

**NINETIETH GENERAL ASSEMBLY
2024 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

March 8, 2024

Clip Sheet Summary

Displays all amendments, fiscal notes, and conference committee reports for previous day.

Bill	Amendment	Action	Sponsor
HF 2279	H-8176	Filed	WILZ of Wapello
HF 2487	H-8178	Filed	BODEN of Warren
HF 2543	H-8177	Filed	GEHLBACH of Dallas
HF 2547	H-8172	Filed	COLLINS of Des Moines
HF 2547	H-8175	Filed	RINKER of Des Moines
HF 2649	H-8174	Filed	WULF of Black Hawk
SF 477	H-8173	Filed	YOUNG of Dallas

Fiscal Notes

[SF 2251](#) — [Postpartum Coverage, Medicaid](#) (LSB5156SV.2)

[HF 2320](#) — [In-State Tuition, Illegal Aliens](#) (LSB5649HV)

HOUSE FILE 2279

H-8176

1 Amend House File 2279 as follows:

2 1. Page 1, after line 2 by inserting:

3 <Sec. _____. Section 364.2, subsection 4, Code 2024, is
4 amended by adding the following new paragraph:

5 NEW PARAGRAPH. *h.* (1) When a person requests a franchise
6 for a merchant line as defined in section 478.6A and that
7 requester possesses a franchise issued by the Iowa utilities
8 board outside of a city, and when the proposed merchant line
9 is more than fifty miles in total length within the state and
10 will be underground within the limits of the city, all of the
11 following apply:

12 (a) A person shall submit a written franchise request
13 including the proposed terms and conditions of the franchise.

14 (b) Upon receipt of the franchise request for a merchant
15 line, a city shall conduct a hearing pursuant to this
16 subsection. The city and the person may negotiate the terms
17 of a franchise prior to the approval of an ordinance. A city
18 may not unreasonably refuse to grant a franchise for a merchant
19 line. If the city denies the franchise request, the city shall
20 provide the person with a written denial of the franchise based
21 on substantial evidence in the record demonstrating that the
22 proposed transmission line would have a significant adverse
23 impact on the health or safety of the city's residents or
24 public facilities that would not have been considered by the
25 Iowa utilities board.

26 (c) If the city has not held the required hearing or has not
27 acted on a request for a franchise for a merchant line within
28 ninety days of the receipt of the request, notwithstanding any
29 other terms of the Code, the franchise is deemed approved by
30 the city. If a request is timely denied, the person may seek a
31 certiorari judicial review by filing a petition either in Polk
32 county district court or in the district court for the county
33 in which the petitioner resides or the principal place of the
34 requester for the merchant line.

35 (d) This subsection applies to eligible merchant lines for

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1 which a franchise has been granted pursuant to chapter 478
2 prior to the effective date of this subsection.

3 (2) This paragraph is repealed effective January 1, 2026.>
4 2. By renumbering as necessary.

By WILZ of Wapello

H-8176 FILED MARCH 7, 2024

H-8178

1 Amend House File 2487 as follows:

2 1. Page 1, before line 1 by inserting:

3 <DIVISION I
4 BOARD OF EDUCATIONAL EXAMINERS — MANDATORY REPORTING>

5 2. Page 2, after line 26 by inserting:

6 <DIVISION ____
7 BOARD OF EDUCATIONAL EXAMINERS — PROCESS FOR INVESTIGATING
8 COMPLAINTS

9 Sec. _____. Section 256.9, subsection 67, Code 2024, is
10 amended by striking the subsection.

11 Sec. _____. Section 256.146, Code 2024, is amended by adding
12 the following new subsection:

13 NEW SUBSECTION. 25. *a.* Develop and implement a process
14 for the reporting and investigation of any incident that arises
15 that may reasonably lead to the conclusion that any individual
16 who is employed by the board of directors of a school district,
17 the authorities in charge of an accredited nonpublic school,
18 or the governing board of a charter school, including an
19 individual with a license, endorsement, certification,
20 authorization, or statement of recognition issued by the
21 board of educational examiners, has committed a felony or,
22 in the case of an individual with a license, endorsement,
23 certification, authorization, or statement of recognition
24 issued by the board of educational examiners, has engaged in
25 conduct described in section 256.160, subsection 1, paragraph
26 "a", subparagraph (1).

27 *b.* The process shall prohibit the board of directors of a
28 school district, the authorities in charge of an accredited
29 nonpublic school, and the governing board of a charter school
30 from entering into any of the following:

31 (1) A written or oral agreement that prohibits the board
32 of directors of the school district, the authorities in charge
33 of an accredited nonpublic school, the governing board of
34 a charter school, an employee of the school district, the
35 accredited nonpublic school, or the charter school, or a

1 contractor of the school district, the accredited nonpublic
2 school, or the charter school from discussing an incident, past
3 performance or actions, past allegations leading to discipline
4 or adverse employment action, or employee resignation with any
5 governmental agent, governmental officer, or any potential
6 employer.

7 (2) A written or oral agreement that waives the liability
8 of an individual with a license, endorsement, certification,
9 authorization, or statement of recognition issued by the
10 board of educational examiners related to or arising from an
11 incident, past performance or action, or past allegations of
12 wrongdoing.

13 c. (1) The process shall require the board of directors
14 of a school district, the authorities in charge of an
15 accredited nonpublic school, and the governing board of a
16 charter school to provide all documentation and information
17 related to the incident to the board of educational examiners
18 for investigation if the employee who is the subject of the
19 incident and who has a license, endorsement, certification,
20 authorization, or statement of recognition issued by the board
21 of educational examiners resigns or the employee's contract is
22 terminated during the school district's, accredited nonpublic
23 school's, or charter school's investigation of the incident.

24 (2) The process shall require the board of directors of a
25 school district, the authorities in charge of an accredited
26 nonpublic school, and the governing board of a charter school
27 to finalize the investigation of the incident even if the
28 employee who is the subject of the incident and who does not
29 have a license, endorsement, certification, authorization, or
30 statement of recognition issued by the board of educational
31 examiners resigns or the employee's contract is terminated
32 during the school district's, accredited nonpublic school's, or
33 charter school's investigation of the incident.

