



agingWATCH



Older Americans Act reauthorization bill gains support of Iowa's senior U.S. senator

On Feb. 5, Iowa's senior U.S. senator, Chuck Grassley, announced he was co-sponsoring the Older Americans Act Reauthorization Act of 2015, a bi-partisan bill introduced earlier this session by Lamar Alexander (R-Tenn.), Patty Murray (D - Wash.), Richard Burr (R - N.C.) and Bernie Sanders (I - Vt.).

In a demonstration of Iowa's commitment to improving the quality of life for older residents and optimizing their ability to maintain their long-term independence at home or in their community of choice, Sen. Grassley added his name to a list of six other Republicans, five Democrats and one Independent who are cosponsoring the legislation.

The proposed bill, [S.192](#), provides for a three-year reauthorization with minor changes to the Older Americans Act (OAA), which include modernizing the Prevention of Elder Abuse, Neglect, and Exploitation Program; strengthening the role of Long-Term Care Ombudsmen; and making definitional changes related to Aging and Disability Resource Centers.

As previously reported, S. 192 differs from similar bills introduced in prior years' sessions in that it addresses changes to the formula

used to allocate OAA funding to the states. The current funding formula includes a "hold harmless" provision to protect states with low population growth – including Iowa – from a reduction in minimum funding levels.

The funding formula proposed in the Older Americans Act Reauthorization Act of 2015 contains a stop-loss compromise, which mandates that no state will receive less than 99 percent of the funding allotted in the prior fiscal year in 2015, 2016 and 2017. After that, funding will be frozen at 2018 levels.

The Iowa Department on Aging (IDA) estimates the stop-loss compromise will result in a total reduction to Iowa OAA funding of \$295,000, which is comparable to the Congressional Research Service's estimated loss of \$282,000 but far less than the IDA's estimated loss of \$940,000 if the hold harmless provision is removed.

In a media statement released Feb. 11, IDA Director Donna Harvey said, "The Iowa Department on Aging is pleased to see movement on the reauthorization and will work closely with both Senator Grassley and Senator Ernst as the bill moves forward to ensure the needs and interests of older Iowans and their caregivers are recognized."

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2015 IOWA LEGISLATIVE SESSION TIMETABLE

(SESSION TIMETABLE IS SUBJECT TO CHANGE)

JANUARY 12:

First day of session
Iowa Code Sec. 2.1

FEBRUARY 13 (Friday of the 5th Week):

Final day for individual Senator and Representative requests for bill drafts to the Legislative Services Agency
Senate Rule 27 and House Rule 29

MARCH 6 (Friday of the 8th Week):

Final day for Senate bills to be reported out of Senate committees and House Bills out of House committees
Joint Rule 20

MARCH 16-20 (10th Week):

Senate only considers Senate bills and unfinished business; House only considers House bills and unfinished business
Joint Rule 20

MARCH 23 – APRIL 3 (11th and 12th Weeks):

Debate not limited by rule

APRIL 3 (Friday of the 12th Week):

Final day for Senate bills to be reported out of House committees and House bills out of Senate committees
Joint Rule 20

APRIL 6-10 (13th Week):

Senate only considers House bills and unfinished business; House only considers Senate bills and unfinished business
Joint Rule 20

APRIL 13 (Beginning of the 14th Week):

Amendments need not be filed on the day preceding floor debate
House Rule 31.8

Primarily, only the following bills are eligible for consideration:

- Bills passed by both Houses
- Appropriations Bills

Joint Rule 20

MAY 1 (110th Calendar Day of the Session):

Per diem expenses end
Iowa Code Sec. 2.10(1)

Subcommittee activity heats up in advance of March 6 funnel deadline

The past two weeks have seen a flurry of activity as subcommittees in both the Iowa Senate and House of Representatives work to push legislation forward in advance of the March 6 funnel deadline (see Legislative Session Timetable at left).

As a result, the next three weeks will be a very busy time for everyone at the Capitol as proposed bills are reviewed and marked up in an effort to gain enough support to move them out to the floor.

