



IowaAging.gov

AgingWatch

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The link to policy affecting older Iowans

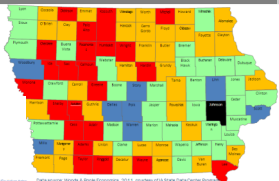
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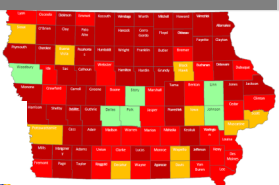
Percent of Iowa Population Age 65 +

Individuals age 65
or older comprise at
least 20% of the
total population in
the red counties

Year 2010



Year 2030



Source: National Council on Aging

Iowa Department on Aging Technical Bill

The Iowa Department on Aging submitted a bill this session to clean-up the Department's section of the Iowa Code. The bill was introduced in the Senate as Senate Study Bill 1056. The bill was introduced in the House as House Study Bill 46. The bill was assigned to the Human Resources Committee in both chambers.

The bill is a technical bill, which means that the bill does not establish or change policy. The primary focus of the bill is to change the title of the Long-Term Care Resident's Advocate program to the Long-Term Care Ombudsman program. The Older Americans Act refers to the program as Long-Term Care Ombudsman and this proposed change will align Iowa law with federal law. The bill also removes reference to the Resident Advocate Committees and instead refers to the Certified Volunteer Long-Term Care Ombudsman program. The Certified Volunteer Long-Term Care Ombudsman program was created by legislation last session. The basic differences between the Resident Advocate Committees and the Certified Volunteer Long-Term Care Ombudsman program are as follows:

- The Resident Advocate Committee was a group of volunteers serving in the form of a committee. The Certified Volunteer Program will be one individual assigned to each facility.
- The Resident Advocate Program did not have certification criteria. The Certified Volunteer Program will require that each volunteer obtain certification through an educational component.

Other changes within the bill include:

- Removing reference to the Senior Internship Program and instead replacing it with the Older American Community Service Employment Program. This is the title of the program used in the Older Americans Act.
- Including reference to IPERS provisions that are applicable to Area Agencies on Aging. Pursuant to current Iowa law, Area Agencies on Aging must comply with regulations established by IPERS in Chapter 97B of the Iowa Code. The technical bill would create a reference to already existing law.
- Adding language that codifies Area Agencies on Aging as "instrumentalities of the State." This is not a new change. Area Agencies on Aging have been deemed instrumentalities of the state in several Attorney General opinions dating back to the 1970s.

Did you know?

Today is the last day of the legislative session for individual Senators and Representatives to request bill drafting

- Removing reference to the Senior Living Trust Fund.
- Changing confidentiality provisions. The language in the technical bill will make identifying information of a consumer, complainant, resident, or tenant confidential under Iowa Code Chapter 22.

The bill has moved through subcommittee in both the House and Senate. Subcommittee members in the Senate are Senators Ragan, Mathis, and Johnson. Subcommittee members in the House are Representatives Garrett, Costello, and Anderson.

The bill was amended during the subcommittee process. Initial concerns were raised by media associations in regard to the confidentiality provisions. The Associations pointed out that some of the provisions were too broad and may stop the media from being able to obtain basic and necessary information, such as the number of complaints received. The Department agreed and it was determined that the confidentiality provisions would be adjusted to ensure that only identifying information is protected.

It was also determined that two additional sections in the bill needed to be adjusted, which are also dealt with in the singular amendment. The two additional changes are as follows:

- Iowa Code Section 16.182 was removed in the initial draft of the bill. This section should not have been removed and the amendment restores Section 16.182 with a few clean-up changes.
- A provision stating that the State Long-Term Care Ombudsman is excluded from working with residents of facilities licensed primarily to serve persons with an intellectual disability or mental illness was accidentally removed. The amendment puts this necessary language back into Iowa Code.

As the above explanations indicate, the bill and amendment are highly technical and this has created some challenges in moving the bill forward. The Department wishes to stress that this bill does not make any policy changes and is exclusively technical in nature.

Despite the complexity of the bill, the Department is happy to announce that the bill has passed full committee on the Senate side with amendment and will now be eligible for debate. The bill is no longer a study bill and has been given a true Senate File number. The bill can now be identified and tracked as [SF 184](#).

The House version of the bill was set for full committee on Monday, February 11. Due to a complication with the amendment, the bill was not presented to the Committee as planned. The Department is hopeful that the bill will move through the House Human Resources Committee next week.

Press Gaggle

a term used to refer to an informal briefing by the White House Press Secretary. Typically, a gaggle is considered to be “on the record” but is not necessarily videotaped.

Office of Management and Budget

Often referred to as OMB, this office exists within the executive branch of the federal government. In other words, the Office is governed by the President of the United States. The OMB assists the President with the budget and measures the quality of executive branch programs, policies, and procedures.

