

# agingWATCH



## Department on Aging, Commission on Aging appointments moving forward

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Iowa Department on  
**AGING**

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This morning, Iowa Department on Aging Director Donna Harvey officially secured a second term in the agency's leadership role when the Iowa Senate voted 46-0 to confirm her appointment.

Director Harvey was reappointed to her role by Governor Terry Branstad in early March and was placed on the individual confirmation calendar to appear before the full Senate on April 1. There, she was introduced by the Secretary of the Senate as the guest of Senator Liz Mathis, chair of the Human Resources Committee, and David Johnson, the committee's ranking member, with a recommendation for confirmation.

According to Iowa Code Section 2.32, the Senate had until April 15 to vote to approve or disapprove the appointment by a two-thirds majority. Now that Director Harvey has been approved for confirmation, her new term will officially begin May 1.

In addition to reappointing Director Harvey, Gov. Branstad also reappointed two members of the Iowa Commission on Aging. Betty Grandquist of Des Moines, current Commission chair, and Carole Dunkin of De Witt were placed on the en-



*Above, IDA Director Donna Harvey (center) is introduced to the Iowa Senate on April 1 by Sen. Liz Mathis and Sen. David Johnson with a recommendation for confirmation.*

bloc calendar for confirmation on March 19. Carole Dunkin was confirmed by the Senate on March 30 and the confirmation of Betty Grandquist is currently pending.

The Commission on Aging serves as the policymaking body for the Iowa Department on Aging (IDA), responsible for reviewing and commenting upon all state plans, budgets, and policies that affect older Iowans and for ensuring the views of older individuals are taken into account when developing policy. The IDA is pleased with the appointment of these Commission members and looks forward to another productive and successful term under their guidance.

## GOVERNOR SIGNS BILLS AFFECTING OLDER IOWANS INTO LAW

To date this session, Governor Terry Branstad has signed three bills into law that impact the populations served by the Iowa Department on Aging, including older Iowans, adults with disabilities and veterans.

As reported in the last issue of *AgingWatch*, Gov. Branstad signed HF 159 and HF 166 into law on March 5:

- HF 159, a successor to HSB 44 and a companion bill to SF 149, amends existing law so a combined petition for a conservatorship and a guardianship can now be treated as one proceeding with one docket number.
- HF 166, a successor to HSB 40, amends eligibility criteria for the Disabled Veteran Homestead Tax Credit to enable additional categories of veterans with disabilities to qualify for the credit.

Additionally, on March 31, Gov. Branstad signed HF 202 into law, creating a retired volunteer license for dentists and dental hygienists who have retired within the last five years. This will enable retired dental professionals to provide services on a volunteer basis.



### CORRECTIONS & CLARIFICATIONS

*AgingWatch* has been tracking SF 284 and reported it in the last issue as a bill being actively monitored. At the time of last publication, SF 284 had been substituted by HF 166, which was signed into law on March 5. For this reason, the Department is no longer tracking SF 284.

*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](mailto:kimberly.murphy@iowa.gov).

# 2015 Iowa Legislative Session timetable

*(Session timetable is subject to change)*

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## JANUARY 12:

First day of session  
*Iowa Code Sec. 2.1*

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## FEBRUARY 13 (Friday of the 5<sup>th</sup> Week):

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

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## MARCH 6 (Friday of the 8<sup>th</sup> Week):

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

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## MARCH 16-20 (10<sup>th</sup> Week):

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

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## MARCH 23 – APRIL 3 (11<sup>th</sup> and 12<sup>th</sup> Weeks):

Debate not limited by rule

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## APRIL 3 (Friday of the 12<sup>th</sup> Week):

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

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## APRIL 6-10 (13<sup>th</sup> Week):

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

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## APRIL 13 (Beginning of the 14<sup>th</sup> 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
- Ways and Means Bills
- Appropriations Bills
- Government Oversight Bills

*Joint Rule 20*

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## MAY 1 (110<sup>th</sup> Calendar Day of the Session):

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

# Second funnel deadline passes with uncharacteristic calm

The second funnel deadline of the Legislative Session passed on April 3 after an unusually quiet week with few subcommittee meetings.

As with the first funnel, bills that did not make it out of committee in the opposite chamber from which they originated by the funnel deadline became ineligible to move forward in the legislative process. However, with subcommittee activity ending after minimal meetings on Wednesday, it seems most legislators had already wrapped up campaigning for their priority issues.

