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CAMPAIGN PREVIEW

For the first time in recent memory, Sioux City will elect an entirely new slate of legislators in the 2010 election.

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Session Wraps Up

Legislators finish up for the year after 79 days of hard work.

The Iowa Legislature adjourned for the year just shy of 1:00 p.m. on Tuesday, March 30 after putting the finishing touches on next year's \$5.3 billion state budget. At 79 days, it was the shortest session since 1972, when the Legislature adjourned after 75 days of work. The traditional second year legislative session is 100 days. Shortening session this year was a cost-saving measure, and shaving these 26 days off the calendar saved Iowa taxpayers nearly \$1 million.

Next year's budget spends \$42 million less than this year, a far cry from the \$6 billion-plus budgets of just a few years ago. Still, lawmakers are fighting over the real size of the budget and what it means for next year.

Here are a few of the things accomplished by lawmakers in this whirlwind 79-day session:

Government Reorganization: After a summer of work, legislators and a consultant hired by the Governor proposed almost a billion dollars of ideas for saving taxpayer money by reorganizing how government operates and is funded. Some of these ideas (like paying state troopers out of the Road Use Tax Fund) were political hot potatoes that were destined to fail. Others, like enticing state

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“First they ignore you, then they laugh at you, then they fight you, then you win.”

Gandhi

Session Wraps Up (continued from page 1)

employees to retire a few years early with sweet benefit packages, were embraced early. In the end, legislators found almost \$300 million in savings, with promises of more to come.

Balanced Budget: Despite the ongoing political battle over the budget, there are a few facts citizens can trust. Faced with a \$341 million shortfall, legislators adjourned session with a balanced budget (how they balanced it remains in dispute). More than \$700 million in one-time funds helped balance the budget, but most of that is from federal stimulus dollars that were intended to help keep the state afloat until better economic days arrive and from the state's savings account (cash reserves). The Legislature left town with \$380 million still in the bank.

Guns: Lawmakers approved a measure to take guns away from domestic abusers and people with no-contact orders against them, but they also took away a sheriff's discretion in issue concealed weapons permits. Sheriffs must now use uniform guidelines in deciding whether to issue permits.

Drivers Ed I (Texting): The legislature passed new restrictions on texting while driving. Drivers under 18 will be banned entirely from using cell phones and other electronic devices while driving, while older drivers are no longer allowed to read or send text messages or emails. In this first year, violators will receive a warning but no fine. But don't worry - adults can still fiddle with cell phones, IPODs, and GPS systems without being fined.

Driving Ed 2 (Seatbelts): Teens will need to wear seatbelts in the back seats of cars under new laws passed this session. A number of fatal accidents involving teen passengers prompted legislators to make this change to Iowa law. Teens with a disability that prevents them from safely using seatbelts are exempt.

Drivers Ed 3 (Bicycles): Despite active lobbying on behalf of the bicycling community, and several high-profile motorist-bicyclist accidents, only small changes were made to Iowa's traffic laws related to bicycles. Drivers are prohibited now from getting too close to a bicyclist on a road, and cannot throw things at the bicyclist. Bicyclists are required to continue to operate



SESSION FAST FACTS

Lawmakers would have made history this year had they adjourned just eight days earlier. In 1878, the Iowa Legislature finished up its work in just 72 days, making it the shortest session in Iowa history. Compare that to the 131-day session in 2005. Legislative leaders vowed at the beginning of session to finish up in just 80 days. In addition, the 2010 session adjourned over the lunch hour, making it the first daylight closedown in almost two decades.

with the laws currently on the books and county attorneys are strongly encouraged to enforce them.

Campaign Finance Reform: Iowa became the first state to respond to a US Supreme Court decision that allowed businesses to contribute to political campaigns. The new laws will require corporations, unions and other groups that engage in political activity and spend money on elections to file campaign reports just as Political Action Committees (PACs) must currently do. Lawmakers hope that closing this loophole in campaign spending will help head off problems in the 2010 elections. In order to spend more than \$750 on political activity, a corporation must first get the okay from their governing board and file reports within 48 hours of any expense. In order to run ads for or against a candidate or issue, a corporation must note the name and address of the corporation paying for the ad, and the CEO's name.

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The Rundown: Winners & Losers in the 2010 Session

Health Insurance Reform: State lawmakers made a first step toward improving health insurance accountability in the wake of double digit insurance rate increases. A new law will require health insurance companies to provide more information about rate increases, and basically prove rate increases are justified. They will be required to let consumers know sooner when rates are going up (and justify those rate increases), makes all information on health insurance rates public, and requires the Insurance Commissioner to hold hearings on rate increases. Rep. Janet Petersen of Des Moines said she acted on these changes after constituents expressed concern about 50-60% increases in their Wellmark insurance premiums while the company was spending more than \$1 billion in cash to build a new headquarters. Late changes were made to the bill to require the Insurance Commissioner to review and determine the impact of federal health care reforms and state insurance mandates on insurance premiums.

Health Care Access 1 (Veterans Mental Health Parity): In what some lawmakers described as a “crowning moment” for Rep. Ray Zirkelbach of Monticello, an amendment was approved on a non-recorded voice vote to require large employers (those with 50 or more people) to provide veterans with insurance coverage for mental health and substance abuse treatment. Rep. Zirkelbach served more than two years in Iraq while serving in the Legislature.

