

MAR 2 2005  
Place On Calendar

HOUSE FILE 539  
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HSB 100)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the membership of the council with which the  
2 director of human services consults regarding the medical  
3 assistance program.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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**HOUSE FILE 539**

**H-1172**

1 Amend House File 539 as follows:  
2 1. Page 1, line 28, by inserting after the word  
3 "practitioners," the following: "the Iowa nurse  
4 practitioner society,".

**By** TOMENGA of Polk

**H-1172** FILED MARCH 23, 2005

HF 539

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1 Section 1. Section 249A.4, subsection 8, unnumbered  
2 paragraph 1, Code 2005, is amended to read as follows:  
3 Shall advise and consult at least semiannually with a  
4 council composed of the presidents or directors of the  
5 following organizations or agencies, or a president's  
6 representative who is a member of the organization represented  
7 by the president, or a director's representative: the Iowa  
8 medical society, the Iowa osteopathic medical association, the  
9 Iowa academy of family physicians, the Iowa chapter of the  
10 American academy of pediatrics, the Iowa physical therapy  
11 association, the Iowa dental association, the Iowa nurses  
12 association, the Iowa pharmacy association, the Iowa podiatric  
13 medical society, the Iowa optometric association, the Iowa  
14 association of community providers, the Iowa psychological  
15 association, the Iowa psychiatric society, the Iowa chapter of  
16 the national association of social workers, the coalition for  
17 family and children's services in Iowa, the Iowa hospital  
18 association, the Iowa association of rural health clinics, the  
19 opticians' association of Iowa, inc., the Iowa association of  
20 hearing health professionals, the Iowa speech and hearing  
21 association, the Iowa health care association, the Iowa  
22 association of area agencies on aging, AARP, the Iowa  
23 caregivers association, the Iowa coalition of home and  
24 community based services for seniors, the Iowa adult day  
25 services association, the Iowa association for home care, the  
26 Iowa council of health care centers, the Iowa physician  
27 assistant society, the Iowa association of nurse  
28 practitioners, the Iowa occupational therapy association, the  
29 Iowa association of homes and services for the aging, the ARC  
30 of Iowa which was formerly known as the association for  
31 retarded citizens of Iowa, the alliance for the mentally ill  
32 of Iowa, Iowa state association of counties, and the  
33 governor's developmental disabilities council, together with  
34 one person designated by the Iowa chiropractic society; one  
35 state representative from each of the two major political

1 parties appointed by the speaker of the house, one state  
2 senator from each of the two major political parties appointed  
3 by the president of the senate, after consultation with the  
4 majority leader and the minority leader of the senate, each  
5 for a term of two years; four public representatives,  
6 appointed by the governor for staggered terms of two years  
7 each, none of whom shall be members of, or practitioners of,  
8 or have a pecuniary interest in any of the professions or  
9 businesses represented by any of the several professional  
10 groups and associations specifically represented on the  
11 council under this subsection, and at least one of whom shall  
12 be a recipient of medical assistance; the director of public  
13 health, or a representative designated by the director; the  
14 director of the department of elder affairs, or a  
15 representative designated by the director; the dean of Des  
16 Moines university -- osteopathic medical center, or a  
17 representative designated by the dean; and the dean of the  
18 university of Iowa college of medicine, or a representative  
19 designated by the dean.

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## EXPLANATION

21 This bill adds to the membership of the council with which  
22 the director of the department of human services is required  
23 to consult regarding the medical assistance program (known as  
24 the medical assistance advisory council, or MAAC) the  
25 president, director, or the representative of the president or  
26 director of the department of elder affairs, the coalition for  
27 family and children's services in Iowa, the Iowa association  
28 of area agencies on aging, AARP, the Iowa caregivers  
29 association, the Iowa coalition of home and community based  
30 services for seniors, and the Iowa adult day services  
31 association.

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HOUSE FILE 538

H-1051

1 Amend House File 538 as follows:

2 1. Page 2, by inserting after line 33 the  
3 following:

4 "3. If federal approval is received for the waiver  
5 request described in subsection 1, paragraph "a", the  
6 department of human services shall convene a review  
7 committee to advise the department regarding the  
8 waiver's implementation. The committee membership may  
9 include but is not limited to juvenile judges, parents  
10 of children participating in the waiver, service  
11 providers, departmental staff, at least two members of  
12 the general assembly, and others with knowledge  
13 concerning the waiver. The committee shall be  
14 convened when there are a sufficient number of  
15 children participating in the waiver for there to be  
16 implementation issues to consider or six months  
17 following the commencement date of the waiver,  
18 whichever is sooner.

