

develop an expedited charter school application procedure for the fiscal year beginning July 1, 2003,¹⁶ for purposes of receiving federal planning funds issued pursuant to the federal Elementary and Secondary Education Act of 1965, Title X, Part C, as codified in 20 U.S.C. §§ 8061-8067.

Sec. 15. EMERGENCY RULES. The state board of education may adopt emergency rules under section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph "b", to implement this Act and the rules shall be effective immediately upon filing unless a later date is specified in the rules. Any rules adopted in accordance with this section shall also be published as a notice of intended action as provided in section 17A.4.

Sec. 16. CONDITIONAL EFFECTIVENESS. This Act takes effect upon the department of education's receipt of federal funds that are provided to the department under Pub. L. No. 107-110, cited as the federal No Child Left Behind Act of 2001 (Title V, Part B), for purposes of providing financial assistance for the planning, program design, and initial implementation of public charter schools. The department of education shall notify the Code editor upon receipt of such federal funds.

Approved April 23, 2002

CHAPTER 1125

REHABILITATIVE TREATMENT SERVICES PROVIDER REGULATION

S.F. 2280

AN ACT relating to the requirements of the department of human services for certain child welfare services providers and providing an effective date.

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

Section 1. REHABILITATIVE TREATMENT CHILD WELFARE SERVICES PROVIDERS.

1. The department of human services may adopt rules utilizing the emergency procedures provided in subsection 4 as necessary to implement the high-priority recommendation items identified by the department's rehabilitative treatment services provider regulation and quality improvement work group listed in this section. In order to implement a listed item, the department must determine that the item can be implemented without additional cost to the state and, if implementation of the item requires a state medical assistance program plan amendment, the item must be approved by the federal center for Medicare and Medicaid services.

2. Subject to the implementation conditions in subsection 1, the department shall adopt rules to take effect on or before April 1, 2003, or within sixty days after receiving the federal center's approval, whichever is later, to implement all of the following:

a. Permitting deemed status for those providers of services that are certified, or accredited to be in compliance with relevant standards by the joint commission on the accreditation of health care organizations or the council on accreditation of services for families and children and that make accreditation reports and records available to the department.

b. Amending rules to maintain the group care standard for a weekly average number of hours of therapy and counseling, but determine compliance by averaging the hours per week over the course of a month. The recoupment for failure to comply shall be applied for a week

¹⁶ See chapter 1175, §96, 102 herein

at a time for noncompliance, not to exceed the number of days paid. This standard shall not be applied to a highly structured juvenile group care program.

c. Expanding the set of qualifications accepted for rehabilitative treatment services staff positions.

d. Utilizing a weekly results summary for documentation of the group care requirement for daily provision of skills development.

3. Subject to the implementation conditions in subsection 1, the department shall adopt rules to take effect on or before December 31, 2003, or within sixty days after receiving the federal center's approval, whichever is later, to implement all of the following:

a. Eliminating the care plan requirements regarding licensing and treatment plan review; accepting a change in the treatment plan in lieu of requiring the plan to be rewritten; and permitting the provider to determine the author of the treatment plan.

b. Revising and combining provider requirements involving licensing, contracting, and certification so that duplicative regulatory requirements are eliminated or minimized while the department maintains its quality assurance role to an appropriate degree. The requirements addressed shall include but are not limited to those involving documentation in records, and treatment plan provisions involving reviews, changes, and authors.

4. 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 this section 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 this section shall not take effect before the administrative rules review committee reviews the rules. Any rules adopted in accordance with this section shall also be published as notice of intended action as provided in section 17A.4.

Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 23, 2002

CHAPTER 1126

COURT FEES — MISCELLANEOUS CHANGES

S.F. 2320

AN ACT relating to the assessment of court fees by the clerk of district court.

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

Section 1. Section 602.8105, subsections 1 and 2, Code 2001, are amended to read as follows:

1. The clerk of the district court shall collect the following fees:

a. For filing and docketing a petition, other than a modification of a dissolution decree to which a written stipulation is attached at the time of filing containing the agreement of the parties to the terms of modification, eighty one hundred dollars. In counties having a population of ninety-eight thousand or over, an additional five dollars shall be charged and collected to be known as the journal publication fee and used for the purposes provided for in section 618.13.

b. For filing and docketing an application for modification of a dissolution decree to which