34 d. The process shall require that, prior to hiring an
35 applicant for any position, the board of directors of a

1 school district, the authorities in charge of an accredited
2 nonpublic school, and the governing board of a charter school
3 must conduct a review of the applicant's employment history,
4 including by contacting the applicant's previous employers
5 listed on the application for employment and by viewing the
6 board of educational examiners' public license information to
7 determine if the applicant has a case pending with a finding of
8 probable cause or any licensure sanction.

9 e. The process shall require the board of directors of a
10 school district, the authorities in charge of an accredited
11 nonpublic school, and the governing board of a charter school
12 to maintain on forms prescribed by the board of educational
13 examiners reference information related to all employees of
14 the school district, accredited nonpublic school, or charter
15 school, and respond to any request for such information from
16 a potential employer. This paragraph shall not be construed
17 to require the board of directors of a school district, the
18 authorities in charge of an accredited nonpublic school, or
19 the governing board of a charter school to disclose unfounded,
20 closed investigations. The board of directors of a school
21 district, the authorities in charge of an accredited nonpublic
22 school, or the governing board of a charter school shall be
23 immune from any criminal or civil liability arising from the
24 disclosure of reference information under this paragraph if the
25 school district, accredited nonpublic school, or charter school
26 does not knowingly disclose false information.

27 f. The board of directors of a school district, the
28 authorities in charge of an accredited nonpublic school, or
29 the governing board of a charter school, and contractors of
30 the school district, the accredited nonpublic school, or the
31 charter school shall be immune from any civil liability arising
32 from discussing an incident, past performance or actions,
33 past allegations leading to discipline or adverse employment
34 action, or employee resignation with any governmental agent,
35 governmental officer, or any potential employer.

1 *g.* If, after investigation, the board of educational
2 examiners determines that the board of directors of a
3 school district, the authorities in charge of an accredited
4 nonpublic school, or the governing board of a charter school
5 has intentionally failed to follow the process established
6 by this subsection regarding an incident, or the reporting
7 requirements established pursuant to section 256.160, related
8 to an employee who holds a license, endorsement, certification,
9 authorization, or statement of recognition issued by the board
10 of educational examiners, any administrator of the school
11 district, the accredited nonpublic school, or the charter
12 school who intentionally failed to ensure compliance with the
13 process shall be subject to a hearing conducted by the board of
14 educational examiners.

15 *h.* If, after investigation, the board of educational
16 examiners determines that the board of directors of a school
17 district, the authorities in charge of an accredited nonpublic
18 school, or the governing board of a charter school has
19 intentionally failed to follow the process established by
20 this subsection regarding an incident related to an employee
21 who does not hold a license, endorsement, certification,
22 authorization, or statement of recognition issued by the board
23 of educational examiners, any administrator of the school
24 district, the accredited nonpublic school, or the charter
25 school who intentionally failed to ensure compliance with the
26 process shall be subject to a hearing conducted by the board of
27 educational examiners.

28 *i.* If, after investigation, the board of educational
29 examiners determines that the board of directors of a school
30 district, the authorities in charge of an accredited nonpublic
31 school, or the governing board of a charter school has
32 intentionally concealed, or attempted to conceal from any
33 governmental agent, governmental officer, or potential employer
34 a founded incident, or any conduct required to be reported
35 pursuant to section 256.160, related to an employee who holds

1 a license, endorsement, certification, authorization, or
2 statement of recognition issued by the board of educational
3 examiners, any administrator of the school district, the
4 accredited nonpublic school, or the charter school who
5 intentionally assisted in the concealment, or attempted
6 concealment, of an incident, or any conduct required to be
7 reported pursuant to section 256.160, shall be subject to a
8 hearing conducted by the board of educational examiners.

9 *j.* If, after investigation, the board of educational
10 examiners finds that the board of directors of a school
11 district, the authorities in charge of an accredited nonpublic
12 school, or the governing board of a charter school has
13 intentionally concealed, or attempted to conceal from any
14 governmental agent, governmental officer, or potential employer
15 a founded incident related to an employee who does not hold
16 a license, endorsement, certification, authorization, or
17 statement of recognition issued by the board of educational
18 examiners, any administrator of the school district, the
19 accredited nonpublic school, or the charter school who
20 intentionally assisted in the concealment, or attempted
21 concealment, of an incident shall be subject to a hearing
22 conducted by the board of educational examiners.

23 *k.* (1) Annually, on or before June 30 of each year, the
24 board of educational examiners shall submit to the general
25 assembly a report that contains information related to all of
26 the following:

27 (a) The number and types of disciplinary hearings before the
28 board of educational examiners.

29 (b) Any trends in the number or types of disciplinary
30 hearings before the board of educational examiners.

31 (c) The number of board of educational examiners
32 investigations of the employees of school districts, accredited
33 nonpublic schools, or charter schools who do not hold a
34 license, endorsement, certification, authorization, or
35 statement of recognition issued by the board of educational

1 examiners, that the board of educational examiners referred to
2 a law enforcement agency.

3 (d) Any other information deemed relevant by the board of
4 educational examiners in order to inform the general assembly
5 of the status of the enforcement of the board of educational
6 examiners' rules.

7 (2) The report shall not include any personally
8 identifiable information related to investigations referred to
9 a law enforcement agency.

10 Sec. _____. Section 280.34, Code 2024, is amended to read as
11 follows:

12 **280.34 Incidents related to licensed practitioners —**
13 **reporting and investigation.**

14 The board of directors of a school district and the
15 authorities in charge of each accredited nonpublic school shall
16 follow the process created by the ~~department of education board~~
17 of educational examiners pursuant to section ~~256.9, subsection~~
18 ~~67 256.146, subsection 25~~, related to the reporting and
19 investigation of an incident involving the possible commission
20 of a felony by any employee of the board of directors of the
21 school district or the authorities in charge of the accredited
22 nonpublic school.