Health Care Access 2 (Autism Mandate): Parents of children with autism made big strides this year. While lawmakers were unable to get the support needed to require all state-regulated insurance plans to pay for up to \$36,000 each year to provide services to children with autism, they were able to require state employee health insurance plans to provide such coverage. At an estimated price tag of \$140,000 per year for state insurance plans, legislators thought it was a good deal and hope that the experience will make it easier to pass full coverage for all Iowans.

Health Care Access 3 (IowaCare): Another installment of the state’s health care reform efforts

passed the Legislature this year, creating an online clearinghouse of information on public and private health insurance options available to Iowans. The bill also expands the IowaCare program (state health care program for non-Medicaid eligible individuals and families making up to 200% of the federal poverty level), allowing IowaCare members to receive health care closer to home. Right now, IowaCare members must receive care in Iowa City (University of Iowa Hospitals & Clinics), or if they are a Polk County resident, at Broadlawns Hospital. The new bill will begin an expansion allowing people to receive care in one of the state’s 13 community health centers. Since the expansion is contingent upon fund availability, it will likely take several years to roll out.

Animals: Legislators tightened regulations of dog-breeding operations in an effort to crack down on puppy mills. The measure raises fees on them to pay for more inspectors to check complaints.

Here are a few of the things lawmakers couldn’t get done this session:

Expanded Gambling: Legislators rejected two gambling proposals this year, deciding that this was one place they didn’t want to go for more money. One proposal would have generated about \$25 million annually adding sites, and another would have raised \$7 million a year in exchange for ending greyhound dog racing subsidies.

Labor Issues: Since taking over control of the Legislature, Democrats have tried to change to the way unions operate by allowing them to charge non-members a fee for the services they provide (called “fair share”), expand public worker bargaining power by adding to the issues that can be addressed in negotiations, and requiring workers on public projects to be paid the prevailing wage. None of the measures came up for a vote this year, creating even more tension between two normal political allies (labor and Democrats).

Marriage: Same-sex marriage was the top issue for many Republicans going into this session (and

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The Rundown (continued from page 3)

its shaping up to play a big role in the Republican primary for Governor), but it barely came up during the session. Many Republican legislators wanted to put a constitutional amendment before voters outlawing gay marriage, but that would require approval by two consecutive general assemblies. With no action this year, the soonest the issue could be put before voters would be 2014.

The final two “failures” of this legislative session are very important for advocates with disabilities. These issues have been debate for years but never fully addressed regardless of which party was in control. They are not partisan issues but they are perfect campaign issues. It’s time hold our legislators’ feet to the fire and demand real solutions, with real plans to enact them if elected.

FULL MENTAL HEALTH PARITY: Despite passing expanded mental health and substance abuse coverage for veterans, legislators failed to pass a complete parity package that would include all lowans covered by state-regulated health insurance plans. Once again, the measure failed to gain the needed votes from the so-called “six pack” of conservative Democratic legislators. Democrats that expressed opposition included Rep. Brian Quirk of New Hampton, Rep. Doris Kelley of Waterloo, Rep. Doris Mertz of Algona (she’s retiring), Rep. Geri Huser of Altoona, Rep. Mike Reasoner of Creston, and Rep. McKinley Bailey of Story City. All Republicans said they would vote against the measure. On the fence last year were Rep. Larry Marek of Riverside and Rep. Roger Thomas of Elkader – they were non-committal this year. If you care about this issue, talk to the candidates for legislative office and Governor. Find out what they will do if elected – and how they intend to break through the gridlock on the issue.

SENATE FILE 69: Legislators found late money to expand K-12 education, and added a bit of money to reduce HCBS waiting lists and pay for more state cases – but they failed to address significant and growing shortfalls in the county-based mental health and disability services system. They also failed to act on any of the recommendations of the interim group that studied the system and had recommended pilot projects and a move toward a system where money

really followed the person (using case rates assigned to the person rather than paying by the county based on fund balances). The county-based system is buoyed this year by an enhanced federal Medicaid match, but once that runs out, the state will be left with a \$30 million plus bill that it must fill (or counties will be forced to begin cutting thousands off services). The promise of Senate File 69 passed back in 1995 was that the state would pick up all costs of “allowed growth” – which it has failed to fully fund every single year since the passage of this legislation. This is a very important issue and one that has no cheap solution. If you care about local mental health and disability services funding, talk about this with legislative and gubernatorial candidates, and ask them too for their solutions (and how they will pay for it). Remember, there are no simple answers to this, so press them for details (the “how”).

Campaign Preview: A Peek Ahead at the 2010 Election

With session behind them, legislators and the Governor will now turn their attentions toward the June 8th Primary Election (where political party members pick their candidates to be on the ballot in November) and the November 2nd General Election.

It’s a big election this year, with Senator Charles Grassley and Governor Chet Culver up for re-election, along with all statewide elected offices (Secretary of State, State Auditor, State Treasurer, Secretary of Agriculture and Attorney General), all 100 state legislators, 25 of the 50 Iowa Senate seats, and some county supervisors that make local decisions about Mental Health and Disability Services (MH/DS) funding.

- ☑ Senator Grassley will top the ballot this year and will face the winner of the Democratic primary – lawyer Roxanne Conlin, former State Senator Tom Fiegen or former State Representative Bob Krause.