Below is a list of bills that have already passed out of committee:

IOWA HOUSE OF REPRESENTATIVES

- [House File 159](#) amends the current law so a combined petition for a conservatorship and a guardianship is treated as one proceeding, with one docket number. HF 159 is a successor to HSB 44 and a companion to SF 149.
- [House File 166](#) amends eligibility criteria for the disabled veteran homestead tax credit to include additional categories of veterans with disabilities to qualify for the credit. HF 166 is a successor to HSB 40.

IOWA SENATE

- [Senate File 149](#) amends the current law so a combined petition for a conservatorship and a guardianship is treated as one proceeding, with one docket number. SF 149 is a successor to SSB 1024 and a companion to HF 159.
- [Senate File 178](#) provides that a person convicted of certain felonies perpetrated against a decedent in the six months immediately prior to the decedent's death is not entitled, as a named beneficiary, to any benefit under a bond, policy or other contractual arrangement, and the benefits become payable as though the person causing death had predeceased the decedent. Exception by affidavit. SF 178 is a successor to SF 21.
- [Senate File 229](#) provides for the administration and governance of an Iowa health information network by a designated non-profit entity. It creates a new Iowa Code chapter and transitions current functions from the Iowa Department of Public Health to a non-profit entity designated pursuant to an RFP process. SF 229 is a successor to SSB 1102 and a companion to HSB 100.

On the following pages, Bill Tracker details a list of bills currently being monitored by the Iowa Department on Aging.

Study bills used to gauge interest

Although all bills are thoroughly scrutinized before being voted on, some issues are studied carefully even before being moved into file status, simply to determine how proposed legislation will be received by the General Assembly.

House and Senate Study Bills (prefaced HSBs and SSBs) are developed under committee sponsorship for committee

consideration. The Governor and state agencies may also have ideas drafted as study bills.

Should a study bill attain committee approval, the study bill will be introduced with the committee as the sponsor and receive a Senate or House File number, thereby becoming eligible for debate on the floor of the chamber of introduction.

CORRECTIONS & CLARIFICATIONS

AgingWatch welcomes comments and suggestions from readers. If errors are

brought to our attention, we will attempt to correct them. Messages can be emailed to kimberly.murphy@iowa.gov.

More information about any of the bills listed in “Bill Tracker” can be found by clicking on the bill number and following the hyperlink to the Iowa Legislature’s online BillBook (www.legis.iowa.gov/legislation/billTracking). This resource posts all versions of bills and amendments, resolutions, study bills, bill histories and fiscal notes and includes sponsor information.

Iowa House of Representatives

HF 9 **Insurance Premiums for Older Drivers.** *Requires the Department of Transportation, in consultation with the Department of Public Safety, to establish a certified driver safety education course to be offered throughout the state. A person who successfully completes the course shall be issued a certificate. The Commissioner of Insurance shall require insurers to provide a 10 percent automobile insurance premium reduction for persons 55 years of age or older who have obtained a certificate within the last three years.*

HF 24 **Camping Fees for Older Iowans.** *Directs the Natural Resources Commission to reduce fees for camping and other special privileges for residents who are 60 years of age or older.*

HF 48 **Absentee Voter Status.** *Allows an absentee voter to receive absentee ballots for all subsequent general elections without having to reapply.*

HF 68 **Veterans Courts.** *Establishes a veterans treatment court in each judicial district.*

HF 85 **Abuse of Elders.** *Eliminates a listing of persons who were exempt from the confidential relationship requirements under the elder abuse Code chapter.*

HF 87 **Elder Financial Exploitation.** *Establishes the crime of financial exploitation of an older individual and provides penalties.*

HF 91 **Mental Health Advocates.** *Amends current law to eliminate court appointments of mental health advocates and mandates County Boards of Supervisors to assume responsibility for appointing mental health advocates in a patient’s county of residence. If a county of residence cannot be established, the County Board of Supervisors of the county where the patient’s hospital or facility is located will be mandated to appoint an advocate. This bill makes changes to payment provisions for services provided by the advocate.*

