

# 2003 Proposals to the Governor and 80<sup>th</sup> General Assembly

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*Making a difference in  
the lives of Iowa women*

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# 2003 Proposals to the Governor and the 80<sup>th</sup> General Assembly

The Iowa Commission on the Status of Women (ICSW) has formulated a program that it deems necessary to meet important human needs and to eliminate inequities for women, which will benefit all citizens of Iowa.

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*NOTE: The proposals are not in order of importance.*

# 2003 Priorities

As **priority areas** being proposed to the Governor and General Assembly for 2003, the ICSW supports:

- Increased funding for long-term care workers with assurance that wages of direct care workers are increased to a livable wage and benefits are affordable. (Aging Issues and Long-Term Care)
- Increase in the number of required hours to become a Certified Nurse Aide from 75 to 90. (Aging Issues and Long-Term Care)
- Legislative action on child care in Iowa with a focus on employment-related child care issues – see pages 4-5 for a complete list. (Economics)
- Establishing a vehicle for 12 weeks of partial wage compensation for a person taking parental leave for the birth or adoption of a child. (Economics)
- Increase in the minimum wage. (Economics)
- Amending the Iowa Civil Rights Act to prohibit discrimination on the basis of sexual orientation. (Equality)
- Continued funding of family planning services through TANF at \$1.2 million and consider a \$200,000 increase to fully fund the program for one year. (Health)
- Continued commitment and agreement made with Iowa communities to fund comprehensive adolescent pregnancy prevention and services for pregnant and parenting teens at the current \$1.3 million level. (Health)
- Parity for mental health and substance abuse care coverage. Private and public health insurance should be required to provide benefits for the same treatment of biologically-based mental illnesses under the same terms and conditions as for other illnesses. (Insurance)
- Elimination of mandatory sentencing and the 85% time served laws and restoring more discretion in sentencing for judges. (Justice)
- Automatic restoration of voting rights for ex-felons upon completion of sentence and parole. (Justice)
- Restoration of funding for domestic violence and sexual assault programs as a line item in the state budget. (Violence Against Women)
- Full funding of the Emergency Assistance Program. (Welfare)

# Legislative Proposals

## Aging Issues and Long-Term Care

In 1999, Iowa ranked second in the percentage of population over 85 years of age, fourth in the percentage of population over 75 years of age, and fifth in the percentage of population over 65 years of age. Of those over age 65, 59 percent in Iowa are women. As the baby boom generation gets older, the need for both paid and unpaid caregivers will increase. A 2001 ICSW study on CNA wages and benefits found that 73 percent earn under \$10 per hour with few benefits and high turnover. The typical family caregiver is a married women in her mid-forties to mid-fifties, works full-time outside of the home, and spends an average of 18 hours per week on caregiving. To address the needs of paid and unpaid caregivers for dependent adults, the ICSW supports:

1. **Increased funding for long-term care workers with assurance that wages of direct care workers are increased to a livable wage and benefits are affordable. (Priority)**
2. Legislation to assure protection of vulnerable persons who are being abused but who do not fit within Iowa's current criteria.
3. Amendment of state tax policy in the *Code of Iowa* Chapter 422.9(2)(e) regarding tax deduction to include spouse, brother, and sister for whom in-home care is given.
4. Continued funding of Iowa CareGivers Association project to maintain and expand Certified Nurse Assistant (CNA) Recruitment and Retention Program and advocacy efforts for direct care workers.
5. Legislative action on direct care workers' education in Iowa, including:
  - a. An increase in the number of required hours to become a Certified Nurse Aide from 75 to 90. (Priority)
  - b. Establishment of continuing education standards for direct care workers that are linked to maintaining their certification.
  - c. Standardization of direct care worker educational opportunities for advancement that become part of the workers permanent credentials and are

recognized at the state level.

- d. Creation of a scholarship program for direct care workers for advanced CNA, Advanced Alzheimer's, CNA Mentor, and other standardized programs within the field of direct care.
6. In effort to be more cost-effective in the provision of long-term care for those in need of services provided by state institutions, any legislation to close the state institution must consider the availability of alternative services for those in need of this long-term care.