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Campaign Preview (from page 4)

- Governor Chet Culver is up for re-election and will be challenged by either former Governor Terry Branstad, retiring State Representative Rod Roberts or activist Bob Vander Plaats.
 - The Legislature will also see dramatic change following Election Day. All 100 House seats are on the ballot along with half of the 50 Senate Districts (odd numbered districts only). Even if there are no incumbents defeated (which is a rare occurrence), there will be at least three new State Senators and a fourteen new House members. That is because 17 legislators are stepping down from office this year. This includes:
 - Two Senate Democrats and One Senate Republican are retiring- Democratic Senators Steve Warnstadt and Roger Stewart, and Republican Sen. Ron Wieck.
 - Eight House Democrats are retiring – Representatives Wes Whitehead, Roger Wendt, Marcie Frevert, Dolores Mertz, Mark Kuhn, Polly Bukta, Wayne Ford, and Elesha Gayman.
 - Six House Republicans are retiring: Representatives Mike May, Rod Roberts (who is running for Governor), Christopher Rants, Rep. Jodi Tymeson, Kent Sorenson (who is running for the Senate), and Doug Struyk.
 - Republicans have 38 incumbents running for re-election, and have candidates for 88 out of the 100 House seats.** Representatives Henry Rayhons & Jim Van Engelenhoven the only Republicans with people running against them in the primary election.
 - Democrats have 48 incumbents running for re-election, and have candidates running in 73 of the 100 House seats,** with Representatives Kerry Burt, Chuck Isenhardt, Dave Jacoby, Geri Huser and Mary Gaskill all facing primary opponents.
 - Senate Republicans have five incumbents running for re-election - three are running unopposed** (Senators Boettger, Johnson and Noble) and one faces a primary challenge (Senator Hartsuch). In all, Senate Republicans recruited candidates to run in 20 of the 25 Senate seats up for re-election this year.
 - Senate Democrats have seventeen incumbents running for re-election this year, with five running unopposed** (Senators Bolkcom, Dvorsky, Hatch, Hogg, and Horn). No current Democratic Senators face a primary challenge. Democrats fielded candidates in 22 of the 25 Senate seats up for election this year.
 - Out with the new, in with the old?** Many former elected officials are coming out of the woodwork this year to run. Former Governor Terry Branstad wants his old job back. Former State Representative George Eichhorn is running for Secretary of State and former State Senator Tom Fiegan and former State Representative Bob Krause are running for US Senate. Former legislators running include former State Senator Stewart Iverson (against Rep. McKinley Bailey), former State Representative Bill Dix (against Sen. Bill Heckroth), former State Senator Sandy Greiner (against Sen. Becky Schmitz), and former State Representative Dan Rasmussen (against Rep. Gene Ficken).
- With that many new faces coming on board, it is very important that you get involved this year.**
- Go to www.idaction.org to find out how you can get involved in local Advocating for Change events and learn more about the ID Action Vote 2010 Campaign. You can find candidate lists and contact information at: www.sos.state.ia.us.
 - Go to www.infonetiowa.com for more voter information. Not sure which legislative district is yours? Go to www.legis.state.ia.us/FindLeg and enter your address to find out.



Sioux City Clean Sweep

For the first time in recent memory, the City of Sioux City will be electing an entirely new slate of legislators in 2010. All five of Sioux City's legislators will be retiring this year – Rep. Christopher Rants, Rep. Wes Whitehead, Rep. Roger Wendt, Sen. Ron Wieck & Sen. Steve Warnstadt.

SIGNED BY GOVERNOR

HF 2295 - AEA Task Force - Creates a Task Force to review the mission, structure, governance, and funding of the Area Education Agency (AEA) system to determine if the current model still works for the challenges and requirements of 21st century learning. Members include education stakeholders and AEA service users, including teachers, school board members, administrators, private school representatives, and a parent or guardian of a child receiving special education services. Requires recommendations by 12/15/2010. Effective 7/1/2010.

SF 2088 - State Government Reorganization - Makes a number of changes to the structure of state government to increase efficiencies and save taxpayer dollars - general fund savings are estimated at \$110,000 this fiscal year (FY 2010), \$70.7 million in FY 2011, and \$34.7 million in FY 2012. Also saves money from other funds (\$55.7 million in FY 2011 and \$34.2 million in FY 2012). This is a combination of the recommendations from the Governor's Efficiency Consultant and the State Government Reorganization Commission. **HUMAN RIGHTS:** Reorganizes the Department of Human Rights (DHR) - creates three divisions: Division of Community Action Agencies; Division of Criminal & Juvenile Justice; and Division of Community Advocacy & Services (comprised of the Offices of Latino Affairs, Status of

Women, Persons with Disabilities, Deaf Services, Status of African Americans, Status of Asian & Pacific Islanders, and Native Americans). States the DHR's mission is to ensure basic rights, freedoms, and opportunities for all by empowering underrepresented lowans and elimination economic, social, and cultural barriers. Establishes a new Human Rights Board that includes a designee from each of the advocacy offices, and two appointed by the Governor.