HF 106 **Health Workforce Center.** *Establishes a Iowa Health Workforce Center within the Iowa Department of Public Health to coordinate public and private health and long-term care workforce efforts in the state.*

HF 113 **Electronic Absentee Ballot.** *Allows registered voters to make application for absentee ballots through electronic means.*

HF 113 **Senior Farmers’ Market.** *Expands eligibility for the Senior Farmers’ Market Nutrition Program.*

HF 159 **Guardianship and Conservatorship Petition.** *Amends the current law so a combined petition for a conservatorship and a guardianship is treated as one proceeding, with one docket number. (Companion to SF 149.)*

HF 166 **Disabled Veteran Homestead Credit.** *Amends eligibility criteria for the disabled veteran homestead tax credit to include additional categories of veterans with disabilities to qualify for the credit.*

HF 170 **Aggressive Elderly Persons.** *Directs the Iowa Departments of Inspections and Appeals and Human Services to establish a committee to address the placement and housing of elderly persons who are sexually aggressive or combative or who have unmet geropsychiatric needs. The committee would include representatives from the Iowa Department on Aging and the Office of the State Long-Term Care Ombudsman. (Similar to HF 178 and SF 142.)*

HF 173 **Aging Appropriations.** *Appropriates an additional \$220,000 to the Office of the State Long-Term Care Ombudsman and an additional \$150,000 to the Iowa Department on Aging to be used for the Office of Substitute Decision Maker.*

HF 178 **Aggressive Elderly Persons.** *Directs the Iowa Departments of Inspections and Appeals and Human Services to establish a committee to address the placement and housing of elderly persons who are sexually aggressive or combative or who have unmet geropsychiatric needs. The committee would include representatives from the Iowa Department on Aging and the Office of the State Long-Term Care Ombudsman. (Similar to HF 170 and SF 142.)*

HF 179 Long-Term Care Committee. Establishes a long-term care committee to be comprised of members of the general public appointed by specific advocacy-based entities, representatives of those involved in long-term care delivery, members of the Senate and House of Representatives and representatives of state agencies, including the Iowa Department on Aging and the Office of the State Long-Term Care Ombudsman. The bill outlines specific duties for the committee with the intent to perform a comprehensive review of the long-term care delivery system. (Companion to SF 160.)

HF 180 Evidence-Based Depression Screening. Mandates the Iowa Department on Aging to establish an evidence-based depression screening and treatment program for older individuals to be administered by each Area Agency on Aging. (Companion to SF 169.)

HF 184 Abuse and Financial Exploitation of Elders. Eliminates a listing of persons who were exempt from the confidential relationship requirements under the Elder Abuse chapter in Iowa Code. Establishes the crime of financial exploitation of an older individual and provides penalties. Further defines "substitute petitioner" and notice provisions. (Companion to SF 109.)

HF 187 Barriers to Community Living. Directs multiple state agencies to create a workgroup to identify and address barriers to community living for older individuals and individuals with disabilities. The workgroup must include representatives of the Olmstead consumer task force and the Iowa Departments on Aging and Human Services and develop a plan to address identified barriers and make specific recommendations to ensure compliance with the Olmstead decision. (Companion to SF 156.)

HF 218 Iowa Telehealth Act. Establishes the Iowa Telehealth Act with the intent to allow professionals to use telehealth technology.

HF 233 Confidentiality Program for Abuse Victims. Establishes an address confidentiality program in the office of the Secretary of State for a victim of domestic abuse, domestic abuse assault, sexual abuse, or stalking or for a person in fear of the person's safety or another person's safety. (Similar to SSB 1134.)

HF 236 Prevention of Disabilities Council. Defines the activities of the Prevention of Disabilities Council and gives the council additional duties to coordinate disability prevention efforts and provide technical assistance with grant writing and other areas. Adds ex-officio members from the Iowa Departments on Aging, Education, Public

Health and Human Services. Requires the directors of these agencies to meet annually with the Council. Requires DHS to adopt rules to implement the bill, subject to approval from the Council.