## Economics

In 2000, 62.7 percent of women age 16 and older were in Iowa's workforce, which represented 47.4 percent of the total workforce. According to the wage study released that same year, Iowa women made 73 cents for every \$1 a man made. The study also found that 64 percent of female respondents reported annual wages of \$25,000 or less while 66 percent of males reported wages over \$25,000. To address the economic needs of Iowa women, the ICSW supports:

1. Development of a plan for extending a comparable worth policy to all public employees in Iowa, with state assistance to local government entities in conducting comparable worth studies and a plan for making state revenue-sharing monies at future dates contingent upon adopting comparable worth pay schedules for local government employees.
2. A requirement that credit be given for skills developed through volunteer and homemaker work experience for purposes of qualifying for hiring and promotion in all personnel selection systems in Iowa state government, its political subdivisions, and all businesses/parties that contract with the state government.
3. **Legislative action on child care in Iowa with a focus on employment-related child care issues, including: (Priority)**
  - a. **Measures designed to guarantee affordable, quality child care, in particular for women seeking training and/or employment;**
  - b. **A child care and/or preschool subsidy for every Iowa family below 85% of the state**

median income;

- c. Adequate compensation, including benefits, for child care workers;
  - d. Need-based child care centers of adequate size at state educational institutions;
  - e. Improved supply of quality child care by increased funding for local Child Care Resource and Referral services for programs such as providing parent/consumer information and odd hour, out of school time, and infant and toddler care;
  - f. A professional development system for child care/preschool workers of prerequisite and on-going training, and a process for credentialing workers;
  - g. Requirement that all child care/preschool settings be licensed and registered and adhere to standards that ensure quality care and experiences.
  - h. Reimbursement of child care providers actual/full cost of care;
  - i. Increase in matching funds by an additional \$1.8 million to allow DHS to drawn down \$3.2 million more from the Child Care Development Fund.
4. Continued funding for displaced homemakers/Iowans in Transition program grants through the ICSW at no less than the FY03 level of \$106,000. (FY01 level was \$185,000 and \$155,000 in FY02).
  5. **Establishing a vehicle for 12 weeks of partial wage compensation for a person taking parental leave for the birth or adoption of a child. (Priority)**
  6. Development of a plan to achieve pay equity for employees in private industry furthering the goal of eliminating wage discrimination on the basis of gender.
  7. Increase in teacher pay.
  8. **Increase in the minimum wage. (Priority)**
  9. Funding directed specifically toward low income women, allowing them to become home owners.

## Equality

The *2002 Status of Iowa Women Report* documents the need for continuing to improve the quality of life for women in this state. To achieve equality while improving the status of women, the ICSW recommends:

1. State funding to provide staff and support for the provision of technical assistance on educational equity for school districts and to monitor implementation of Iowa's multicultural, gender-fair curriculum requirement as well as Title IX.
2. Gender balance on boards and commissions of political subdivisions of the state.
3. Provision of English as a Second Language adult education.
4. **Amending the Iowa Civil Rights Act to prohibit discrimination on the basis of sexual orientation. (Priority)**

## Health

Good health is essential to leading a productive and fulfilling life and to participating fully in the economic, social, and political life of the state. It requires safe and healthful physical and social environments, sufficient incomes, safe and adequate housing, proper nutrition, preventive treatment, and education on maintaining healthful behaviors. It is an irony that many health care workers do not earn enough to afford their own health care coverage. To increase the quality of health in women, the ICSW supports:

1. Focusing on health care reform until health care coverage is accessible to all Iowans.
2. Full funding and implementation of the State's Children's Health Care Initiative (hawk-i), with consideration of available options including coverage of parents.
3. Expansion of Medicaid coverage to include parents of eligible children.
4. Continued funding for statewide chlamydia screening and treatment program.
5. Access to mammography, colposcopy, and screening

for diabetes for low-income women without Medicaid.

6. Mandated insurance coverage for physician-recommended mammography for women with a family history of breast cancer.
7. Continued funding for follow-up treatment when screening for breast and cervical cancer indicates abnormalities.
8. **Continued funding of family planning services through TANF at \$1.2 million and consider a \$200,000 increase to fully fund the program for one year. (Priority)**
9. Access to all reproductive health care options for women as currently available.
10. Increased funding to programs for quality substance abuse treatment.
11. Increased reimbursement rate under Title XIX for dentists to care for children in WIC and Head Start programs.
12. Continued commitment and agreement made with Iowa communities to fund comprehensive adolescent pregnancy prevention and services for pregnant and parenting teens at the current \$1.3 million level. (Priority)

## Insurance

In recognition of the needs of all persons to insure against the risks related to disability, retirement and death, and in particular noting the needs of persons following divorce or disability or death of a spouse, the ICSW supports:

1. Elimination of discriminatory practices on the basis of gender or marital status in the issuance or operation of any type of insurance policy, plan, program, or coverage, including but not limited to rates, payments, or benefits; for example, exclusion of obstetrical care for unwed dependents.
2. Continuing to reform health insurance coverage for the uninsured and underinsured.
3. Broadening the law that prohibits insurers from

unlawful discrimination on the basis of domestic violence.