AEAs/COMMUNITY EMPOWERMENT: Expands the Department of Education's roles and oversight of Area Education Agencies and establishes an AEA advisory group in each AEA to advise the local governing board. Makes significant changes to the state's community empowerment initiative, including capping administrative expenses at 3%, **MEDICAID:** Establishes a false claims act, punishing people fraudulently claiming state property or funds with a penalty three times the amount defrauded (plus civil trial costs). Makes changes to the transfer of assets laws in Medicaid, to make sure assets such as a home or property are not transferred for less than fair price in order to avoid Medicaid debt collection. Adds in language from HF 209 directing DHS to amend the Medicaid HCBS waiver for persons with intellectual disabilities to require only the initial evaluation (ending annual re-evaluations to confirm diagnosis). Re-evaluations to determine level of care will continue to be done. Also allows Medicaid HCBS reimbursement for



The Governor has until **April 29** to sign a bill into law, veto it (stop it from becoming law) or line-item veto it (veto parts of a bill while letting the rest of the bill become law).

infoNET Bill Tracker

The *infoNET* bill tracking system can be viewed online at any time at:
www.ialobby.com/CPCBillTracker/tabid/59/Default.aspx?cid=INFONET.

- Bills below marked “signed” are now law. Bills marked “Sent to Governor” are waiting for the Governor to take action.
- We will send out a final session report the first week in May, after the Governor finishes actions on bills.

Supported Community Living providers who transport persons with disabilities between work and home (work-related transportation is allowed from other providers, but not currently for SCL providers). Requires Medicaid to develop a disease management program for children with chronic illnesses. Requires all HCBS Waiver services exceeding a median amount be subject to prior authorization and review before being allowed. **PHARMACEUTICALS:** Directs the Departments of Human Services, Public Health, Corrections and Management to determine efficiencies in the purchase of pharmaceuticals and the delivery to the populations they serve. Requires the Departments to develop strategies to implement efficiencies and reduce costs to the state (and determine any changes in state law or need for federal approval). Allows a doctor to prescribe a 72-hour supply of Medicaid drugs without prior authorization, as is allowed with Medicare (rather than current two-week supply allowed). **OTHER HUMAN SERVICES:** Adds in HSB 560 (the recommendations of the MH/MR/DD/BI Commission). These changes revise the duties of the Commission (lowering from 16 to 6), changes the name to the Mental Health and Disability Services Commission, shifts many duties from the Commission to DHS, requires comprehensive services plans be revised every five years, and changes the HCBS/Mental Retardation Waiver to the HCBS/Intellectual Disability Waiver. Ends new applications for the Family Support Subsidy (the program will not accept new applications and will phase out over time). Caps adoption subsidy rates and allowed expenses. Effective 3/10/2010.

SF 2151 - Funding Shifts for Federal Recovery - Makes \$12.8 million of funding reallocations to allow the state to collect federal ARRA funds (economic stimulus funds). Transfers \$1.8 million from the Mental Health Risk Pool to the Mental Health State Cases Program for FY 2010 to prevent service reductions in the program (there may still be some losing services). Effective 3/3/2010.

SF 2202 - Rights of Persons with Disabilities - Changes the term "persons with physical disabilities" to "persons with disabilities" in Iowa law. Requires curb cuts (accessible slopes) at all intersections of newly constructed or repaired curbs, including paths. Eliminates the requirement that hearing dogs and service dogs be trained at a recognized training facility. Continues the current simple misdemeanor penalty for someone denying or interfering with the use of a hearing or service dog, or other assistive animal. Requires these laws be implemented, even though they may cost more money (exempt from state mandate law). Effective 7/1/2010.

SF 2246 - Accessible Parking Permit Rules Waiver - Allows the Department of Transportation (DOT) to waive the requirement that persons with disabilities applying for an accessible parking permit give either a social security

number, driver's license number, or state-issued ID if the permit is for a person who is an infant (less than 1 year old) and the permit is temporary. Sets annual registration fees for trucks owned/leased and used by a person with a disability (or their household) at \$60. Effective 7/1/2010.

SF 2291 - Special Education Updates - Allows a child who becomes 21 during the school year to continue to receive special education services until the end of the school year. Makes other changes about informed educational consent and who is able to determine whether a child needing special education is able to make decisions related to his/her education upon turning 21. Requires school districts and AEAs to comply with these changes, even if it costs them money to implement. Requires reporting on the disproportionate numbers of minority and ethnic populations receiving special education. Effective 7/1/2010.

SF 2352 - Law Enforcement Notification/Release of Mentally Ill - Allows a law enforcement official to request that a hospital or facility treating a person incapacitated by a serious mental illness or chemical substance notify them when the person is released (and requires compliance by the hospital if procedures are followed). If an arrest warrant has been issued or charges are pending (but no court order exists requiring notification), the peace officer delivering the person may fill out a form requesting notification upon release (facility is required to notify either the agency dispatch or email the agency employing the officer). Gives law enforcement six hours from notification to get the person. Requires the Department of Public Safety to develop the uniform notification request form to be used by facilities and hospitals. Failure to notify and follow procedures results in \$1000 (first offense) to \$2000 fine. This is in response to the Parkersburg killing this summer. Effective 7/1/2010.

SENT TO GOVERNOR

HF 2519 - Federal Block Grant Budget - Authorizes the state to receive and spend \$6.3 billion in expected federal block grant funds for the federal fiscal year that starts October 1, 2010 (FFY 2011), an increase of \$96.7 million. \$13.5 million for substance abuse treatment (\$46,655 increase), of which \$1.4 million is to be used for treatment of pregnant women and women with dependent children; \$250,000 for residential substance abuse treatment for state prisoners (\$172,640 increase); \$7.8 million for mental health/disability services community services (\$30,395 increase); \$3.4 million for community mental health centers (\$131,299 decrease); and \$2.2 million for mobile/regional child health specialty clinics (\$5,805 increase).