Sequestration

Although portions of the Fiscal Cliff have been averted, sequestration still looms. The impact of sequestration has been difficult to grasp as a series of percentages and impacts have been discussed for several months.

New information provided by the Office of Management and Budget indicates that the Department on Aging may receive a budget reduction with an impact slightly higher than originally anticipated. Last year, it was determined that the Iowa Department on Aging, as a nondefense program, would face a cut of 8.2% if sequestration occurred. The Iowa Department on Aging determined that an 8.2% sequestration impact would result in a loss of approximately \$1.4 million in funding.

Last week in a press gaggle, the Office of Management and Budget calculated that sequestration would require a five percent reduction, but that the impact would be closer to a nine percent reduction given the short period of time in which the cut would be absorbed.

Danny Werfel, Federal Controller for the Office of Federal Financial Management, a division of the Office of Management and Budget, stated, “OMB now calculates that sequestration will require an annual reduction of roughly 5 percent for non-defense programs and roughly 8 percent for defense programs. However, given that these cuts must be achieved over only a seven-month period instead of a twelve-month period, the effective percentage reductions will be approximately 9 percent for nondefense programs and 13 percent for defense programs. These are large and arbitrary cuts, and will have severe impacts across government.”

The Department will continue to keep readers informed as more information becomes available.

Click on the following link to view the full press gaggle: <http://www.whitehouse.gov/the-press-office/2013/02/08/press-gaggle-press-secretary-jay-carney-federal-controller-omb-danny-werfel>

Bill Watch

On the following pages, you will find a list of bills the Department on Aging has identified as potentially impactful to older and disabled Iowans. There is a brief descriptor of each bill. You may find comprehensive information including the entire bill, committee assignments, amendments and bill history by clicking on the bill number. Each bill is linked to the legislative website where up-to-date information is recorded. The Department will continue to keep you informed on significant action take on these and other bills during the legislative session.

- HF 31** **NURSE STAFFING PLANS.** Establishes patient safety plans and corresponding committee, nurse staffing plans and corresponding committee, and reporting requirements for hospitals and facilities. Includes implementing provisions and protections for nurses against retaliation.
- HF 42** **SENIOR CAMPING FEES.** Requires the Natural Resource Commission to discount camping and other fees for special privileges that it sets by at least 50% for Iowa residents who are 60 or older.
- HF 53** **ELDERLY SEX OFFENDER COMMITMENTS.** Establishes notification requirements for the clerk of court and facilities upon commitment of a registered sex offender to a facility. Requires the facility develop a written safety plan. Prohibits the release of a person committed as a sexual predator during a transitional period to a facility. Requires adequate placements for certain sex offenders being released from custody. Requires the development of a workgroup, that includes the Department on Aging, to address an adequate workforce to provide health and mental health services to sex offenders. Requires a committee, that includes the Dept. on Aging and the State Long-Term Care Ombudsman, to look at creating a facility for such offenders .
- This bill has been to subcommittee and amendments are anticipated.
- HF 63** **ABSENTEE BALLOT.** Addresses the delivery of absentee ballots to certain health care facilities and hospitals.
- HF 71** **LONG-TERM CARE INSURANCE.** Directs the Insurance Commissioner to develop rules for terms and benefits for long-term care insurance and a standard format for all policies to ensure ease of comparison. The Commissioner must also develop a consumer guide. See Senate File 38.
- HF 83** **MEDICAID EXPANSION.** Expands Medicaid coverage to adults with 133% of federal poverty level. Requirements regarding medical homes. Commission to review recommendations about integrated care models. Make recommendations by September 2013. Consumers interested in Medicaid expansion and the ACA should watch this bill closely. See [SF 71](#).
- HF 86** **POWER OF ATTORNEY VALIDITY.** Requires that a Power of Attorney be accompanied by a notarized affidavit acknowledging the fiduciary responsibilities being assumed. Requires the person to complete training prior to signing.