4. Expansion of relationship definition for family coverage insurance to include extended family members.
5. **Parity for mental health and substance abuse care coverage. Private and public health insurance should be required to provide benefits for the same treatment of biologically-based mental illnesses under the same terms and conditions as for other illnesses. (Priority)**

## Justice

Women in Iowa have unique needs relative to the administration of justice in all areas, including legal assistance. The female prison population in Iowa is on the rise, climbing from fewer than 100 in 1985 to 642 at midyear 2001. The ICSW supports:

1. Strengthening and expanding community based corrections for people convicted of nonviolent and non-person crimes.
2. Restoration of state funding as a line item of \$950,000 for the Legal Services Grants Program administered by the Office of the Attorney General.
3. Addressing child support issues, including:
  - a. Amendment to *Code of Iowa* Chapter 633.425 classifying unpaid child support first in payment of debts of an estate; and
  - b. Providing legal representation for persons seeking child support.
4. **Elimination of mandatory sentencing and the 85% time served laws and restoring more discretion in sentencing for judges. (Priority)**
5. Intensive residential community-based facility for drug offenders on probation.
6. Restricting all 100 placements at the Iowa Juvenile Home to females.
7. Continuation of Court Appointed Special Advocate (CASA) program.

8. Funding for improved educational and career and technical training for women throughout Iowa's correctional system. Training for women and men should include parenting education and building family strengths, with follow-up after release by community correctional programming and referral/support agencies.
9. **Automatic restoration of voting rights for ex-felons upon completion of sentence and parole. (Priority)**
10. Establishing and funding additional restorative justice programs.

## Violence Against Women

Since 1990, 103 Iowa women and 11 Iowa men have been killed by their partners. In fiscal year 2001, 18,300 victims of domestic violence were served by programs receiving state dollars. That same year, 3,031 adult, teenage, and child survivors of sexual assault sought services from Iowa's sexual assault crisis centers. In light of the number and degree of violent incidents committed against women, the ICSW supports:

1. **Restoration of funding for domestic violence and sexual assault programs as a line item in the state budget. (Priority)**
2. Amending *Code of Iowa* Chapter 724.26, so that state law is the same as the federal law that prohibits persons who have committed domestic violence or who are subject to a no-contact order from possessing firearms.
3. Clarifying the definition of intent in *Code of Iowa* Chapter 709.1, Section 1, so that sexual gratification need not be proven as an intent of the sexual assault offender.
4. Amending *Code of Iowa* Chapter 709.17 to prohibit requests for polygraph testing of rape victims.
5. Legislation to allow domestic violence victims to collect unemployment compensation if they are afraid to go to work after a documented domestic violence incident or forced to leave their jobs to assure their safety.

6. Legislation requiring community colleges, university campuses, and private postsecondary school premises to prescribe policies and procedures for handling sexual assault.
7. Lowered penalty for the use of false documents from a felony to an aggravated misdemeanor for battered immigrant women.
8. Amending *Code of Iowa* Chapter 701 to address the admissibility of evidence of prior sexual abuse offenses.

## Welfare

To endorse Iowa's efforts to reform the welfare system, particularly to make services available that promote economic self-sufficiency, the ICSW supports:

1. Full funding for child care, education, and training for Family Investment Program (FIP) participants through the maintenance of effort requirement for Temporary Assistance for Needy Families (TANF).
2. Increased grant level for the Family Investment Program (FIP).
3. Continued medical coverage for former welfare recipients beyond the one-year limit to cover the gap between leaving public assistance and becoming totally self-sufficient.
4. Continued funding for the Family Development and Self-Sufficiency (FaDSS) program.
5. **Full funding of the Emergency Assistance Program. (Priority)**
6. Restoration of \$400,000 appropriation to the Homeless Shelters Operations Grant (HSOG) through the Department of Economic Development.
7. Dedication of revenue from real estate transfer tax to fund homeless shelters, low income housing, and rehabilitation.
8. A state housing trust fund compatible to federal proposal.

# Administrative Proposals

The ICSW supports:

## Aging Issues and Long-Term Care

1. Elimination of the nurse aide “challenge test.”

## Economics

1. Promotion of state/federal dependent care pre-tax deductions for in-home day care, in-home nursing care, child day care, adult day care, and household services in conjunction with day care.
2. Promotion of earned income tax credit.
3. Amending the state plan for implementing the Workforce Investment Act to include a strong initiative for training women for nontraditional, higher-paying jobs.
4. Recommending CEUs for conferences or workshops which deal with the financial advice and possible adverse consequences of practices dealing with wills and trusts for women.
5. Policies that promote job sharing and flex-time in employment.
6. Partner with the Iowa Finance Authority in an effort to educate Iowa women on the opportunities available for down payment assistance and low interest rate mortgages.
7. Raise awareness among Iowans of issues impacting home ownership among minority and immigrant populations, particularly those adversely affecting women and children.

## Education

1. Continuation of affirmative strategies to promote opportunities for women and minority persons in educational administration, which in turn results in role models for students and a vehicle for change in the

educational environment.