Several notable bills did not survive the funnel, including the Medicaid transformation and oversight bill (SF 452); the caregiver bill that would have provided instructions to a caregiver upon a patient's discharge from a hospital (SF 465); and the insurance proceeds bill that would have prohibited individuals who perpetrate specific felonies from receiving certain benefits and proceeds from the assets of the victim (SF 178). For a full list of bills that did not survive the second funnel, see page 6.

There are still a handful of bills making their way through the legislative process, but much of the legislation still being monitored by *AgingWatch* are bills assigned to the Ways and Means or

Appropriations Committees, which are not subject to funnel deadlines.

A few of the bills being monitored have received committee amendments in the opposite chamber. Here are a few amendment highlights:

- Amendment H 1157 proposes to amend the ward communication and visitation bill (SF 306) to clarify that the legislation is applicable to adult wards by inserting “adult” before “ward” in several provisions.
- Amendment H 1174 proposes to amend the Prevention of Disabilities Policy Council bill (SF 464) to repeal the Prevention of Disabilities Policy Council on July 1, 2016. The amendment charges the Mental Health and Disability Services Commission, Developmental Disabilities Council, Prevention of Disabilities Policy Council and the Iowa Departments of Human Services and Public Health to provide for the transfer of the duties to the Mental Health and Disability Services Commission, Developmental Disabilities Council or Iowa Department of Public Health.
- Amendment S 3072 proposes technical changes to the mental health



advocate bill (HF 468), including mandating that the Mental Health and Disability Services Commission adopt rules to address the professional qualifications of mental health advocates.

With the second funnel deadline behind them, the Legislature has less than one month to complete all business before per diem expenses end on May 1. This will be a difficult deadline to meet as budget targets have not been assigned, which means work within budget subcommittees has not yet started.

Once budget targets are determined, the budget subcommittees can start working on respective budgets. *AgingWatch* will keep readers updated regarding the legislative budget process.

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## Understanding the legislative appropriations process

When it comes to authorizing state moneys to be used for state departments, the legislative appropriation process is governed by a multi-step process that actually begins during the state fiscal year prior to when a new budget will go into effect.

By Oct. 1, state agencies must prepare and submit their requested budgets to the Department of Management for the next state fiscal year beginning July 1. Those budgets must align with the guidelines set by the governor and are then reviewed by the Revenue Estimating Conference in December to help set the following fiscal year's General Fund budget.

The governor then reviews the budget requests, holds budget hearings and submits recommendations to the legislature in January. By law, the governor's budget must be balanced and must meet expenditure limitations.

From there, the legislature conducts joint budget hearings and makes recommendations, which are then debated, approved and sent to the governor as a budget bill to go into effect July 1 (the beginning of the next state fiscal year).

For a full explanation of the budget process, visit <https://www.legis.iowa.gov/docs/resources/IowaBudgetProcess.pdf>.

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](http://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 381** **Health Information Network.** Provides for the administration and governance of an Iowa health information network by a nonprofit designated entity. Creates new Code chapter and transitions current functions from the Iowa Department of Public Health to a nonprofit entity designated pursuant to RFP process. (Companion to SF 229.)

**HF 468** **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. Makes changes to payment provisions for services provided by the advocate.

**HF 585** **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. (Companion to SF 383.)

## Iowa Senate

**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 HF 381.)

**SF 306** **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.

**SF 383** **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. (Companion to HF 585.)

**SF 463** **Mental Health and Disabilities Redesign.** Makes conforming Code amendments relating to the redesign legislation.

**SF 464** **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.

## Ways and Means/Appropriations Bills

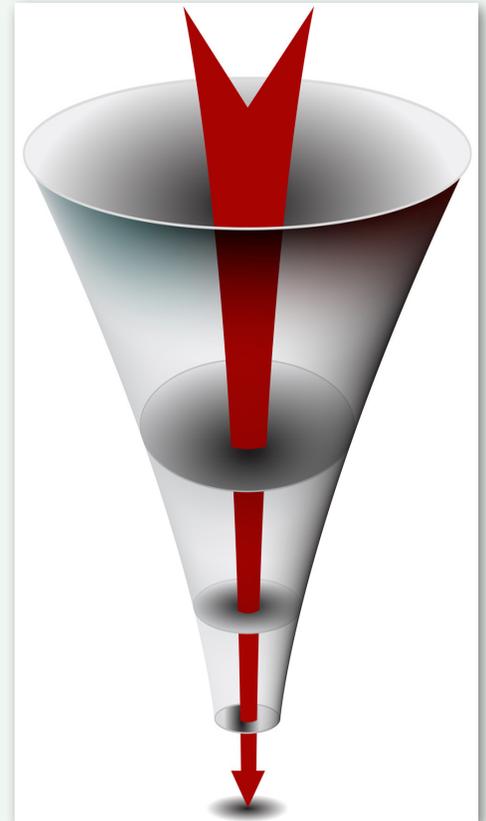
**HF 173** **Aging Appropriations.** (Appropriations) Appropriates an additional \$220,000 to the Office of the State Long-Term Care Ombudsman and an additional \$150,000 to the Iowa Department on Aging to be used for the Office of Substitute Decision Maker.