23 Sec. _____. REPEAL. Section 256.158A, Code 2024, is repealed.

24 DIVISION _____

25 BOARD OF EDUCATIONAL EXAMINERS — REPORTING REQUIREMENTS

26 Sec. _____. Section 256.158, subsection 3, Code 2024, is
27 amended to read as follows:

28 3. a. All Subject to paragraph "b", all complaint files,
29 investigation files, other investigation reports, and other
30 investigative information in the possession of the board or
31 its employees or agents, which relate to licensee discipline
32 or the investigation of nonlicensed school employees, are
33 privileged and confidential, and are not subject to discovery,
34 subpoena, or other means of legal compulsion for their release
35 to a person other than the respondent and the board and

1 its employees and agents involved in licensee discipline or
2 the investigation of nonlicensed school employees, and are
3 not admissible in evidence in a judicial or administrative
4 proceeding other than the proceeding involving licensee
5 discipline. A complaint, any amendment to a complaint, and
6 any supporting documents shall be provided to the respondent
7 immediately upon the board's determination that jurisdictional
8 requirements have been met and prior to the commencement of the
9 board's investigation of a licensee. Investigative information
10 in the possession of the board or its employees or agents which
11 relates to licensee discipline may be disclosed to appropriate
12 licensing authorities within this state, the appropriate
13 licensing authority in another state, the District of Columbia,
14 or a territory or country in which the licensee is licensed
15 or has applied for a license. A final written decision and
16 finding of fact of the board in a disciplinary proceeding is a
17 public record.

18 b. Notwithstanding paragraph "a", if the investigative
19 information in the possession of the board or its employees
20 or agents indicates that a crime has been committed by either
21 a licensee or a nonlicensed school employee, the board shall
22 report the investigative information to the proper law
23 enforcement agency.

24 DIVISION ____
25 BOARD OF EDUCATIONAL EXAMINERS — TIME IN WHICH COMPLAINTS CAN
26 BE INVESTIGATED

27 Sec. ____ . Section 256.146, subsection 14, paragraph a, Code
28 2024, is amended to read as follows:

29 a. Adopt rules that require specificity in written
30 complaints that are filed by individuals who have personal
31 knowledge of an alleged violation and which are accepted by
32 the board, provide that the jurisdictional requirements as set
33 by the board in administrative rule are met on the face of the
34 complaint before initiating an investigation of allegations,
35 provide that any investigation be limited to the allegations

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1 contained on the face of the complaint, provide for an adequate
2 interval between the receipt of a complaint and public notice
3 of the complaint, permit parties to a complaint to mutually
4 agree to a resolution of the complaint filed with the board,
5 allow the respondent the right to review any investigative
6 report upon a finding of probable cause for further action
7 by the board, require that the conduct providing the basis
8 for the complaint occurred within three years of discovery of
9 the event by the complainant unless good cause can be shown
10 for an extension of this limitation or unless the conduct
11 constitutes conduct described in section 256.160, subsection
12 1, paragraph "a", subparagraph (1), subparagraph division (a),
13 require complaints to be resolved within one hundred eighty
14 days unless good cause can be shown for an extension of this
15 limitation, and require the board to finalize the investigation
16 of the written complaint even if the licensed practitioner
17 resigns or surrenders the licensed practitioner's license,
18 certificate, authorization, or statement of recognition during
19 the investigation.>

20 3. Title page, by striking lines 1 through 4 and inserting
21 <An Act relating to education, including by modifying
22 provisions related to mandatory reporting to the board of
23 educational examiners of certain specified school employees,
24 complaints against school employees and the investigation of
25 complaints against school employees, and the responsibilities
26 of the department of education and the board of educational
27 examiners.>

28 4. By renumbering as necessary.

By BODEN of Warren

[H-8178](#) FILED MARCH 7, 2024

HOUSE FILE 2543

H-8177

- 1 Amend House File 2543 as follows:
- 2 1. By striking page 1, line 21, through page 2, line 7.
- 3 2. Page 2, by striking lines 13 through 15 and inserting <or
4 vacant property owned by a school district pursuant to section
5 297.24.>
- 6 3. Page 2, line 32, after <for> by inserting <nonpublic
7 schools and>
- 8 4. Page 3, line 6, after <allow> by inserting <nonpublic
9 schools and>
- 10 5. Page 3, lines 15 and 16, by striking <a charter school>
11 and inserting <an educational institution>
- 12 6. Page 3, line 31, by striking <schools — right of first
13 refusal for charter schools> and inserting <schools>
- 14 7. Page 3, after line 32 by inserting:
- 15 <a. "Educational institution" means all of the following:
- 16 (1) A school district.
- 17 (2) A nonpublic school.
- 18 (3) A charter school established pursuant to chapter 256E.
- 19 (4) A charter school or innovation zone school established
20 pursuant to chapter 256F.
- 21 (5) An institution of higher education under the control of
22 the state board of regents.
- 23 (6) A community college established under chapter 260C.
- 24 (7) The state training school established under chapter
25 233A.
- 26 (8) An accredited private institution as defined in section
27 256.183.>
- 28 8. Page 3, line 33, by striking <a.> and inserting <b.>
- 29 9. Page 4, line 5, by striking <b.> and inserting <c.>
- 30 10. Page 4, by striking lines 11 through 22 and inserting
31 <property to an educational institution.>
- 32 11. By striking page 4, line 23, through page 5, line 6, and
33 inserting:
- 34 <3. a. The board of directors of a school district shall
35 not sell or lease underutilized property or vacant property

1 unless the board of directors of the school district first
2 provides notice to each educational institution that is located
3 within the school district that describes the underutilized
4 property or vacant property and offers to sell or lease the
5 underutilized property or vacant property to the educational
6 institution at a price that is to be determined pursuant to
7 paragraph "b".