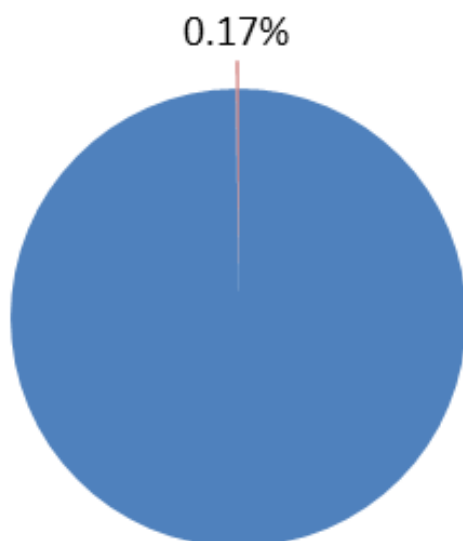
- HF 102 ADULT DAY CARE CERTIFICATION.** Extends the certification period for adult day care services from two to three years.
- This bill has passed out of Committee and should be eligible for debate.
- HF 114 ELDERLY SERVICES REIMBURSEMENT.** Increases the reimbursement for providers of services for the elderly under a Medicaid waiver annually. Requires the rate to be recalculated annually using the federal skilled nursing facility market basket index as an inflation factor. See [SF 34](#)
- HF 115 SENIOR PROGRAM FUNDING.** Appropriates \$13.85 million in Fiscal Year 2014 to the Department on Aging for programming for older individuals and the area agencies on aging. See SF 109
- HF 116 LONG TERM CARE APPROPRIATION.** Appropriates to the Department on Aging \$13,000 for the certified volunteer long-term care ombudsman's program and \$97,000 for an additional local long-term care ombudsman to administer the program. See SF 36.
- HF 124 ELDERLY PROPERTY TAX CREDIT.** Makes the home of a low-income, elderly disabled person exempt from property tax. Includes conditions.
- HF 137 VIOLENT ELDERLY PLACEMENTS.** Establishes a committee, including the Department on Aging and the State Long-Term Care Ombudsman, to look at placements for elderly persons who are sexually violent or who have other psychiatric problems. Charges the committee with looking at building a new facility or expanding or adapting existing facilities, and other matters. See [SF 35](#)
- HF 146 SILVER ALERTS.** Creates a Silver Alert program to track persons over age 65 who are cognitively impaired and who are missing.
- HF 160 MH TRANSITION SUPPLEMENTAL II.** Appropriates \$11.63 million in Fiscal Year 2013 from federal funds for children's health insurance for the Mental Health Disability Service Redesign Transition Fund.
- HF 198 REIMBURSEMENT FOR TRAINING.** Directs the adoption of rules regarding staff training costs for home and community based services under Medicaid reimbursable as direct costs.
- HF 200 MH/DS COUNTY FUNDING I.** Allows a county to fund mental health and disability services at higher base year expenditures if approved by supervisors.

- HF 201** **MH/DS COUNTY FUNDING II.** Establishes an equalization formula for counties that must reduce mental health and disability services spending to the per capital target amount.
- HF 206** **SEX OFFENDER PLACEMENTS.** Requires the Department of Human Services to establish facilities for the placement of Tier II or Tier III sex offenders by July 2014. Makes other requirements.
- HSB 46** **DEPARTMENT ON AGING TECHNICAL BILL.** See story on pages 1 and 2 of this issue of AgingWatch. Similar to SF 184.
- HSB 109** **MH/DS SERVICES.** Strikes specific procedures on creating a unique identifier for persons in the mental health and disability service system. Addresses intermediate facility placement v. sub acute facility.
- HSB 119** **HCBS WAIVER.** Creates an exemption to licensing as a health care facility to allow for coverage for more residential services under the home and community based services (HCBS) waiver. See SSB 1133

Did you know? The percentages provided below show the portion of the full state budget and the health and human services state budget that are appropriated to the Iowa Department on Aging.

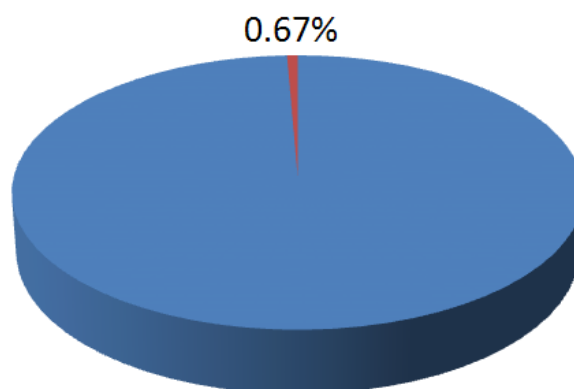
State Appropriation

■ For the Department on Aging



State Health and Human Services Appropriation

■ For the Department on Aging



Unbelievably small.
Incredibly mighty.



