

Sec. 11. IMMEDIATE EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 12. APPLICABILITY DATE.

1. The sections of this Act amending sections 404.2 and 404.3 and enacting section 404.3B apply to urban revitalization property tax exemptions allowed on or after the effective date of this Act.

2. The sections of this Act amending sections 446.19A and 447.9 apply to delinquent property taxes sold at a tax sale held on or after the effective date of this Act.

Approved May 17, 2004

CHAPTER 1166

MEDICAL ASSISTANCE TRUSTS — PAYMENT RATES

H.F. 2378

AN ACT relating to the disposition of medical assistance special needs trusts, including the payment rate for nursing facility levels of care.

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

Section 1. Section 633.707, subsections 10 and 11, Code 2003, are amended by striking the subsections.

Sec. 2. Section 633.709, subsection 3, Code 2003, is amended to read as follows:

3. Subsections 1 and 2 shall apply to the following beneficiaries; however, the following amounts indicated shall be applied in lieu of the statewide average charge for nursing facility services:

a. For a beneficiary who meets the medical assistance level of care requirements for services in an intermediate care facility for persons with mental retardation and who either resides in an intermediate care facility for persons with mental retardation or is eligible for medical assistance home and community-based waiver services except that the beneficiary's income exceeds the allowable maximum, the applicable rate is the maximum monthly medical assistance payment rate for services in an intermediate care facility for persons with mental retardation.

~~b. For a beneficiary who meets the medical assistance level of care requirements for hospital-based, medicare-certified, skilled nursing facility care and who either resides in a hospital-based, medicare-certified, skilled nursing facility or is eligible for medical assistance home and community-based waiver services except that the beneficiary's income exceeds the allowable maximum, the applicable rate is the statewide average charge to private-pay patients for hospital-based, medicare-certified, skilled nursing facility care.~~

~~c. For a beneficiary who meets the medical assistance level of care requirements for non-hospital-based, medicare-certified, skilled nursing facility care and who either resides in a nonhospital-based, medicare-certified, skilled nursing facility or is eligible for medical assistance home and community-based waiver services except that the beneficiary's income exceeds the allowable maximum, the applicable rate is the statewide average charge to private-pay patients for nonhospital-based, medicare-certified, skilled nursing facility care.~~

d. ~~b.~~ For a beneficiary who meets the medical assistance level of care requirements for services in a psychiatric medical institution for children and who resides in a psychiatric medical institution for children, the applicable rate is the statewide average charge to private-pay patients for psychiatric medical institution for children care.

e. ~~c.~~ For a beneficiary who meets the medical assistance level of care requirements for services in a state mental health institute and who either resides in a state mental health institute or is eligible for medical assistance home and community-based waiver services except that the beneficiary's income exceeds the allowable maximum, the applicable rate is the statewide average charge for state mental health institute care.

d. For a beneficiary who meets the medical assistance level of care requirements for services in a nursing facility and is receiving care or is receiving specialized care such as an adult receiving Alzheimer's care, a child receiving skilled nursing facility care, or an adult or child receiving skilled nursing facility care for neurological disorders, the applicable rate is the statewide average charge for nursing facility services for the services or specialized services provided.

Approved May 17, 2004

CHAPTER 1167

PUBLIC HEALTH PROGRAMS AND REGULATION — MISCELLANEOUS CHANGES

H.F. 2551

AN ACT relating to programs under the authority of the department of public health.

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

Section 1. Section 135.11, Code Supplement 2003, is amended by adding the following new subsection:

NEW SUBSECTION. 29. Administer annual grants to county boards of health for the purpose of conducting programs for the testing of private water supply wells, the closing of abandoned private water supply wells, and the renovation or rehabilitation of private water supply wells. Grants shall be funded through moneys transferred to the department from the agriculture management account of the groundwater protection fund pursuant to section 455E.11, subsection 2, paragraph "b", subparagraph (3), subparagraph subdivision (b). The department shall adopt rules relating to the awarding of the grants.

Sec. 2. Section 135.105A, Code 2003, is amended to read as follows:

135.105A LEAD INSPECTOR AND LEAD ABATER TRAINING AND CERTIFICATION ESTABLISHED — CIVIL PENALTY.

1. The department shall establish a program for the training and certification of lead inspectors and lead abaters. The department shall maintain a listing, available to the public and to city and county health departments, of lead inspector and lead abater training programs that have been approved by the department, and of lead inspectors and lead abaters who have successfully completed the training program and have been certified by the department. A person may be certified as both a lead inspector and a lead abater. However, a person who is certified as both a lead inspector and a lead abater shall not provide both inspection and abatement