8 *b.* (1) If an educational institution desires to purchase
9 or lease underutilized property or vacant property described
10 in a notice provided under paragraph "a", the educational
11 institution shall provide notice to the school district
12 within a reasonable time after receipt of the notice provided
13 under paragraph "a" indicating the educational institution's
14 preliminary intent to purchase or lease such property, pending
15 the determination of the purchase or lease price of the
16 property under subparagraph (2).

17 (2) The purchase or lease price of the underutilized
18 property or vacant property shall be an amount equal to the
19 average of the fair market purchase or lease value of the
20 underutilized property or vacant property as determined by two
21 independent appraisals prepared by certified appraisers. The
22 board of directors of the school district shall select, and
23 pay the costs associated with, one certified appraiser, and
24 the educational institution electing to purchase or lease the
25 underutilized property or vacant property shall select, and pay
26 the costs associated with, the other certified appraiser.

27 (3) If, within a reasonable time after the determination
28 of the purchase or lease price of the underutilized property
29 or vacant property under subparagraph (2), an educational
30 institution elects to purchase or lease the underutilized
31 property or vacant property, the educational institution shall
32 provide notice to the board of directors of the school district
33 indicating the educational institution's election to purchase
34 or lease such property, and the board of directors of the
35 school district and the educational institution shall proceed

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1 to negotiate the additional terms of, and effectuate, the sale
2 or lease.

3 4. Subsection 3 shall be construed as independent of
4 the power vested in the electors by section 278.1, and as
5 additional to such power. If a board of directors of a school
6 district has exercised its independent power under subsection 3
7 regarding selling or leasing underutilized property or vacant
8 property to an educational institution that is located within
9 the school district, and has by resolution approved such
10 action, the electors shall not subsequently proceed to exercise
11 their power under section 278.1 for a purpose directly contrary
12 to the action previously approved by the board of directors in
13 accordance with subsection 3.

14 5. The state board of education shall adopt rules pursuant
15 to chapter 17A to administer this section. The rules shall
16 include provisions that determine which educational institution
17 shall be allowed to purchase or lease underutilized property
18 or vacant property when more than one educational institution
19 provides notice to the board of directors of a school district
20 pursuant to subsection 3, paragraph "b", subparagraph (3),
21 indicating the educational institution's election to purchase
22 or lease the same underutilized property or vacant property.>

23 12. Title page, by striking lines 1 through 5 and inserting
24 <An Act relating to education, including by establishing
25 requirements related to the sale or lease of underutilized
26 property or vacant property by school districts and modifying
27 charter school funding and charter school board member
28 requirements.>

29 13. By renumbering as necessary.

By GEHLBACH of Dallas

H-8177 FILED MARCH 7, 2024

HOUSE FILE 2547

H-8172

1 Amend House File 2547 as follows:

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

4 <Section 1. Section 299.12, Code 2024, is amended by
5 striking the section and inserting in lieu thereof the
6 following:

7 **299.12 Failure to attend — attendance cooperation meeting**
8 **— agreement.**

9 1. As used in this section:

10 *a. "Chronically absent"* means any absence from school
11 for more than ten percent of the days in a school calendar
12 established pursuant to section 279.10 by a public school or
13 an accredited nonpublic school.

14 *b. "School official"* means an employee of a public school or
15 an accredited nonpublic school whose primary job duties involve
16 identifying children who are at risk for becoming chronically
17 absent, creating interventions to limit the rate of student
18 absenteeism in the public school or accredited nonpublic
19 school, and participating in the legal process related to
20 student absenteeism.

21 2. *a.* If a child is chronically absent, a school official
22 shall attempt to find the cause for the child's absences and
23 shall initiate and participate in an attendance cooperation
24 meeting. The purpose of the attendance cooperation meeting
25 is to identify the child's barriers to attendance and
26 the interventions that may be used to improve the child's
27 attendance. All of the following individuals shall participate
28 in the attendance cooperation meeting:

29 (1) The child, if the child is twelve years of age or older
30 or is an emancipated minor.

31 (2) The child's parent, guardian, or legal or actual
32 custodian, if the child is not an emancipated minor.

33 (3) A school official.

34 *b.* (1) During the attendance cooperation meeting, the
35 participants shall create and sign an attendance cooperation

1 agreement. Each participant signing the attendance cooperation
2 agreement shall receive a copy of the agreement. The
3 attendance cooperation agreement shall identify the causes of
4 the child's absences and the future responsibilities of each
5 participant related to the child's attendance.

6 (2) A school official shall monitor the participants'
7 compliance with the terms of the attendance cooperation
8 agreement. The attendance cooperation agreement shall require
9 a school official to periodically contact the participants
10 to monitor the performance of the participants under the
11 agreement.

12 c. During the attendance cooperation meeting, a school
13 official may initiate referrals to any services or counseling
14 that the participants believe may be appropriate under the
15 circumstances to improve the child's attendance.

16 d. If the participants in the attendance cooperation meeting
17 fail to enter into an attendance cooperation agreement, or
18 if the child or the child's parent, guardian, or legal or
19 actual custodian violates a term of the attendance cooperation
20 agreement or fails to participate in the attendance cooperation
21 meeting, the school official may refer the matter to the county
22 attorney for mediation or prosecution within the county where
23 the school's central administrative office is located.

24 e. This subsection is not applicable to a child who is
25 receiving competent private instruction or independent private
26 instruction in accordance with the requirements of chapter
27 299A.

28 Sec. 2. SCHOOL DISTRICTS — POLICIES RELATED TO PORTABLE
29 ELECTRONIC DEVICES.

30 1. a. On or before December 31, 2024, each school district
31 shall develop a policy that restricts student use of cellular
32 telephones and smartphones during classroom instructional time.

33 b. The policy shall describe with specificity the
34 expectations related to student use of cellular telephones and
35 smartphones during the school day and disciplinary actions the

1 school district will take if a student violates the policy.

2 c. The policy shall apply to all attendance centers within
3 the school district; provided, however, that the policy may
4 establish different expectations and disciplinary actions for
5 different grade levels.