- SF 32** **SENIOR PROPERTY TAX.** Creates a freeze on the assessed value of the home of a person over the age of 65 and who has less than \$25,000 in household income. Establishes criminal penalties for filing a false affidavit. Similar to **SF 39**
- SF 34** **ELDERLY SERVICES REIMBURSEMENTS.** Increases the reimbursement for providers of services for the elderly under a Medicaid waiver annually. Requires the rate to be recalculated annually using the federal skilled nursing facility market basket index as an inflation factor. See [HF 114](#)
- SF 35** **VIOLENT ELDERLY PLACEMENTS.** Establishes a committee, including the Department on Aging and the State Long-Term Care Ombudsman, to look at placements for elderly persons who are sexually violent or who have other psychiatric problems. Charges the committee with looking at building a new facility or expanding or adapting existing facilities, and other matters. See [HF 137](#)
- This bill passed out of committee with an amendment and is eligible for floor debate.
- SF 36** **LONG-TERM CARE APPROPRIATIONS.** Appropriates to the Department on Aging \$13,000 for the certified volunteer long-term care ombudsman's program and \$97,000 for an additional local long-term care ombudsman to administer the program. See HF 116.
- SF 38** **LONG TERM CARE CONTRACTS.** Directs the Insurance Commissioner to develop rules for terms and benefits for long-term care insurance and a standard format for all policies to ensure ease of comparison. The Commissioner must also develop a consumer guide. See HF 71.
- SF 39** **SENIOR PROPERTY TAX FREEZE II.** Creates a freeze on the assessed value of the home of a person over the age of 65 if the assessed value of the house is under \$150,000. Establishes criminal penalties for filing a false affidavit. Similar to **SF 32**
- SF 71** **MEDICAID EXPANSION.** Expands Medicaid coverage to adults with 133% of federal poverty level. Requirements regarding medical homes. Commission to review recommendations about integrated care models. Make recommendations by September 2013. Consumers interested in Medicaid expansion and the ACA should watch this bill closely. See [HF 83](#)
- SF 72** **INSURANCE EXCHANGES.** Establishment of the Iowa health benefit marketplace.

- SF 90** **ASSISTED LIVING.** Defines assisted living, requires plans to meet nutritional needs of tenants and requires DIA rules for program managers.
- SF 109** **SENIOR PROGRAM FUNDING.** Appropriates \$13.85 million in Fiscal Year 2014 to the Department on Aging for programming for older individuals and the area agencies on aging. See HF 115.
- SF 118** **GRANDPARENT VISITATION.** Grants visitation to grandparents or great-grandparents.
- SF 178** **DEPENDENT ADULT REPORTERS.** Eliminates the Abuse Education Review panel and transfers responsibilities to DPH. Makes requirements of mandatory reporters. Increase the hours of training for mandatory reporters.
- SF 184** **DEPARTMENT ON AGING TECHNICAL BILL.** See story on pages 1 and 2 of this issue of AgingWatch.
- SSB1119** **MEDICAID ASSET TRANSFERS.** Defines fair consideration for asset transfer as opposed to fair market value. Other considerations regarding transfers.
- SSB1130** **MH/DS SERVICES.** Strikes specific procedures on creating a unique identifier for persons in the mental health and disability service system. Addresses intermediate facility placement v. sub acute facility.
- SSB1133** **HCBS WAIVER.** Creates an exemption to licensing as a health care facility to allow for coverage for more residential services under the Home-and-Community Based services (HCBS) waiver. See [HSB 119](#)



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who are
interested in
issues and
programs that
impact older
Iowans.

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Commission on Aging Member Judy Bevers

Commission on Aging member Judy Bevers grew up in the Northwestern town of Gillett Grove, Iowa. After years of living away from her home town, Judy returned to help care for her Mother and has remained living in Gillett Grove.

In 1985, Commissioner Bevers began her career in sales and today has over twenty-eight years of experience working in the transportation industry with United and North American Van Lines, in both domestic and international sales.

While embarking on her career, she raised two children, a daughter and a son, and has ten grandchildren and one great-grandchild.

In 2010 she was appointed to the Commission on Aging by Governor Terry E. Branstad. A strong advocate for older Iowans and their caregivers, Commissioner Bevers remarks that she "is very proud to serve on the Commission."

Bevers feels strongly that "We have lost the art of children helping care for their parents and we need to take time to care for our own." She is passionate in her belief that keeping older Iowans as independent as possible is extremely important and that they "should stay living in their own homes as long as possible."

Bevers is encouraged, as it pertains to those that are enjoying 'aging in place' in Iowa. "I believe that the services and supports available through our local Area Agencies on Aging help older Iowans wishing to remain in their homes. I know, from experience, how helpful these services are in rural areas, such as in my home town. Supportive services help keep our older citizens living in and enjoying life in their own communities, and this should be, and is our main goal."

Commissioner Bevers' term ends in April 2013.

AgingWatch is provided in the spirit of information and education. The opinions expressed by the contributors do not necessarily reflect those of the Department or its programs. The Department shall not be liable for any damages that may result from errors or omissions in information distributed in this publication.

AgingWatch will be published regularly during the legislative session and monthly in the interim by the Iowa Department on Aging. Recipients of the e-mail notice of publication are encouraged to share it with others.

The current issue may be found on the Department's website, www.iowaaging.gov. Past issues are archived in the "Publications/Information" section.



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The Mission of the Iowa Department on Aging is to develop a comprehensive, coordinated and cost-effective system of long term living and community support services that help individuals maintain health and independence in their homes and communities.