HF 2526 - Health & Human Services Budget - Spends \$942.6 million from the state general fund (\$180.1 million decrease) and \$484.5 million from other funds (\$24.3 million increase) for various health and human services programs. This bill is quite large, so the issues have been broken down by topic to help you find areas of interest more quickly.

PUBLIC HEALTH: Increases funding for PKU assistance by \$5,000 (\$180,582, of which \$160,582 is from the general fund and \$20,000 are new one-time funds from the Underground Storage Tank Fund). Cuts childhood vision screening in community empowerment areas by \$26,408 (\$63,592) and childhood lead poisoning testing by \$11,251 (\$590,380). No change in general fund money for Child Health Specialty Clinics (\$788,303), but increases funding with a new Underground Storage Tank one-time appropriation of \$15,000. Earmarks funding for congenital and inherited disorders programming for the first time, but the amount earmarked is at current levels (\$528,834).

MEDICAID: Decreases total general fund dollars going to Medicaid by \$197.6 million (\$412.5 million total). Uses \$21.4 million from the Senior Living Trust Fund, \$6.4 million from the nursing home quality assurance "provider tax," and \$187.8 million from the state's cash reserve fund, and depends on the federal enhanced match continuing in FY 2011 and a change in the Medicare prescription drug rules. Increases funding for the Children's Health Insurance Program (hawk-i) by \$10,470,193 (\$23,637,040), and requires hawk-i to be fully funded before money is used for supplemental dental coverage. Continues cost-based reimbursement for community mental health centers, continues current reimbursement methodology for rehabilitation agencies (instead of cost-based) and keeps dental rates and inpatient mental health rates at reimbursement rates in effect for FY 2010. Creates a new Medicaid Fraud Account per SF 2088 (government reorganization) and funds with new appropriation (\$1,339,527).

SUBSTANCE ABUSE TREATMENT: Cuts tobacco use treatment by \$589,932 (money will be carried over from current year), increases substance abuse treatment and prevention by \$373,776 (\$17.9 million), and adds a new \$500,000 appropriation for substance abuse prevention and treatment (from the Underground Storage Tank Fund – UST; these are one-time funds).

MENTAL HEALTH: Cuts funding for the University of Iowa mental health workforce initiative by \$13,513 (\$129,741) and Cherokee Mental Health Institute mental health workforce initiative by \$8,660 (\$117,142). Cuts overall funding for the Mental Health Professional Shortage Area Program (psychiatry) by \$20,450 (\$143,150). Maintains level funding for the Psychological Internship Program (\$40,900). Increases funding for the Substance Abuse & Mental Health Services Administration (SAMHSA) grant by \$644,089

(\$925,306). Maintains current level of Medicaid funding for the state's MHIs (\$25.9 million) but increases general fund appropriations by \$1.9 million (\$22.6 million) and adds \$350,000 in new one-time Underground Storage Tank Funds for Cherokee, Clarinda, Mt. Pleasant, and Independence. Requires DHS to review services provided at the state MHIs and modify services to provide cost-effective and necessary services. Requires DHS to consider, as part of the review, 16-bed options that meet Medicaid requirements. Also requires DHS to increase medical and health professional (including dental, psychology, psychiatry, social work, and other behavioral health) student participation in the institutions. Requires DHS to develop a plan to move the remedial services program for children to the state mental health managed care plan, and establishes a stakeholders transition committee to help with the plan (which is due 12/31/2010 for implementation by 6/31/2011).

DISABILITY SERVICES: Maintains current funding levels for audiological services for kids (\$187,890), dental services for indigent elderly and disabled individuals (\$31,597), MH/DS community services (\$4,894,052), Connor Decree training (\$33,622), Mental Health Community Services Fund (\$14,211,100), tuition assistance to individuals serving persons with disabilities (\$50,000) and Four Oaks autism spectrum disorder pilot (\$25,000 using one-time Underground Storage Tank Funds). Increases MH/MR/DD State Cases general fund appropriations by \$1 million (\$11,295,207), and adds another \$1 million in new one-time funds to state cases from the Underground Storage Tank Fund. Uses leftover money from child welfare funds (\$1,925,000) to reduce Medicaid Home and Community Based Services (HCBS) waiver waiting lists. Slightly increases funding (\$3,700) for current brain injury services program contracts (\$441,682), epilepsy education and support by \$31,885 (\$57,013), family support subsidy by \$355,000 (\$1,167,998), Iowa Compass by \$2,616 (\$23,544), and Prevention of Disabilities Council by \$4,856 (\$43,700). Adds new one-time funding for the Child at Home Program of the Family Support Subsidy (\$100,000). Adds a new \$350,000 appropriation for training and technical assistance to providers of habilitation and HCBS waiver services. Funds Polk County Day Care for Exceptional Children at \$200,000 (the amount needed to continue services – some costs were shifted to EPSDT), using Underground Storage Tank funds (one-time funding). Cuts funding for Woodward State Resource Center by \$474,009 (\$9,312,271) but increases it for Glenwood State Resource Center by \$825,599 (\$14,982,839). Increases State Supplementary Assistance (SSA) by \$1,801,402 (\$18,259,235). Requires DHS to convene a workgroup to review various regulatory