6 d. The policy shall describe the circumstances in which an
7 employee of the school district may temporarily waive or make
8 exceptions to the policy for a student in cases that require
9 that reasonable exceptions be made.

10 2. The school district shall make the policy available to
11 the public, including by publishing the policy on the school
12 district's internet site.

13 Sec. 3. STATE MANDATE FUNDING SPECIFIED. In accordance
14 with section 25B.2, subsection 3, the state cost of requiring
15 compliance with any state mandate included in this Act shall
16 be paid by a school district from state school foundation aid
17 received by the school district under section 257.16. This
18 specification of the payment of the state cost shall be deemed
19 to meet all of the state funding-related requirements of
20 section 25B.2, subsection 3, and no additional state funding
21 shall be necessary for the full implementation of this Act
22 by and enforcement of this Act against all affected school
23 districts.>

24 2. Title page, by striking lines 1 and 2 and inserting
25 <An Act relating to education, including by requiring
26 attendance cooperation meetings when a child is chronically
27 absent from school and requiring school districts to develop
28 policies restricting student use of cellular telephones and
29 smartphones.>

By COLLINS of Des Moines

HOUSE FILE 2547

H-8175

1 Amend House File 2547 as follows:

2 1. Page 1, before line 1 by inserting:

3 <DIVISION I
4 CHRONICALLY ABSENT STUDENTS>

5 2. Page 1, after line 22 by inserting:

6 <DIVISION ____
7 OPEN ENROLLMENT — STATE AID

8 Sec. ____ . Section 257.31, subsection 5, unnumbered
9 paragraph 1, Code 2024, is amended to read as follows:

10 If a district has unusual circumstances, creating an unusual
11 need for additional funds, including but not limited to the
12 circumstances enumerated in paragraphs ~~"a" through "n"~~ this
13 subsection, the committee may grant supplemental aid to the
14 district from any funds appropriated to the department of
15 education for the use of the school budget review committee
16 for the purposes of this subsection. The school budget
17 review committee shall review a school district's unexpended
18 fund balance prior to any decision regarding unusual finance
19 circumstances. Such aid shall be miscellaneous income and
20 shall not be included in district cost. In addition to or as
21 an alternative to granting supplemental aid the committee may
22 establish a modified supplemental amount for the district. The
23 school budget review committee shall review a school district's
24 unspent balance prior to any decision to establish a modified
25 supplemental amount under this subsection.

26 Sec. ____ . Section 257.31, subsection 5, Code 2024, is
27 amended by adding the following new paragraph:

28 NEW PARAGRAPH. o. (1) The percentage of students enrolled
29 in the school district as the result of open enrollment under
30 section 282.18 is equal to or greater than forty percent of
31 the total number of students enrolled in the school district.
32 The committee shall not approve supplemental aid or a modified
33 supplemental amount that exceeds an amount equal to fifty
34 percent of the product of the net increase in the school
35 district's enrollment due to open enrollment multiplied by the

1 sum of the following amounts:

2 (a) The difference between the district's regular program
3 district cost per pupil minus the regular program state cost
4 per pupil.

5 (b) The teacher salary supplement district cost per pupil.

6 (c) The professional development supplement district cost
7 per pupil.

8 (d) The early intervention supplement district cost per
9 pupil.

10 (2) Prior to filing a request for supplemental aid or a
11 modified supplemental amount based on the grounds specified
12 in this paragraph, the board of directors shall hold a public
13 hearing on the issue and shall publish the notice of the time
14 and place of the public hearing. Notice of the time and place
15 of the public hearing shall be published not less than ten nor
16 more than twenty days before the public hearing in a newspaper
17 that is a newspaper of general circulation in the school
18 district.

19 (3) A school district is not eligible for supplemental aid
20 or a modified supplemental amount under this paragraph if a
21 majority of the students enrolled in the school district as
22 the result of open enrollment are students receiving online
23 instruction from a private provider under section 256.43,
24 subsection 2.

25 Sec. _____. EFFECTIVE DATE. This division of this Act, being
26 deemed of immediate importance, takes effect upon enactment.

27 Sec. _____. APPLICABILITY. This division of this Act applies
28 July 1, 2024, for school budget years beginning on or after
29 that date.>

30 3. Title page, by striking lines 1 and 2 and inserting
31 <An Act relating to education, including by requiring the
32 development of an attendance improvement plan when a student
33 is chronically absent from school and modifying provisions
34 related to supplemental aid and modified supplemental amounts
35 for certain school districts related to open enrollment, and

H-8175 (Continued)

1 including effective date and applicability provisions.>

2 4. By renumbering as necessary.

By RINKER of Des Moines

H-8175 FILED MARCH 7, 2024

HOUSE FILE 2649

H-8174

1 Amend House File 2649 as follows:

2 1. Page 1, line 24, by striking <2024> and inserting <2023>

By WULF of Black Hawk

H-8174 FILED MARCH 7, 2024

SENATE FILE 477

H-8173

1 Amend Senate File 477, as amended, passed, and reprinted by
2 the Senate, as follows:

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

5 <Section 1. NEW SECTION. 148J.1 Definitions.

6 For the purposes of this chapter:

7 1. "*Board*" means the board of medicine established pursuant
8 to chapter 147.

9 2. "*Health care facility*" means all of the following:

10 a. A facility as defined in section 514J.102.

11 b. A facility licensed pursuant to chapter 135B.

12 c. A facility licensed pursuant to chapter 135C.

13 3. "*International medical program*" means a medical school,
14 residency program, medical internship program, or entity that
15 provides physicians with a medical education or training
16 outside of the United States that is substantially similar to
17 the practice of medicine and surgery or osteopathic medicine
18 and surgery in Iowa and that has been evaluated by the
19 educational commission on foreign medical graduates.

20 4. "*International physician*" means an individual who meets
21 all of the following requirements:

22 a. Has a medical doctorate or substantially similar degree
23 issued by an international medical program in good standing.

24 b. Has been in good standing with the medical licensing or
25 regulatory institution of the individual's resident country
26 during the immediately preceding five years and has no pending
27 discipline before the licensing or regulatory institution.