2. Increased educational support for programs that encourage females and minority students to study mathematics, science, and technology at all levels as well as to pursue careers related to mathematics, science, and computer technology.
3. Promotion of female participation in educational programs leading to nontraditional, higher-paying jobs.
4. Infusion of equity training and strategies for effectively working with diverse learners into the college level preparation programs for school administrators, teachers, counselors, and coaches. (To supplement, not replace the current human relations courses.)
5. Incentives for males and minorities to enroll in programs for training elementary education teachers and secondary family and consumer science teachers, and for females and minorities to enroll in programs of training for secondary industrial technology, mathematics, and science teachers.
6. Encouragement for school districts to use methods and resources already at their disposal to gain equitable treatment for young women and men and to ensure quality educational environments that ensure that all students achieve to their maximum potential.

## Government

1. Making services through the Department of Human Services (DHS) more accessible and understandable particularly emphasizing the need for advocates for clients of DHS.
2. Continuing redesign of the delivery system for financial assistance services so that families are served more quickly and effectively, which includes one point of entry.

## Health

1. Promotion of prenatal screening to include counseling to high-risk women to have confidential HIV test and treatment if necessary to prevent transmission.

2. Guaranteed eligibility, upon approval of a Medicaid waiver, for family planning services up to 24 months after a pregnancy has ended.
3. Monitoring managed care for substance abuse and mental health treatment to insure that specific needs of women, including aftercare, are met.
4. Monitoring the delivery of services through Empowerment Zones, to assure that needs of families are being met.
5. Encouraging the state to apply for a federal waiver to allow state employees access to the *hawk-i* program.
6. Education on the illegality of female genital mutilation (AKA female circumcision).

## Justice

1. Monitoring the implementation of the Iowa Supreme Court's Equality in the Courts Task Force's final recommendations.
2. Continued education of judicial nominating commission members regarding the need to increase the number of women and minorities in the Iowa judiciary, and encouragement of judicial nominating commission members to give weight and consideration to relevant background and experience in the selection of candidates.
3. Improvement of the procedures for enforcement of financial settlements, including alimony and other judicial decisions.
4. Improvement of visiting policies for families at the Iowa Correctional Institution for Women, including monitoring the opening of the new visiting room.
5. Educating judges about the current law and problems created by nonpayment of support.
6. Monitoring the practice of telephone rebates at the Iowa Correctional Institution for Women.
7. Expansion of the Star Therapeutic Community

Program currently in use at the Iowa Correctional Institute for Women.

8. The mediation/arbitration approach to child custody except in cases where domestic violence or child abuse are involved.

## Violence Against Women

1. Monitoring the implementation of recommendations of the Supreme Court Task Force on Courts' and Communities' Response to Domestic Violence.



# Study Proposals

The ICSW supports:

1. Study of issues related to the awarding of guardianships, conservatorships, and designation of other substitute decision-makers, taking into account the rights and needs of the parties involved.
2. Study of cost effectiveness of paying higher wages to CNAs in order to reduce turnover rate.
3. Study by the Consumer Protection Division of the Attorney General's Office and/or other appropriate agency of check-cashing centers and currency exchanges, payday loans, rent-to-own operations, pawn shops, and warranties for used cars, to ascertain extent of victimization of the working poor.
4. Study of materials to determine whether financial advisors are being encouraged to sell products (e.g. insurance, trusts, annuities) based on gender assumptions such as the incompetence or unwillingness of women to handle financial affairs.
5. Review of treatment of mental health patients in the judicial system and in health care.
6. Study of the need for substance abuse training for nurses.
7. Study of the compensation for workers in treatment programs for adolescent females.
8. Study a mechanism to expedite the reunification of parents with children taken away by the Department of Human Services.
9. Study of issues related to child custody, including judicial discretion, rulings of Iowa judges, consideration of primary caregiver presumption, and consideration of shared custody presumption.
10. Study of same-gender staffing policies for prisoners in other states related to privacy issues.
11. Study of the problems women offenders face when they are released from prison and re-enter a community in order to evaluate appropriate and meaningful solutions.
12. Study to change the law to lower the number of years required between applications for commutation and the factors required for consideration of accepting the request.
13. Study to determine the scope and nature of mandatory training in gender specific services for appropriate staff at all state agencies involved in juvenile justice as well as any juvenile justice agency that receives state funds.
14. Review of the statute of limitations in prosecution for child sexual abuse.
15. Study regarding the elimination of parental rights of a man who impregnates a woman in the course of rape.
16. Study a mechanism for storage of rape kits.
17. Study by Iowa Department of Public Health on sickle cell anemia, diabetes, infant mortality and keloid treatment in African-Americans.
18. Study to compare treatment of female and male athletes in Iowa high schools and Iowa high school athletic associations.