requirements for providers of mental health and disability services paid by Medicaid, and directs them to review opportunities to streamline and increase access to information (report due by 12/15/2010). Requests that the Governor's Developmental Disabilities Council facilitate a stakeholders workgroup to review residential care facilities in the state and the services provided, and submit a report by 12/15/2010. Allows last year's children's mental health and emergency mental health pilot projects to continue and not revert back to the general fund if unspent by the end of the fiscal year. Requires the Intellectual Disabilities Waiver waiting list to go statewide beginning in FY 2011, and requires DHS to develop a methodology to prioritize the allocation of slots and convene a workgroup to develop criteria (effective upon enactment). MH/DD ALLOWED GROWTH: Skips funding for allowed growth for a second year in a row (\$48,697,893 instead of \$62,157,491). Formula for distribution remains the same. Extends the current multi-county regional MH/DS pilot project in North Central Iowa to continue for a third year (FY 2011). DIRECT CARE WORKERS: Cuts funding for the Direct Care Worker Task Force by \$20,000 (\$180,000), direct care worker recruitment and retention by \$15,000 (\$135,000), and direct care worker scholarships to conferences by \$7,000 (\$63,000). Requires the Iowa Department of Public Health to establish a Board of Direct Care Workers by 7/1/2014 if funds are available. Requires interim progress report on 3/1/2011 and a final report on 3/1/2012.

HF 2531 - Standings Budget - This is the final budget bill of the year - it makes changes to the built-in "standing" appropriations (those required by law - there are more than \$2 billion worth of them). Adds \$93.6 million in spending from the state's general fund and reduces built-in appropriations by \$420.9 million. Also spends another \$472.1 million from other state funds (cash reserve, property tax credit fund, hospital health care access fund, school infrastructure fund, and underground storage tank fund). PROPERTY TAX CREDITS: Fully funds the military service property tax credit (\$2.4 million) and the elderly and disabled property tax credit (\$24.8 million). MENTAL HEALTH/DISABILITY SERVICES: Requires the FY 2012 Mental Health/Disability Services Allowed Growth adjustment to be made in the first 30 days of the 2011 legislative session. Allocates \$81,199,911 for MH/MR/DD Property Tax Relief (dollar for dollar property tax relief - this is not service funding). This is \$7.2 million short, so funds will need to be shifted from MH/DS services funds (allowed growth) to reduce property taxes. Allows a county to transfer funds from other county accounts to the MH/MR/DD Services Fund during FY 2011. Counties are to submit a report detailing the transfers made by 12/1/2010. (Since the state underfunded MH/MR/DD property tax relief by \$7.2 million, and counties will need to transfer that amount of money from actual MH/MR/DD services to give property taxpayers a break on their taxes. This allows

counties to use funds other than their service dollars to do this for next year only.) Requires Iowa's state employee health insurance plans include coverage for the diagnosis and treatment of autism spectrum disorders, including habilitation services and Applied Behavioral Analysis and adds \$140,000 to cover the costs of adding this to employee insurance plans (SF 2349). Adds \$233,000 for the School for the Deaf (Board of Regents); \$137,000 for the Braille & Sight Saving School (Board of Regents); \$97,000 for the Farmers with Disabilities Program (Vocational Rehabilitation contract with Easter Seals); and \$250,000 for the costs associated with the new dependent adult abuse due process rules in SF 2333 (Department of Inspections & Appeals). Requires the Board of Regents to study possible changes to the Braille & Sight Saving School, including the current structure of providing residential services on campus and alternative uses of those facilities. The study is to look at potential partnerships with other state agencies and private residential services providers. Study committee members are to include parents of students with visual impairments; constituent organizations for the blind and visually impaired; Departments of Education, Human Services, and Blind; AEA's; School Boards; School Administrators; the Governor's DD Council; administration of the statewide system for vision services; and administration of the Iowa School for the Deaf. Report is due 8/31/2010. PUBLIC HEALTH/CHILD WELFARE: Limits the standing appropriation for the congenital and inherited disorders central registry at \$182,044 (this is a \$20,684 increase from the current year, but it would receive another \$50,456 without this limitation). Adds \$55,000 for the costs associated with the insurance transparency provisions in SF 2201 (Insurance Commissioner). Authorizes the \$187.8 million transfer from the state's cash reserve to the Medicaid program (this was expected and is needed to pay for appropriations in HF 2526, the HHS Budget). Reduces the general fund Medicaid appropriation by \$18.9 million and appropriates \$40 million for Medicaid from the hospital "provider tax." IOWACARE PLUS: Makes changes to existing IowaCare laws outlining the expansion population network to be expanded to include community health centers. CORRECTIONS TO OTHER BILLS: Corrects SF 2215 (genetic testing protection) to clarify that "Genetic Testing" does not include routine chemical, blood or urine analysis, biopsy, autopsy, or clinical specimen obtained for immediate clinical or diagnostic testing, test for drugs or HIV infections. This is consistent with federal genetic protections.

SF 2175 - Veteran Membership on Boards & Commissions -

Adds a military veteran with knowledge of veteran behavioral health needs to the Mental Health Planning & Advisory Council and the Mental Health, Mental Retardation, Developmental Disabilities & Brain Injury (MH/MR/DD/BI) Commission.