28 c. Has completed a residency or substantially similar
29 postgraduate medical training in the individual's resident
30 country.

31 d. Has practiced medicine and surgery or osteopathic
32 medicine and surgery as a licensed physician for five years
33 following the completion of a residency or substantially
34 similar postgraduate medical training.

35 e. Possesses basic fluency in the English language.

1 Sec. 2. NEW SECTION. 148J.2 International physicians —
2 provisional licenses.

3 1. *a.* The board shall grant a provisional license to
4 practice medicine and surgery or osteopathic medicine and
5 surgery in this state to an international physician with an
6 offer for employment as a physician at a health care facility
7 in this state. However, the board shall not grant a license
8 pursuant to this subsection to an international physician who
9 does not possess a federal immigration status allowing the
10 international medical graduate to practice as a physician
11 in the United States, or to an international physician who
12 fails to obtain a passing score on the United States medical
13 licensing examination.

14 *b.* A provisional license granted pursuant to paragraph "a"
15 may be converted to a full license to practice medicine and
16 surgery or osteopathic medicine and surgery after three years,
17 unless the license has been revoked pursuant to subsection 2
18 or surrendered by the licensee.

19 2. *a.* The board may revoke a provisional license granted
20 pursuant to subsection 1, paragraph "a", if the board finds by
21 clear and compelling evidence that the licensee has violated
22 a provision of section 148.6. A licensee may appeal a
23 revocation pursuant to this subsection in a court of competent
24 jurisdiction within one hundred twenty days of the date of
25 revocation.

26 *b.* The board may revoke a provisional license granted
27 pursuant to subsection 1, paragraph "a", if the international
28 physician is not employed by a health care facility in this
29 state during the entirety of the provisional licensing period.

30 3. This section does not require the board to grant a
31 provisional license or full license pursuant to subsection 1 to
32 an individual that does not do all of the following:

33 *a.* Complete training substantially similar to a physician
34 and surgeon or osteopathic physician and surgeon.

35 *b.* Receive a passing score on the United States medical

H-8173 (Continued)

1 licensing examination.

2 *c.* Pass a background check as required by the board.

3 *d.* Complete a licensure application as required by the
4 board.

5 *e.* Pay all required fees as required by the board.

6 Sec. 3. EFFECTIVE DATE. This Act takes effect January 1,
7 2025.>

By YOUNG of Dallas

H-8173 FILED MARCH 7, 2024



[SF 2251](#) – Postpartum Coverage, Medicaid (LSB5156SV.2)
Staff Contact: Eric Richardson (515.281.6767) eric.richardson@legis.iowa.gov
Fiscal Note Version – Revised for new data (Assumptions and Fiscal Impact)

Description

[Senate File 2251](#) extends postpartum Medicaid coverage for women. The Bill does the following:

- Extends postpartum Medicaid coverage from 60 days to 12 months after a pregnancy ends.
- Amends the income eligibility threshold for infants and pregnant women to 215.0% of the federal poverty level (FPL) for postpartum Medicaid coverage.
- Requires the Iowa Department of Health and Human Services (HHS) to submit a Medicaid State plan amendment to the Centers for Medicare and Medicaid Services (CMS) to provide continuous Medicaid eligibility to pregnant women until 12 months after a pregnancy ends, beginning January 1, 2025.
- Requires the HHS to submit a Children’s Health Insurance Program (CHIP) State plan amendment to the CMS to update infant eligibility consistent with provisions of the Bill, beginning January 1, 2025.

The section of the Bill directing the HHS to submit a Medicaid State plan amendment to the CMS takes effect upon enactment. The eligibility measures in the Bill for infants and pregnant women take effect January 1, 2025.

Background

Iowa Code section [249A.3\(1\)\(h\)](#) provides Medicaid coverage to women who meet eligibility requirements, except for income, for 60 days after a pregnancy ends. Currently in Iowa, children under one year of age and pregnant women are eligible for postpartum coverage with income eligibility requirements up to 375.0% of the FPL (\$117,000 for a family of four in calendar year 2024). The [American Rescue Plan Act of 2021](#) allowed states to submit a Medicaid State plan amendment, effective for five years, to provide postpartum Medicaid coverage for 12 months after a pregnancy ends. Subsequently, a provision in the [Consolidated Appropriations Act of 2023](#) removed the five-year limitation period for the State plan amendment. As of January 2024, 44 states (including Washington, D.C.) have [extended postpartum coverage](#) to 12 months, with Alaska, Nevada, Utah, and Wisconsin having submitted State plan amendments to the CMS to implement a 12-month extension. Arkansas, Idaho, and Iowa have not formally submitted amendments to the CMS to increase postpartum coverage to 12 months.

Income eligibility for Medicaid for pregnant women and infants under one year of age is specified in [441 IAC 75.1\(28\)](#) at a maximum of 375.0% of the FPL. The Healthy and Well Kids in Iowa (Hawki) program has an income eligibility limit of 302.0% of the FPL. Currently, pregnant women who lose Medicaid coverage after 60 days may be eligible to enroll in the Iowa Health and Wellness Program (IHAWP), which has an income limit of up to 133.0% of the FPL. [42 C.F.R. §435.116](#) details minimum and maximum federal income eligibility requirements for pregnant women who are eligible to receive Medicaid benefits.