**HF 257** **Wages Paid to Individuals With a Disability.** (Ways and Means) Modifies the criteria for claiming the deduction from the individual income tax, corporate income tax and franchise tax of certain wages paid relating to the employment of an individual with a disability.

**HF 594** **Tax Check-Off for Food Insecurity.** (Ways and Means) Provides that taxpayers filing individual income tax returns will be allowed to designate \$1 or more to be paid to the Iowa Check-Off Hunger Fund. Moneys in the fund will be appropriated to the Iowa Department on Aging to provide grants to entities and other persons for the purpose of reducing food insecurity in Iowa.

**SF 34** **Disabled Veteran Homestead Tax Credit.** (Ways and Means) 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.** *(Ways and Means)* 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.** *(Ways and Means)* 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.** *(Ways and Means)* Provides a property assessment adjustment for certain property of persons who have attained the age of 65.
- SF 103 Disabled Veteran Homestead Tax Credit.** *(Ways and Means)* 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.** *(Ways and Means)* Repeals the state inheritance tax and the state qualified use inheritance tax.
- SF 189 Disabled Veteran Homestead Tax Credit.** *(Ways and Means)* Modifies eligibility criteria for the Disabled Veteran Homestead Tax Credit.
- SF 261 Tax Exemption for Older Iowans.** *(Ways and Means)* Exempts any individual who is at least 65 years of age from the individual income tax.
- SF 474 Caregiver Tax Credit.** *(Ways and Means)* Creates a tax credit for caregivers of individuals who are diagnosed with Alzheimer's disease or another dementia-related illness.
- SF 475 Home Modification Tax Credit.** *(Ways and Means)* Creates a home modification tax credit for the first \$2,500 of unreimbursed home modification expenses for the primary residence of an individual with disabilities, as defined by the bill. The modification must be a permanent enhancement designed to allow the individual to remain at home and age in place.
- SSB 1268 Deduction for Employing Individuals with Disabilities.** *(Ways and Means)* Expands the entities that can claim a deduction for employing individuals with disabilities. Under current law, a small business may claim a deduction equal to 65 percent of the wages paid to an individual with a disability who was hired during the year. This bill removes the small business restriction to provide that any business may claim the deduction.



While many bills must be reported out of committee by the Legislative Session's funnel deadlines in order to stay active, some types of bills are exempt from the funnels. These include:

- Appropriations Bills;
- Ways and Means Bills;
- Government Oversight Bills;
- Legalizing Acts;
- Administrative Rules Review Committee Bills;
- Committee Bills related to delayed or suspended Administrative Rules [Iowa Code Sec. 17A.8(9)];
- Bills co-sponsored by Majority and Minority Leaders of one House;
- Conference Committee Reports Companion Bills sponsored by the Majority Leaders of both Houses after consultation with the respective Minority Leaders;
- Concurrent or Simple Resolutions; and
- Joint Resolutions nullifying Administrative Rules.

## Iowa House of Representatives

- 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.
- HF 343 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. (Companion to SF 272.)
- HF 600 Iowa Telehealth Act.** Establishes the Iowa Telehealth Act with the intent to allow professionals to use telehealth technology.

## Iowa Senate

- 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 272 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. (Companion to HF 343.)
- SF 331 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.
- SF 372 Durable Medical Equipment.** Establishes a licensing procedure and standards of practice for durable medical equipment providers.
- SF 386 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.
- SF 441 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.
- SF 452 Medicaid Transformation and Oversight.** Establishes the Medicaid Transformation and Oversight Commission to provide for legislative involvement and oversight and ensure stakeholder input, consumer protection and quality assurance in the transformation of the Medicaid program.
- SF 465 Caregiver After-Care Assistance.** Requires a hospital to provide each patient with an opportunity to designate a caregiver, to notify the caregiver of the patient's discharge or transfer and to consult with and provide instructions to the caregiver regarding the patient's after-care assistance.

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



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