19 4. If federal approval is received for the waiver  
20 request described in subsection 1, paragraph "a", the  
21 child or family receiving services under the waiver  
22 shall have access to case management or another form  
23 of service coordination function."

By HEDDENS of Story

H-1051 FILED MARCH 8, 2005

## HOUSE FILE 539

H-1388

1 Amend House File 539 as follows:

2 1. By striking everything after the enacting  
3 clause and inserting the following:

4 "Section 1. Section 249A.4, subsection 8,  
5 unnumbered paragraphs 1 and 3, Code 2005, are amended  
6 to read as follows:

7 Shall advise and consult at least semiannually with  
8 a council composed of the presidents or directors of  
9 the following organizations or agencies, or a  
10 president's representative who is a member of the  
11 organization represented by the president, or a  
12 director's representative: the Iowa medical society,  
13 the Iowa osteopathic medical association, the Iowa  
14 academy of family physicians, the Iowa chapter of the  
15 American academy of pediatrics, the Iowa physical  
16 therapy association, the Iowa dental association, the  
17 Iowa nurses association, the Iowa pharmacy  
18 association, the Iowa podiatric medical society, the  
19 Iowa optometric association, the Iowa association of  
20 community providers, the Iowa psychological  
21 association, the Iowa psychiatric society, the Iowa  
22 chapter of the national association of social workers,  
23 the coalition for family and children's services in  
24 Iowa, the Iowa hospital association, the Iowa  
25 association of rural health clinics, the opticians'  
26 association of Iowa, inc., the Iowa association of  
27 hearing health professionals, the Iowa speech and  
28 hearing association, the Iowa health care association,  
29 the Iowa association of area agencies on aging, AARP,  
30 the Iowa caregivers association, the Iowa coalition of  
31 home and community-based services for seniors, the  
32 Iowa adult day services association, the Iowa  
33 association for home care, the Iowa council of health  
34 care centers, the Iowa physician assistant society,  
35 the Iowa association of nurse practitioners, the Iowa  
36 nurse practitioner society, the Iowa occupational  
37 therapy association, the Iowa association of homes and  
38 services for the aging, the ARC of Iowa which was  
39 formerly known as the association for retarded  
40 citizens of Iowa, the alliance for the mentally ill of  
41 Iowa, Iowa state association of counties, and the  
42 governor's developmental disabilities council,  
43 together with one person designated by the Iowa  
44 chiropractic society; one state representative from  
45 each of the two major political parties appointed by  
46 the speaker of the house, one state senator from each  
47 of the two major political parties appointed by the  
48 president of the senate, after consultation with the  
49 majority leader and the minority leader of the senate,  
50 each for a term of two years; four public

H-1388

1 representatives, appointed by the governor for  
2 staggered terms of two years each, none of whom shall  
3 be members of, or practitioners of, or have a  
4 pecuniary interest in any of the professions or  
5 businesses represented by any of the several  
6 professional groups and associations specifically  
7 represented on the council under this subsection, and  
8 at least one of whom shall be a recipient of medical  
9 assistance; the director of public health, or a  
10 representative designated by the director; the  
11 director of the department of elder affairs, or a  
12 representative designated by the director; the dean of  
13 Des Moines university -- osteopathic medical center,  
14 or a representative designated by the dean; and the  
15 dean of the university of Iowa college of medicine, or  
16 a representative designated by the dean.

17 The director shall consider the advice and  
18 consultation offered by the council in the director's  
19 preparation of medical assistance budget  
20 recommendations to the council on human services  
21 pursuant to section 217.3."