Assumptions

- It is assumed that the State plan amendment will be approved by the CMS to begin on January 1, 2025.
- Pregnant women and infant members currently receiving postpartum coverage with an income level of 215.0% of the FPL or higher would remain continuously eligible for Medicaid after January 1, 2025. The earliest date a pregnant woman would be disenrolled is December 2025, while the latest date would be September 2026. Infant disenrollment would begin in January 2025 for infants that enrolled in Medicaid or saw renewed eligibility in January 2024, while disenrollment will not occur until December 2025 for infants that enrolled in Medicaid or saw renewed eligibility in December 2024.
- Postpartum coverage would remain without interruption for Medicaid members with an income level of 215.0% of the FPL or lower.
- According to the HHS, one-time information technology (IT) costs totaling \$1.2 million are necessary due to enrollment changes in Medicaid and the IHAWP and would be expended in FY 2025. The State will pay for approximately 25.0% of these costs, or \$297,000, out of the Family Investment Program General Fund appropriation.
 - IT costs include hiring contractors for a total cost of \$107,000 for 438 total hours at \$125 per hour to update the data warehouse, 29 total hours at \$125 per hour for project management, 97 total hours at \$125 per hour for a business analyst, and 288 total hours at \$125 per hour for enterprise architecture.
 - IT costs also include \$1.1 million to update the HHS's Eligibility Integrated Application Solution (ELIAS) system to determine Medicaid eligibility for pregnant women.
- An actuarial services contract may be necessary to determine the impact of enrollment changes on managed care organization (MCO) capitation rates and maternal and infant health care payments to the MCOs. The costs of this contract are anticipated to be absorbed within the existing Health Program Operations General Fund appropriation.
- There are currently 10,800 Medicaid members with postpartum coverage. The HHS reports that approximately 15.8%, or 1,700 members per month on average, would be ineligible for Medicaid coverage in future years under the provisions of the Bill, including approximately 1,300 women with income between 215.0% and 375.0% of the FPL and 400 infants in families with income between 302.0% and 375.0% of the FPL.
- A monthly average of approximately 1,100 infants in families with income between 215.0% and 302.0% of the FPL may have coverage shifted from Medicaid to Hawki if they are not covered by other insurance.
- A monthly average of approximately 2,300 pregnant women are anticipated to maintain Medicaid coverage beyond the current two months postpartum instead of transferring to the IHAWP, which has income eligibility up to 133.0% of the FPL. Beginning in FY 2025, the State is estimated to pay for 36.75% of expenses under Medicaid for pregnant women and 11.61% of expenses for the IHAWP, creating increased net State costs of \$86 per month for these members.
- An estimated 2,700 women with an income level of 215.0% of the FPL or lower who otherwise would have lost Medicaid coverage after 60 days may be eligible for Medicaid coverage.
- Combined with program savings due to an estimated monthly average of 1,300 pregnant women who in future years would not be eligible for Medicaid coverage, the estimated fiscal impact related to pregnant women under Medicaid is an increase in total costs of \$1.8 million in FY 2025 (\$1.2 million increase in State costs), an increase in total costs of \$7.1 million in FY 2026 (\$5.4 million increase in State costs), and a decrease in total costs of \$685,000 in FY 2027 (\$2.7 million increase in State costs). Costs are anticipated to be funded from the Medical Assistance (Medicaid) General Fund appropriation.
- An additional monthly cost of \$3.89 per infant and \$6.60 per adult was added to account for dental costs paid outside of MCO capitation rates.

- A monthly average of approximately 400 infants in future years would no longer be eligible to receive Medicaid coverage due to the Bill, causing a decrease in total infant costs under Medicaid of \$1.5 million in FY 2025 (\$540,000 decrease in State costs), \$9.0 million in FY 2026 (\$3.3 million decrease in State costs), and \$10.1 million in FY 2027 (\$3.7 million decrease in State costs). State savings equal 36.75% of total savings beginning in FY 2025, and any savings are anticipated to be applied to the Medicaid General Fund appropriation.
- Approximately 1,100 infants' coverage may shift from Medicaid to Hawki due to the Bill, causing an increase in total costs of \$801,000 in FY 2025 (\$206,000 in State costs), \$4.9 million in FY 2026 (\$1.3 million in State costs), and \$5.5 million in FY 2027 (\$1.4 million in State costs). Costs are anticipated to be funded from the CHIP General Fund appropriation.
- According to the HHS, one-time MCO recovery moneys would be available for expenses outlined in the Bill.

Fiscal Impact

Senate File 2251 is estimated to increase State costs by approximately \$1.1 million in FY 2025, \$3.3 million in FY 2026, and \$388,000 in FY 2027.

Figure 1 — Medicaid Postpartum Coverage Fiscal Impact

Expense Category	FY 2025		FY 2026		FY 2027	
	Total	State	Total	State	Total	State
Information Technology	\$ 1,187,000	\$ 297,000	\$ 0	\$ 0	\$ 0	\$ 0
Medicaid — Pregnant Women	1,821,000	1,182,000	7,051,000	5,375,000	-685,000	2,679,000
Medicaid — Infants	-1,470,000	-540,000	-9,032,000	-3,319,000	-10,083,000	-3,705,000
Hawki — Infants	801,000	206,000	4,923,000	1,266,000	5,496,000	1,414,000
Total Fiscal Impact	\$ 2,339,000	\$ 1,145,000	\$ 2,942,000	\$ 3,322,000	\$ -5,272,000	\$ 388,000

Beginning in FY 2028, annual State costs are expected to be \$286,000.

Sources

Iowa Department of Health and Human Services
Centers for Medicare and Medicaid Services
Legislative Services Agency analysis

/s/ Jennifer Acton

March 7, 2024

Doc ID 1447836

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



HF 2320 – In-State Tuition, Illegal Aliens (LSB5649HV)
 Staff Contact: Michael Peters (515.281.6934) michael.peters@legis.iowa.gov
 Fiscal Note Version – New

Description

[House File 2320](#) requires the Board of Regents and the board of directors of a community college to adopt administrative rules to prohibit a Regents institution or community college from classifying a student as a resident of this State for purposes of tuition and fees unless the student provides proof of United States citizenship or proof that the individual is lawfully present in the United States.

Background

Iowa Community Colleges Background

Requirements for proof of Iowa residency are established for community colleges by the Iowa Department of Education. Residency status cannot be reclassified after the semester begins. If a student seeks to be reclassified after the term begins, the new classification will be effective at the start of the next term of enrollment. Iowa Code section [260C.14\(14\)](#), establishes the resident and nonresident statuses for determining the tuition rate per semester. **Figure 1** breaks down the community college enrollment by resident status using data from the Iowa Community Colleges Fall 2023 Enrollment Report, which can be found [here](#).

