retain fees collected from the licensing, registration, authorization, accreditation, and inspection of x-ray machines used for mammographically guided breast biopsy, screening, and diagnostic mammography, pursuant to section 136C.10 to support the administration of the chapter. For the fiscal year beginning July 1, 2000, the department shall also retain any new or increased fees implemented by the department pursuant to legislation enacted by the general assembly in 2000 for activities not otherwise funded by amounts appropriated in this section. Fees retained by the department pursuant to this lettered paragraph are appropriated to the department for the purposes specified in this lettered paragraph.

g. The department may retain and expend not more than \$263,458 for lease and maintenance expenses for the relocation of licensure boards from the executive hills state office building from fees collected pursuant to section 147.80 by the board of dental examiners, the board of pharmacy examiners, the board of medical examiners, and the board of nursing examiners in the fiscal year beginning July 1, 2000, and ending June 30, 2001. Fees retained by the department pursuant to this lettered paragraph are appropriated to the department for the purposes described in this lettered paragraph.

h. For the fiscal year beginning July 1, 2000, and ending June 30, 2001, the board of dental examiners may retain and expend not more than \$133,282 for the costs of 2.00 additional FTEs from revenues generated from the registration of dental assistants pursuant to 2000 Iowa Acts, House File 686,<sup>1</sup> as enacted by the Seventy-eighth General Assembly, for the purposes set forth in House File 686. For the fiscal year beginning July 1, 2001, and ending June 30, 2002, the board of dental examiners shall include in their budget request an amount of funding determined necessary to support the ongoing registration of dental assistants. Fees retained by the board pursuant to this lettered paragraph are appropriated to the Iowa department of public health to be used for the purposes specified in this lettered paragraph.

i. The department may retain and expend not more than \$100,000 for reduction of the number of days necessary to process medical license requests and for reduction of the number of days needed for consideration of malpractice cases from fees collected pursuant to section 147.80 by the board of medical examiners in the fiscal year beginning July 1, 1999, and ending June 30, 2000. Fees retained by the department pursuant to this lettered paragraph are appropriated to the department for the purposes described in this lettered paragraph.

j. 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 subsection only if the reimbursement is not available through any employer or third-party payor.

k. 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.

l. 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. RESOURCE MANAGEMENT

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

.....	\$	1,368,335
.....	FTEs	52.15

<sup>1</sup> Chapter 1002 herein

12. The state university of Iowa hospitals and clinics under the control of the state board of regents shall not receive indirect costs from the funds appropriated in this section.

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

14. a. The department shall apply for available federal funds for sexual abstinence education programs in accordance with the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, § 912.

b. It is the intent of the general assembly to comply with the United States Congress' intent to provide education that promotes abstinence from sexual activity outside of marriage and reduces pregnancies, by focusing efforts on those persons most likely to bear children out of wedlock.

c. Any sexual abstinence education program awarded moneys under the grant program shall meet the definition of abstinence education in the federal law. Grantees shall be evaluated based upon the extent to which the abstinence program successfully communicates the goals set forth in the federal law.

Sec. 6. 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, 2000, and ending June 30, 2001, 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:

.....	\$	331,534
.....	FTEs	7.60

2. DEAF SERVICES DIVISION

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

.....	\$	338,634
.....	FTEs	7.00

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 continued and expanded interpretation services.

3. PERSONS WITH DISABILITIES DIVISION

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

.....	\$	202,869
.....	FTEs	3.50

4. LATINO AFFAIRS DIVISION

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

.....	\$	172,272
.....	FTEs	3.00

Of the funds appropriated in this subsection, \$10,000 shall be used to study the need for a certified Spanish interpreter within the Latino affairs division.

5. STATUS OF WOMEN DIVISION

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

.....	\$	426,464
.....	FTEs	3.00

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

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

6. STATUS OF AFRICAN-AMERICANS DIVISION

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

.....	\$	131,175
.....	FTEs	2.00

7. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

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

.....	\$	412,336
.....	FTEs	8.20

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 \$36,000 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 and 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.

8. COMMUNITY GRANT FUND

For the community grant fund established in section 232.190, to be used for the purposes of the community grant fund and for not more than the following full-time equivalent positions:

.....	\$	1,600,494
.....	FTEs	1.44

9. SHARED STAFF. The divisions of the department of human rights shall retain their individual administrators, but shall share staff to the greatest extent possible.