SF 2201 - Insurance Transparency/Veterans Mental Health Parity

- This is the insurance commissioner's technical bill, but amendments were added that are substantive and controversial.

VETERANS MENTAL HEALTH PARITY: Requires state-regulated health insurance plans offered by employers with more than 50 employees to cover the treatment of all mental illnesses and substance use disorders for veterans. **HEALTH INSURANCE MANDATE REVIEW:** Requires the Legislative Health Care Reform Commission to annually review the cost of health insurance mandates currently imposed on state-regulated health insurance plans, and project costs of any mandates that might be considered by the Legislature during the upcoming legislative session. **HEALTH INSURANCE TRANSPARENCY:** Requires the Insurance Commissioner to annually convene a work group to consider ways to reduce health insurance and health care costs, use of uniform billing codes, improvements to provider credentialing procedures, reducing out-of-state care expenses, the impact of federal health care reform legislation on the cost of care, and the electronic delivery of explanation of benefits statements. The work group is to include the consumer advocate, health insurance carriers, health care providers, small employers that offer health insurance, and people purchasing their health care on the individual market. Recommendations are to be reported annually to the Legislature. Directs the Insurance Commissioner to pay for the costs of carrying out these duties with an assessment on health insurers, and allows the Commissioner to revoke an insurer's certificate to do business in the state for failure to pay the assessment. States that all information, records, and documents used by the Commissioner to investigate, regulate and examine an insurance company is confidential and not subject to subpoena. Applications for rate increases filed by a health insurer and all information, records and documents accompanying the application is considered a public record (the insurance commissioner may withhold information from the public upon request of the insurer if it may give unfair advantage to a competitor). States that health insurance consumers deserve to know the quality and cost of their health care insurance, and health insurance transparency provides consumers with information necessary, and the incentive, to choose health plans based on cost and quality. Reliable cost and quality information empowers consumer choice, and consumer choice creates incentives at all levels. States the purpose of this new law to make the costs of health care insurance readily available to consumers through the consumer advocate bureau of the insurance division. Requires annual reporting on findings on

health spending costs and health insurance. Permits the Insurance Commissioner to contract with outside actuaries and consultants to help aggregate health insurance data concerning loss ratios, rate increase data, health care expenditures, effect of expenditures on health insurance premium rates, ranking and quantification of those factors that result in higher costs, current capital and surplus and reserve amounts held in reserve by each health insurance carrier doing business in the state, and a listing of any apparent medical trends affecting health insurance costs in the state. **NOTICE OF RATE INCREASES:** Requires all health insurance carriers licensed to do business in the state to notify policyholders of applications for rate increases that exceed the average annual health spending growth rate - and quantify the factors that are responsible for the increase. Notice is to provide contact information for the consumer advocate. Requires the Insurance Commissioner to hold a public hearing at the time a carrier files the proposed health insurance rate increases in excess of the average. Requires the consumer advocate to solicit public comment on each proposed rate increase application, with comments received posted on a website before a decision is made on the rate. Requires the consumer advocate to present public testimony and comments to the Insurance Commissioner for consideration in determining whether to approve/disapprove the increases.

SF 2333 - Dependent Adult Abuse & Due Process -

Lists the qualifications for persons who inspect hospitals and nursing homes (must be free of conflicts of interest and complete ten hours of continuing education every two years). Outlines the procedures the Department of Inspections & Appeals (DIA) must take to enter a nursing home or hospital to investigate a dependent adult abuse report, and requires them to share information upon finding evidence of abuse with the person accused and the facility. Requires the facility to conduct its own investigation to determine what employment action should be taken (reassignment to other duties, place on administrative leave, etc). Spells out the process for appeals, and requests the legislative council conduct an interim study due process in child and dependent adult abuse cases. Requires a person accused of dependent adult abuse to disclose to employers that they are the subject of an ongoing investigation whether they leave their employment voluntarily or involuntarily (simple misdemeanor for failure to do so). Requires inspectors to inform a facility if they suspect dependent adult abuse and are investigating it. Requires investigators to give persons

suspected of dependent adult abuse at least five working days to give them time to arrange representation for an interview. Requires accused to provide current contact information at the interview. Persons filing an appeal within 15 days of a written finding of dependent adult abuse will not be placed on the central registry until the finding is finalized. Requires a final finding by an administrative law judge within 30 days, and if contested, gives the department a final 30 days to make the final determination (so the maximum a person will be off the abuse registry while going through appeals is 60 days).

SF 2356 - Health Care Reform & IowaCare Plus -

IOWACARE: Revises the IowaCare program. Directs DHS to establish a regional provider network using federally qualified health centers. Requires DHS to divide existing IowaCare funds going to the University of Iowa between the University of Iowa, the regional network, and hospitals for emergency care (actual appropriation in HF 2526, Health/Human Services Budget). Directs Medicaid to consult with the Medicaid Projections & Assessment Council in the development of the regional network phase-in plan, and gives the Council sign-off authority before implementation can occur. Requires expansion to be within budget neutrality limits and funded program capacity. Allows payments for inpatient and outpatient hospital services, physician and ARNP services, dental services, limited pharmacy benefits, and primary care coordination. Requires all providers become medical homes, certified by DHS. Implementation is dependent upon funding. Requires a study on reimbursement for transportation from nonparticipating providers. **DIABETES REGISTRY:** Establishes a diabetes registry to collect data on the disease, help providers improve care of patients with diabetes, and help lawmakers know how best to allocate public resources. **IOWA CHOICE EXCHANGE:** Establishes an Iowa Insurance Exchange to be an insurance information clearinghouse, providing information about the availability of safety net providers and comparisons of benefits, premiums and out-of-pocket expenses. Instead of a newly appointed Exchange Board, the amendment directs the existing Legislative Health Care Coverage Commission to take on that role. **NOTE:** Other changes to the Exchange and IowaCare regional expansion are made in Standings (HF 2531).

