
LEGAL UPDATE

Legal Services Division



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IOWA COMMISSION ON AGING MEETING — JUNE 6, 2019

Purpose. *Legal updates are prepared by the nonpartisan Legal Services Division of the Legislative Services Agency. A legal update is intended to provide legislators, legislative staff, and other persons interested in legislative matters with summaries of recent court decisions, Attorney General Opinions, regulatory actions, federal actions, and other occurrences of a legal nature that may be pertinent to the General Assembly's consideration of a topic. Although an update may identify issues for consideration by the General Assembly, it should not be interpreted as advocating any particular course of action.*

Date and Location. The Iowa Commission on Aging met on June 6, 2019, in the Jessie Parker Building.

Heritage Area Agency on Aging. As required pursuant to Iowa Code sections 231.14 and 231.32 and 17 IAC 4.4 and 17 IAC 6.2, the Heritage Area Agency on Aging submitted a two-year area plan for approval by the commission as the result of the designation of the Area Agency on Aging (AAA) under a new organizational structure as a section 501(c)(3) nonprofit organization. The commission unanimously approved the plan as submitted. The Heritage AAA will begin operations under the new designation on July 1, 2019. The Heritage AAA serves Benton, Cedar, Iowa, Johnson, Jones, Linn, and Washington counties.

Area Agency on Aging Quarterly Reports. The six AAAs provided FY 2020 area plan updates that identified accomplishments, initiatives implemented, and changes that have occurred since the submission of each AAA's FY 2018-2021 Area Plan on Aging. Each of the six AAAs also submitted an area plan budget report consisting of projected expenditures for the administration of each listed service, the projected number of consumers to be served by each service, and the projected number of units to be provided by each service. Areas of challenge for all AAAs include the provision of congregate meals and services to rural consumers. All AAAs are focusing on collecting and utilizing data to inform service development and delivery.

Legislative Update and Administrative Rules. Iowa Department on Aging (IDA) staff provided an update on legislation of interest that was enacted by the 2019 General Assembly. Legislation enacted included all of the following: HF 610 relating to guardianships and conservatorships; SF 210 relating to the designation of a lay caregiver relative to an inpatient hospital stay; HF 291 relating to the Medicaid community spouse resource allowance; HF 304 and SF 569 relating to personal degradation of a dependent adult by a caretaker; HF 323 relating to the exploitation of a dependent adult by a caretaker; HF 328 relating to the definition of a vulnerable elder; HF 731 relating to child abuse and dependent adult abuse mandatory reporter training; HF 570 relating to the removal of the monthly budget maximum for the Medicaid brain injury waiver; and HF 518 relating to payment for Medicaid-only and dually eligible Medicare and Medicare members electing the hospice benefit in a nursing facility. Staff also noted that HF 766, the Health and Human Services appropriations bill, included a provision to expand the return to the community pilot to an additional location. The additional pilot will be implemented by the Spencer County Hospital and the Elderbridge AAA on July 1, 2019. The IDA also will be working with the Office of the Attorney General and the Department of Human Services to review and make recommendations regarding adult protective services and financial exploitation. The commission approved proposed administrative rules necessitated by HF 2451 and HF 2460, enacted by the 2018 General Assembly, relating to the duties of and services provided by the IDA and the Office of Public Guardian formerly known as the Office of Substitute Decision Maker.

Agenda and meeting materials may be found at: www.iowaaging.gov/events-meetings/iowa-commission-aging-meetings

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