Sec. 7. 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, 2000, and ending June 30, 2001, 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, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	294,669
.....	FTEs	5.00

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:

.....	\$	6,000
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3. IOWA VETERANS HOME

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

.....	\$	45,358,598
.....	FTEs	960.94

a. 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.

b. 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, 2000, and ending June 30, 2001, the Iowa veterans home may expend the excess amounts to exceed the number of full-time equivalent positions authorized 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. The amount approved by the department of management for expenditure shall be considered repayment receipts.

c. Any Iowa veterans home successor contractor shall not consider employees of a state institution or facility to be new employees for purposes of employee wages, health insurance, or retirement benefits.

d. The chairpersons and ranking members of the joint appropriations subcommittee on health and human rights shall be notified by January 15 of any calendar year during which a request for proposals is anticipated to be issued regarding any Iowa veterans home contract involving employment, for purposes of providing legislative review and oversight.

e. Of the full-time equivalent positions authorized in this subsection, filling 69.00 full-time equivalent positions shall be contingent upon the termination of the existing Iowa veterans home contract for housekeeping services and the hiring of state employees to perform housekeeping services at the Iowa veterans home.

f. The Iowa veterans home may retain reimbursements for medication costs obtained from the federal department of veterans affairs for the fiscal year beginning July 1, 2000, and ending June 30, 2001, in an amount sufficient for the payment of new and increased pharmaceutical costs and lease payments on a unit dose machine. Moneys retained pursuant to this paragraph are appropriated to the Iowa veterans home to be used for the purposes of this paragraph.

**Sec. 8. GAMBLING TREATMENT FUND — APPROPRIATION.**

1. There is appropriated from funds available in the gambling treatment fund established in the office of the treasurer of state pursuant to section 99E.10 to the Iowa department of public health for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purposes designated:  
..... \$ 3,882,000

2. Of the funds appropriated in subsection 1, \$1,290,000 is allocated for the addictive disorders program, to be utilized for the benefit of persons with addictions.

3. Of the funds appropriated in subsection 1, \$400,000 is allocated for elderly wellness for local public health, nursing, and home care aide/chore programs.

4. Of the funds appropriated in subsection 1, \$100,000 is allocated to the division of community action agencies of the department of human rights to be used for the purposes of a healthy and well kids in Iowa outreach pilot project. Funds allocated in this subsection shall be utilized pursuant to a plan approved by the HAWK-I board.

5. Funds which remain after the allocations in subsections 2, 3, and 4, if any, are allocated for funding of administrative costs and to provide programs which may include, but are not limited to, outpatient and follow-up treatment for persons affected by problem gambling, rehabilitation and residential treatment programs, information and referral services, education and preventive services, and financial management services.

**Sec. 9. CHILDHOOD LEAD POISONING PREVENTION PROGRAM AND SUPPLEMENTAL PUBLIC HEALTH PROGRAM FUNDING.** For the fiscal year beginning July 1, 2000, and ending June 30, 2001, from the tax revenue received by the state racing and gaming commission pursuant to section 99D.15, subsections 1, 3, and 4, an amount equal to three-tenths of one percent of the gross sum wagered by the pari-mutuel method is appropriated to the Iowa department of public health. Of the moneys appropriated pursuant to this section, not more than \$50,000 shall be used to supplement amounts otherwise budgeted for the childhood lead poisoning prevention program. Remaining moneys appropriated pursuant to this section shall be used for costs associated with the child fatality review committee

provisions under section 135.43, as enacted by 2000 Iowa Acts, House File 2377,<sup>2</sup> the expansion of the age range for child death case review provisions as enacted under 2000 Iowa Acts, House File 2365,<sup>3</sup> and the Iowa domestic abuse death review team provisions as enacted under 2000 Iowa Acts, House File 2362.<sup>4</sup>

Sec. 10. VITAL RECORDS. The vital records modernization project as enacted in 1993 Iowa Acts, chapter 55, section 1, as amended by 1994 Iowa Acts, chapter 1068, section 8, as amended by 1997 Iowa Acts, chapter 203, section 9, 1998 Iowa Acts,<sup>5</sup> chapter 1221, section 9, and as continued by 1999 Iowa Acts, chapter 201, section 17, shall be extended until June 30, 2001, and the increased fees to be collected pursuant to that project shall continue to be collected and are appropriated to the Iowa department of public health until June 30, 2001.