SF 2366 - Governor's Supplemental Appropriations - Adds \$50 million back funding for items the Governor held harmless from his 10% across the board cuts last fall (the "backfill"). Reinstates funding for public libraries (Enrich Iowa), community empowerment, four-year-old pre-school programs, substance abuse treatment and prevention, tobacco prevention and control, oral health programming, HOPES, child health specialty clinics, University of Iowa contract to provide services to persons with muscular dystrophy and birth defects, Ryan White AIDS drug case management, PKU funding, prescription drug donation program, epilepsy foundation, brain injury association, local public health nursing, local home care aide

service contracts, lead screenings for children and follow-up services for those testing positive for exposure, and continued childhood vaccinations. Transfers remaining funds (about \$1.5 million) from the MH/MR/DD Risk Pool to state cases program. Directs DHS to restore \$2.3 million in funding to nursing homes as required with the quality assurance program, reinstating part of the 5% provider rate cut. Reinstates \$1,426,000 cut made to the Elderly & Disabled Property Tax Credit (this fully funds the property tax credit to homeowners with a disability and over age 65). Effective upon enactment.

SF 2367 - Administration/Regulation Budget -

Spends \$63.6 million for the next fiscal year (FY 2011), which is an increase of \$2.6 million. Maintains current funding level for the newly merged Division of Community Advocacy and Services in the Department of Human Rights (\$1,247,926). The Government Reorganization bill (SF 2088) combined the former Divisions of Deaf Services, Persons with Disabilities, Latino Affairs, Status of Women, African Americans, and Asian Pacific Islanders into this single division.

SF 2376 - Education Budget - Spends a total of \$844.4 million (\$28.5 million increase over current levels - this reinstates some but not all of the 10% across the board cuts). Cuts \$80,000 from the Department of the Blind (\$1.95 million total). Increases funding by \$500,000 for vocational rehabilitation to restore federal matching funds (\$5.1 million total), which is 10.78% increase. Cuts funding by 3.94% to the Independent Living Program (\$44,156 total), Entrepreneurs with Disabilities (\$156,128 total), and Independent Living Center grants (\$43,227 total). Eliminates funding for the Easter Seals Farmers with Disabilities program (\$97,200 cut). Increases birth to age 3 services for children with disabilities (total funding \$1,721,400). Funds the School for the Deaf (\$8.7 million) and the Iowa Braille & Sight Saving School (\$4.8 million) at current levels, including adding back funding cut during the 10% across the board cut in FY 2010 (\$162,980 for the School for the Deaf and \$92,331 for the Braille & Sight Saving School).

SF 2381 - Transportation Budget - Spends a total of \$350.73 million in general fund dollars and \$48.75 million in Road Use Tax Fund dollars. Most of these funds go to funding the Department of Transportation's administrative functions, but also fund road/weather condition information (\$100,000) and ADA Improvements (\$120,000). **SEAT BELTS:** Adds in language from SF 2179 that requires children under 18 who are riding in cars to use seat belts in both the

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[Representative]
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Email: [IAHouseEmail]

Your State Senator is:
[Senator]
Home: [IASenateHomePhone]
Email: [IASenateEmail]

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front and back seats. Makes an exception for a child not using a seat belt if all the seat belts are in use or if they cannot because of a disability. Makes failure to use a seat belt a \$25 fine.

SF 2389 - Infrastructure Budget (RIIF) - Appropriates \$273.7 million primarily from the Rebuild Iowa Infrastructure Fund (RIIF), which comes from the state's gaming revenues.
HEALTH/HUMAN SERVICES: \$100,000 for an existing grant to Prevent Blindness Iowa to help screen children for early signs of eye problems (\$30,000 cut); \$20,000 for the Newsline for the Blind which provides news service to nearly 1,425 Iowans in Des Moines, Cedar Rapids, Davenport, Iowa City, Sioux City and Waterloo (new, but until FY 2007, this program had received \$130,000 annually); \$250,000 for Eyerly Ball Community Mental Health Center in Polk County for an electronic medical records database (new); and \$250,000 to

the Polk County Housing Trust Fund to construct two five-bed facilities for adults with disabilities that have significant medical needs (new). These people are currently served by ChildServe but when they turn 21 will no longer be eligible for the program. The new facilities will be managed by Mainstreet Living.
TRANSPORTATION: \$2 million for public transit grants (restores \$700,000 cut in FY 2010); \$200,000 for the state's share of the D-LINE bus service which services the Capitol and downtown Des Moines (no change); and \$6.5 million in FY 2012 to be used to match a federal grant for high speed passenger rail service between Omaha and Chicago and another \$2 million for FY 2011 from the Underground Storage Tank Fund (\$5.5 million total increase). States the Legislature's intent to fund up to \$20 million over a four-year period to fully match federal passenger rail grant opportunities.