By TOMENGA of Polk

*Tomenga  
Heaton  
Shendt*

Succ<sup>de</sup> by  
SF *0539-*

**HSB 100  
HUMAN RESOURCES**

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED DEPARTMENT OF  
ELDER AFFAIRS BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

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9 Iowa academy of family physicians, the Iowa chapter of the  
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13 medical society, the Iowa optometric association, the Iowa  
14 association of community providers, the Iowa psychological  
15 association, the Iowa psychiatric society, the Iowa chapter of  
16 the national association of social workers, the Iowa hospital  
17 association, the Iowa association of rural health clinics, the  
18 opticians' association of Iowa, inc., the Iowa association of  
19 hearing health professionals, the Iowa speech and hearing  
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21 association of area agencies on aging, AARP, the Iowa  
22 caregivers association, the Iowa coalition of home and  
23 community based services for seniors, the Iowa adult day  
24 services association, the Iowa association for home care, the  
25 Iowa council of health care centers, the Iowa physician  
26 assistant society, the Iowa association of nurse  
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28 Iowa association of homes and services for the aging, the ARC  
29 of Iowa which was formerly known as the association for  
30 retarded citizens of Iowa, the alliance for the mentally ill  
31 of Iowa, Iowa state association of counties, and the  
32 governor's developmental disabilities council, together with  
33 one person designated by the Iowa chiropractic society; one  
34 state representative from each of the two major political  
35 parties appointed by the speaker of the house, one state

1 senator from each of the two major political parties appointed  
 2 by the president of the senate, after consultation with the  
 3 majority leader and the minority leader of the senate, each  
 4 for a term of two years; four public representatives,  
 5 appointed by the governor for staggered terms of two years  
 6 each, none of whom shall be members of, or practitioners of,  
 7 or have a pecuniary interest in any of the professions or  
 8 businesses represented by any of the several professional  
 9 groups and associations specifically represented on the  
 10 council under this subsection, and at least one of whom shall  
 11 be a recipient of medical assistance; the director of public  
 12 health, or a representative designated by the director; the  
 13 director of the department of elder affairs, or a  
 14 representative designated by the director; the dean of Des  
 15 Moines university -- osteopathic medical center, or a  
 16 representative designated by the dean; and the dean of the  
 17 university of Iowa college of medicine, or a representative  
 18 designated by the dean.

19 EXPLANATION

20 This bill adds to the membership of the council with which  
 21 the director of the department of human services is required  
 22 to consult regarding the medical assistance program (known as  
 23 the medical assistance advisory council, or MAAC) the  
 24 president, director, or the representative of the president or  
 25 director of the department of elder affairs, the Iowa  
 26 association of area agencies on aging, AARP, the Iowa  
 27 caregivers association, the Iowa coalition of home and  
 28 community based services for seniors, and the Iowa adult day  
 29 services association.

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HSB100

# STATE OF IOWA

THOMAS J. VILSACK  
GOVERNOR  
SALLY J. PEDERSON  
LT. GOVERNOR

DEPARTMENT OF ELDER AFFAIRS  
MARK A. HAVERLAND, DIRECTOR

## MEMORANDUM

**TO:** Members of the Iowa General Assembly  
**FROM:** Joel Wulf  
**Re:** 2005 Prefiling of Iowa Code Changes – Iowa Code 249.H  
**Date:** September 20, 2004

The Iowa Department of Elder Affairs has noted that many organizations representing Iowa's long-term care continua are not currently part of the Medical Assistance Advisory Committee (MAAC) as outlined in Section 249.A.4 of the Iowa Code. The Iowa Department of Elder Affairs (IDEA) is also unrecognized in this section of the Iowa code; however, specific programs within the IDEA directly support older adults utilizing the Medical Assistance Program.

As the State of Iowa continues efforts to rebalance its long-term care system, it is necessary for the entire continua of long-term care options to be considered as members of Iowa's MAAC. The proposed addition of IDEA, the Iowa Association of Area Agencies on Aging, AARP, Iowa Caregivers Association, Iowa Coalition of Home and Community Based Service Providers for Seniors and the Iowa Adult Day Service Association will help achieve balance in the MAAC and keep providers of the aging network better informed regarding the issues germane to Iowa's Medical Assistance Program.

**INQUIRES:** For further information, please contact Joel Wulf at 242-3326 or [joel.wulf@iowa.gov](mailto:joel.wulf@iowa.gov).

**CC:** Harold Davis, Chair, Iowa Commission for the Department of Elder Affairs  
Scott Galenbeck, Attorney General's Office  
Samual Smith, Aging Service Program Specialist  
Hugh Ceaser, IDOM  
Josh Mandelbaum, IGOV