HF 247 Eligibility Verification Systems. Directs the Iowa Department of Human Services (DHS) to establish a computerized income, asset and identity eligibility verification system and directs DHS to issue a request for proposal to contract with a third-party vendor to establish the system.

HSB 65 Food Assistance Eligibility. Directs the Department of Human Services (DHS) to eliminate categorical eligibility for the food assistance program and to instead implement income eligibility for the program at 130 percent of the federal poverty level and an asset test for eligibility consistent with federal supplemental nutrition assistance program (SNAP) requirements.

HSB 82 Medicaid HCBS Waiting Lists. Directs the Department of Human Services (DHS) to develop a prioritization policy for openings under each of the Medicaid home and community-based services waivers. The openings historically have been awarded on a first-come, first-served basis.

HSB 85 Protective and No-Contact Orders. Makes several changes related to the issuance of and violation of civil protective orders and criminal no-contact orders and modifies penalties. (Companion to SSB 1080.)

HSB 100 Health Information Network. Provides for the administration and governance of an Iowa health information network by a designated non-profit entity. It creates a new Iowa Code chapter and transitions current functions from the Iowa Department of Public Health to a non-profit entity designated pursuant to an RFP process. (Companion to SSB 1102.)



Iowa Senate

- SF 2 Veterans Home Eligibility.** *Provides additional eligibility to spouses of living veterans who are not members of the Iowa Veterans Home. To be eligible, such a spouse is required to have been married to the veteran for at least 10 years, be disabled and meet the qualifications for nursing or residential levels of care.*
- SF 3 Parking for Persons with Disabilities.** *Requires that an approved driver education course include classroom instruction relating to the rights, privileges and penalties associated with parking for persons with disabilities.*
- SF 34 Disabled Veteran Homestead Tax Credit.** *Amends eligibility criteria for the disabled veteran homestead tax credit to include additional categories of veterans with disabilities to qualify for the credit.*
- SF 45 Disabled Veteran Homestead Tax Credit.** *Amends eligibility criteria for the disabled veteran homestead tax credit to include additional categories of veterans with disabilities to qualify for the credit.*
- SF 52 Senior Property Tax and Assessment Freeze.** *Provides a property assessment adjustment and a property tax adjustment for certain property of persons who have attained the age of 65.*
- SF 83 Senior Property Tax and Assessment Freeze.** *Provides a property assessment adjustment and a property tax adjustment for certain property of persons who have attained the age of 70.*
- SF 93 Senior Property Assessment Freeze.** *Provides a property assessment adjustment for certain property of persons who have attained the age of 65.*
- SF 103 Disabled Veteran Homestead Tax Credit.** *Modifies eligibility criteria for the disabled veteran homestead tax credit by providing that the credit allowed on the homestead be a percentage of the tax levied on the homestead equivalent to the veteran's service-connected disability rating percentage.*
- SF 105 Inheritance Tax Repeal.** *Repeals the state inheritance tax and the state qualified use inheritance tax.*
- SF 106 Medicaid HCBS Reimbursement.** *Provides that reimbursement for providers of services and the individual monthly maximum cap under the Medicaid home and community-based services waiver for the elderly shall be increased by 3 percent over the amounts in effect on June 30, 2015.*
- SF 109 Abuse and Financial Exploitation of Elders.** *Eliminates a listing of persons who were exempt from the confidential relationship requirements under the Elder Abuse chapter in Iowa Code. Establishes the crime of financial exploitation of an older individual and provides penalties. Further defines "substitute petitioner" and notice provisions. (Companion to HF 184.)*
- SF 141 Aging in Place.** *Requires the Iowa Finance Authority to convene a task force to address the barriers to aging in place for older Iowans and Iowans with disabilities and to facilitate the creation of additional multigenerational and sustainable housing in Iowa communities. The task force shall consist of 16 members, with four being ex-officio, nonvoting members of the General Assembly.*
- SF 142 Aggressive Elderly Persons.** *Directs the Iowa Departments of Inspections and Appeals and Human Services to establish a committee to address the placement and housing of elderly persons who are sexually aggressive or combative or who have unmet geropsychiatric needs. The committee would include representatives from the Iowa Department on Aging and the Office of the State Long-Term Care Ombudsman. (Similar to HF 170 and HF 178.)*
- SF 149 Guardianship and Conservatorship Petition.** *Amends the current law so a combined petition for a conservatorship and a guardianship is treated as one proceeding, with one docket number. (Companion to HF 159.)*
- SF 156 Barriers to Community Living.** *Directs multiple state agencies to create a workgroup to identify and address barriers to community living for older individuals and individuals with disabilities. The workgroup must include representatives of the Olmstead consumer task force and the Iowa Departments on Aging and Human Services and develop a plan to address identified barriers and make specific recommendations to ensure compliance with the Olmstead decision. (Companion to HF 187.)*
- SF 160 Long-Term Care Committee.** *Establishes a long-term care committee to be comprised of members of the general public appointed by specific advocacy-based entities, representatives of those involved in long-term care delivery, members of the Senate and House of Representatives and representatives of state agencies, including the Iowa Department on Aging and the Office of the State Long-Term Care Ombudsman. The bill outlines specific duties for the committee with the intent to perform a comprehensive review of the long-term care delivery system. (Companion to HF 179.)*