Figure 1 — Fall 2023 Community College Enrollments by Residence Status

Community College	Total Enrollment	Resident	Out-of-State	International	Joint Enrollment
Northeast Iowa	5,511	5,136	372	3	2,873
North Iowa Area	3,210	2,957	209	44	1,390
Iowa Lakes	2,749	2,168	507	74	1,177
Northwest Iowa	2,754	2,383	324	47	1,205
Iowa Central	6,232	5,370	751	111	2,412
Iowa Valley	2,988	2,569	315	104	1,364
Hawkeye	6,690	6,524	137	29	3,110
Eastern Iowa	12,288	9,769	2,508	11	5,321
Kirkwood	16,775	15,571	1,048	156	5,620
Des Moines Area	33,308	32,006	1,191	111	15,528
Western Iowa Tech	7,200	6,314	807	79	3,354
Iowa Western	8,210	5,530	2,563	117	2,615
Southwestern	1,943	1,799	110	34	920
Indian Hills	4,274	3,836	321	117	1,949
Southeastern	3,332	2,714	485	133	1,244
Total	117,464	104,646	11,648	1,170	50,082

The community colleges reported 117,464 total students enrolled in Fall 2023. Of that total, 50,082 high school students were taking classes through joint enrollment, which accounted for 42.6% of all enrollment. Of all students enrolled, 89.1% were classified as residents of Iowa, 9.9% were out-of-state students, and 1.0% were international students.

The community colleges each have a process currently in place for resolving residency or citizenship on a case-by-case basis. U.S. citizens are required to complete a residency status form and submit one of the following to verify citizenship status:

- Iowa driver's license.
- Iowa vehicle registration form.
- Iowa State income tax return, signed and dated.
- Iowa voter registration card.
- Proof of Iowa homestead credit on property taxes.
- Written and notarized documentation from an employer certifying that the person has been employed in Iowa for a minimum of 90 days.

Non-U.S. citizens, lawful permanent residents, and approved refugees may provide proof of legal immigration status through a U.S. permanent resident card. Appeals of residency or legal resident status can be submitted to the institution's admission's office. International students who are in the United States on any type of student visa cannot establish in-state residency.

Iowa Board of Regents Background

The undergraduate admission cycle begins in August and ends in May. Transfer students may be admitted for the fall or spring semester. Most graduate and professional students begin in the fall semester, although there are exceptions. Therefore, the verification process is ongoing throughout the calendar year. Iowa Code section [262.9\(17\)](#) establishes the resident and nonresident statuses for determining the tuition rate per semester. **Figure 2** breaks down the three Regents universities enrollments by resident status using data from the Iowa Board of Regents Fall 2023 Enrollment Report, which can be found [here](#).

Figure 2 —Fall 2023 Regents University Enrollments by Residence Status

	<u>Total Enrollment</u>	<u>New, First-Year</u>	<u>Residents</u>	<u>Out-of-State</u>	<u>International</u>	<u>Iowa Community College Transfer</u>
University of Iowa	30,042	5,064	16,885	11,653	1,504	595
Iowa State University	30,177	5,859	16,297	11,161	2,719	752
University of Northern Iowa	9,021	1,552	8,118	728	175	625
Total	69,240	12,475	41,300	23,542	4,398	1,972

Resident status for purposes of tuition classification is generally determined under the following circumstances:

- The student has graduated from an Iowa high school.
- The student has financially responsible parents or guardians residing in Iowa.
- The student is claimed annually as tax dependent on an Iowa income tax return that is classified as resident.
- The student has resided in Iowa for no less than 90 days prior to the start of the first day of a semester in which the student will be attending.

The Iowa Administrative Code establishes that an individual who comes to Iowa for educational purposes is to be classified as a nonresident. If a school determines an individual is a nonresident, the burden of establishing that the individual is an Iowa resident is upon the individual.

The Regents universities each have a process currently in place for resolving residency or citizenship on a case-by-case basis. If citizenship status cannot be confirmed through the Social Security Administration, students may be asked to provide one of the following documents in person to the Office of Student Financial Aid (OSFA):

- U.S. birth certificate.
- U.S. passport.

- U.S. passport card.
- Certificate of Naturalization.
- Certificate of Birth Abroad.
- Certificate of Citizenship.

Legal noncitizen status can be confirmed when a student submits the student’s Alien Registration Number. If United States Citizenship and Immigration Services (USCIS) of the U.S. Department of Homeland Security cannot confirm a student’s legal status, the following documents can be submitted to the OSFA:

- Permanent Resident Card (I-551) or Resident Alien Card (Form I-551).
- Arrival/Departure Record (CBP Form I-94) or Departure Record (Form I-94 or I-94A).
- Machine Readable Immigrant Visa (MRIV).
- Approval Notice from the USCIS (Form 1-797).
- Permanent Resident reentry permit (Form I-327) or Refugee Travel Document (Form I-571).
- Victims of Human Trafficking document (Form I-94) or a self-certification or eligibility letter from the U.S. Department of Health and Human Services.

Assumptions

- Each new student will be required to provide proof of United States citizenship or that the individual is lawfully present in the United States one time during the student’s enrollment at an institution of higher education.
- All currently enrolled students will need to provide verification upon enactment of this Bill and prior to the start of the next semester (Fall 2024).
- The Regents universities and the community colleges estimate each institution will require 100 hours of information technology (IT) development time at \$95 per hour.

Fiscal Impact

Both the Regents universities and the community colleges will require the development of an application to assist with the verification process. The fiscal impact of HF 2320 is estimated to be \$171,000 in one-time IT development costs. The cost per institution is estimated at \$10,000, or \$29,000 across all three universities and \$143,000 across all 15 community colleges. Existing staff will handle any additional duties for implementing and managing the process in future years.

Sources

Board of Regents
Iowa Association of Community College Trustees

/s/ Jennifer Acton

March 7, 2024

Doc ID 1446390

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.