Sec. 11. SCOPE OF PRACTICE REVIEW PROJECT. The scope of practice review committee pilot project as enacted in 1997 Iowa Acts, chapter 203, section 6, shall be extended until June 30, 2002. The Iowa department of public health shall submit an annual progress report to the governor and the general assembly by January 15 and shall include any recommendations for legislative action as a result of review committee activities. The department may contract with a school or college of public health in Iowa to assist in implementing the project.

Sec. 12. CHILDHOOD LEAD POISONING STUDY AND REPORT.

1. The director of public health, in consultation with an ad hoc committee appointed by the director and comprised of public health officials, health care providers, consumer groups, educators, early childhood development specialists, housing officials, property owners, real estate interests, representatives from the environmental health chapter team of Healthy Iowans 2010, and other members deemed appropriate by the director, shall conduct a study regarding prevention of lead poisoning among children in the state. The study shall include, but is not limited to, the following:

a. An assessment of the incidence and prevalence of lead poisoning in the state, including the determination of any geographic, social, or economic patterns or other common characteristics which identify vulnerable populations in the state who are at-risk of lead poisoning.

b. An evaluation of the effectiveness of current childhood lead screening efforts and voluntary options and alternatives to increase lead screening, including incorporating lead screening information and efforts into ongoing immunization programs and activities. The study shall also identify opportunities to increase and enhance efforts that focus on preventing lead poisoning in children.

c. A review of current federal, state, and local laws, rules and regulatory programs, including standards and other requirements associated with federal, state, and local housing programs. The review shall include an evaluation of options and alternatives to encourage the adoption of more uniform standards across the state.

d. An effort to identify additional federal funding sources and opportunities to enhance medical assistance match dollars to address lead poisoning prevention, screening, medical case management, and environmental remediation.

e. An evaluation of the availability and effectiveness of current resources, programs, and efforts to address lead poisoning in children.

f. Consideration of the findings and recommendations of Healthy Iowans 2010 relating to lead poisoned children.

2. The director shall submit a report of the study's recommendations to the governor and the general assembly by January 1, 2001, and shall present recommendations to a joint meeting of the human resources committees of the senate and house of representatives during the 2001 legislative session.

<sup>2</sup> Chapter 1137 herein

<sup>3</sup> Chapter 1051 herein

<sup>4</sup> Chapter 1136 herein

<sup>5</sup> The phrase "as extended by 1998 Iowa Acts" probably intended

Sec. 13. NEW SECTION. 231C.6 IOWA ASSISTED LIVING FEES.

The department of elder affairs shall collect and retain assisted living program certification and accreditation fees as established by rule. Fees collected and retained pursuant to this section shall be deposited into an assisted living program fund created in the state treasury under the authority of the department and are appropriated to the department to carry out the purposes of this chapter. Amounts deposited in the fund shall not be transferred, used, obligated, appropriated, or otherwise encumbered except as provided in this section. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys deposited into the fund shall be credited to the fund. Amounts deposited in the fund that remain unexpended or unencumbered at the close of the fiscal year shall remain in the fund for utilization as provided in this section for the following fiscal year.

Sec. 14. Section 232.190, Code 1999, is amended to read as follows:

232.190 COMMUNITY GRANT FUND.

1. A community grant fund is established in the state treasury under the control of the division of criminal and juvenile justice planning of the department of human rights for the purposes of awarding grants under this section. The criminal and juvenile justice planning advisory council and the juvenile justice advisory council shall assist the division in administering grants awarded under this section. The departments of education, human services, public health, and public safety, and the governor's alliance on substance abuse shall advise the division on grant ~~application and selection~~ award criteria and performance measures for the programs. Not more than five percent of the moneys appropriated to the fund shall be used for administrative purposes.