SF 169 Evidence-Based Depression Screening.

Mandates the Iowa Department on Aging to establish an evidence-based depression screening and treatment program for older individuals to be administered by each Area Agency on Aging. (Companion to HF 180.)

SF 178 Insurance Proceeds.

Provides that a person convicted of certain felonies perpetrated against a decedent in the six months immediately prior to the decedent's death is not entitled, as a named beneficiary, to any benefit under a bond, policy or other contractual arrangement, and the benefits become payable as though the person causing death had predeceased the decedent. Exception by affidavit.

SF 189 Disabled Veteran Homestead Tax Credit.

Modifies eligibility criteria for the disabled veteran homestead tax credit.

SF 229 Health Information Network.

Provides for the administration and governance of an Iowa health information network by a designated non-profit entity. It creates a new Iowa Code chapter and transitions current functions from the Iowa Department of Public Health to a non-profit entity designated pursuant to an RFP process. (Companion to HSB 100.)

SSB 1001 Dementia Proficient Workforce Task Force.

Requires the Departments of Public Health, Aging, Human Services and Inspections and Appeals to form a task force to review dementia curricula and training models. Report due in November 2015.

SSB 1080 Protective and No-Contact Orders. Makes several changes related to the issuance of and violation of civil protective orders and criminal no-contact orders, and modifies penalties. (Companion to HSB 85.)

SSB 1082 Disabled Parking Permit Fines. Under current law, improper use of a persons with disabilities parking permit is a misdemeanor subject to separate fines. This bill provides that a local authority may charge and collect upon a simple notice of a \$100 fine in lieu of a scheduled fine.

SSB 1134 Confidentiality Program for Abuse Victims. Establishes an address confidentiality program in the office of the Secretary of State for a victim of domestic abuse, domestic abuse assault, sexual abuse or stalking, or for a person in fear of his/her safety or another person's safety. (Similar to HF 233.)

SSB 1152 Electronic Voter Registration. Permits electronic voter registration, electronic updating of voter registration information and electronic correction of voter registration information through the website of the State Commissioner of Elections.

SSB 1162 Ward Communication and Visitation. Permits a guardian to restrict an adult ward's communication or visitation only upon court approval and provides additional clarifications regarding the role of the guardian and the rights of the ward.

SSB 1167 Iowa Health Workforce Center. Establishes a Iowa Health Workforce Center within the Iowa Department of Public Health to coordinate public and private health and long-term care workforce efforts in the state. (Companion to HF 106.)

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510 E. 12th Street, Ste. 2 | Des Moines, IA 50319 | www.iowaaging.gov

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