2. ~~A city, county, or entity organized under chapter 28E. Any decategorization governance board organized in accordance with section 232.188 may apply to the division for a grant on a matching basis to fund juvenile crime prevention programs that emphasize positive youth development. The match may be obtained from private sources, other state programs, or federal programs. The division shall adopt rules establishing required matching fund levels that progressively increase as applicants receive a second or subsequent year of consecutive funding through the community grant fund. The division shall not accept an application for a fourth or subsequent consecutive year of funding. However, cities, counties, or entities organized under chapter 28E receiving grants prior to July 1, 1998, may apply and receive funding for an additional two consecutive years beyond June 30, 1998 for awarding of grant moneys, including but not limited to data factors and a methodology for use in allocating moneys among the decategorization projects based upon a project's proportion of the state's population of children.~~

3. ~~Applications for moneys from the community grant fund shall define the geographical boundaries of the site chosen to benefit from the funds from this program and shall demonstrate a collaborative effort by all relevant local government and school officials and service agencies with authority, responsibilities, or other interests within the chosen site decategorization project area. Proposed plans set forth in the applications shall reflect a community-wide consensus in how to remediate community problems related to juvenile crime and shall describe how the funds from this program will be used in a manner consistent with the human investment strategy of the state as developed pursuant to section 8A.1. Services provided under a grant through this program shall be comprehensive, preventive, community-based, and shall utilize flexible delivery systems and promote youth development. The division shall establish a point system for determining eligibility for grants from the fund based upon the nature and breadth of the proposed community juvenile crime prevention plans and the extent to which the proposals include viable plans to sustain the funding and local governance of the proposed juvenile crime prevention services and activities following the proposed grant period. A plan for grant moneys under this section shall be a part of or be consistent with the annual child welfare services plan developed by the governance board of the decategorization project area and submitted to the department of human services and Iowa empowerment board pursuant to section 232.188.~~

4. The division shall provide ~~potential applicants for grant moneys~~ decategorization governance boards with information describing comprehensive community planning techniques and performance measures for this program and. ~~The division shall establish a monitoring system for this program that requires participating cities, counties, and entities organized under chapter 28E~~ decategorization governance boards to report information with which to measure program performance. ~~The division shall solicit input from cities, counties, and service providing agencies on the establishment of program performance measures and the structure of the program monitoring system.~~ Applications for grant moneys shall state specific results sought to be obtained by any service or activity funded by a grant under this section and shall describe how their desired results are related to the program's performance measures.

5. This section is repealed effective June 30, ~~2000~~ 2005. The division of criminal and juvenile justice planning shall annually submit ~~an annual~~ a report to the general assembly by January 15 regarding the program's performance measures and the effectiveness of the services and activities funded under this section.

Sec. 15. Section 602.8108, subsection 3, paragraph c, Code 1999, is amended to read as follows:

c. Notwithstanding provisions of this subsection to the contrary, all moneys collected from the drug abuse resistance education surcharge provided in section 911.2 shall be remitted to the treasurer of state for deposit in the general fund of the state and the amount deposited is appropriated to the ~~Iowa law enforcement academy~~ governor's office of drug control policy for use by the drug abuse resistance education program.

Sec. 16. Section 691.6, Code Supplement 1999, is amended by adding the following new subsection:

**NEW SUBSECTION.** 4. To collect and retain autopsy fees as established by rule. Autopsy fees collected and retained under this subsection are appropriated for purposes of the state medical examiner's office. Notwithstanding section 8.33, any fees collected by the state medical examiner that remain unexpended at the end of the fiscal year shall not revert to the general fund of the state or any other fund but shall be available for use for the following fiscal year for the same purpose.

Sec. 17. **EFFECTIVE AND APPLICABILITY DATES.**

1. Section 5, subsection 10, paragraph "i", of this Act, relating to the retention of fees for reduction of the number of days needed to process medical license requests and to consider malpractice cases, being deemed of immediate importance, takes effect upon enactment and is retroactively applicable to July 1, 1999.

2. Section 10 of this Act, relating to the vital records modernization project, being deemed of immediate importance, takes effect upon enactment.

3. Section 13 of this Act, establishing an assisted living certification fund into which program fees and revenue shall be credited, being deemed of immediate importance, takes effect upon enactment and is retroactively applicable to July 1, 1999.

4. Section 14 of this Act, relating to the community grant fund, being deemed of immediate importance, takes effect upon enactment.

5. Section 16 of this Act, amending section 691.6, and relating to the collection and retention of autopsy fees, being deemed of immediate importance, takes effect upon enactment and is retroactively applicable to July 1, 1999.