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Final Session Report

The Governor has 30 days from the end of session to sign bills that he likes – or veto those that he does not like. The Governor finished his work up several weeks ago, well before the 30-day deadline.

While we updated our website with this information quickly (www.infonetiowa.com), we chose to delay this issue of *infoNET* until we were able to publish the results of the June 3 primaries, and had more information available on the voting and elections resources ID Action is making available to you this summer and fall. But first things first...

Governor Completes Work

We have been tracking many bills of interest to persons with disabilities, their families, and their service providers. The updated bill tracker is at the end of this issue – the status of these bills is now final. For a list of bills that didn't make it and won't become law, go to:

www.infonetiowa.com/current_issue/dead_bills.php.

The Governor signed all but two of the bills sent to him, and vetoed portions of 7 of budget bills (called a "line item veto"). The Governor only line item vetoed 16 things from those bills.

- ★ The Governor vetoed the controversial collective bargaining bill that expanded the things a union could include in its negotiations with employers (HF 2645).
- ★ The Governor vetoed a bill that would have set out a procedure in law for a minor to become "emancipated," or be declared independent or free from his/her parents (SF 2364).

This year legislators requested 2,383 bills be drafted. With 150 legislators, that is about 16 bill requests per legislator! But only 2,087 of these were actually introduced and given a bill number. The rest ended up in someone's files (or the trash). Here are some other statistics you might find interesting:

- ★ The number of bills introduced this session (2,087) fell by 12% this year thanks to the 10-day shorter session.
- ★ The Legislature passed 196 bills this year, or about 9.4% of those that were introduced.
- ★ The Governor signed all but two of these 196 bills, so 9.3% of the bills introduced this year were signed into law.

These statistics don't change much from year to year – and are roughly the same whether the Governor is of a different party than legislative leadership.

Generally on any given year, the odds of someone passing a bill are about 8-10%. That is why it is

very important to stick to a few important issues, and work them very hard during and, equally importantly outside, session.

We are often asked what makes the difference between legislative success and failure? What increases the odds of legislative success?

The answer is - you.

Many people think that belonging to a group or having a lobbyist is what makes things happen. While the organization a group offers and the information and advice a lobbyist offer are important, the real key to legislative success is you, the member of the group, the person that must deal on a day to day basis with the shortfalls in funding or the bias of employers or the inaccessibility of buildings or the lack of reliable transportation or whatever the issue.

Your stories and your activism are what will increase the chances of changing a law, increasing funding, or passing a bill. There is a saying at the Capitol, "If you get one call from a constituent, you have an issue. If you get two calls from a constituent, you have a problem. If you get three calls, you know it's a crisis."

The more you contact your legislators, explain what the issue or funding means to you, and spend time working with and helping on the campaigns of your legislators, the better chance you (or the organizations in which you are a member) have of passing a bill or its legislative agenda.

This summer, we encourage you to:

Take a few extra minutes and send your legislators a handwritten thank you note for their work this year. If they did something in particular that you liked, please tell them. Otherwise, just thank them for their time and sacrifices to represent you - the constituent. Invite them to sit down for a cup of

coffee this summer, or offer to help them over the summer. Ask them to put you on their campaign and legislative mailing lists, and if you like what they have been doing, by all means offer to be a volunteer on their campaign!

Take your legislator out for coffee. You may also wish to do this with candidates for legislative office - although not all together. Talk to them about the issues important to you, and what you would like to see them do if elected/re-elected. Invite others you know as well or invite your legislator to come to you - the more the merrier, and its definitely less stressful to have others there. You can find local contact information for your legislator at the following site:
www3.legis.state.ia.us/ga/legislators.do?ch=s
(Senators)
www3.legis.state.ia.us/ga/legislators.do?ch=h
(Representatives).

Work Continues Over the Interim

The Legislative Council, a leadership group of Representatives and Senators of both parties, will decide which issues will need further study over the summer and fall (the "interim").

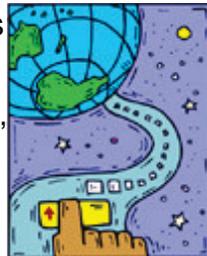
These interim study groups usually meet two or three times between July and December to talk further about issues. We know that the following groups will be meeting, but there will likely be others:

Property Tax Reform Interim Study Committee will continue to meet (they have been meeting since 2007 to work on a solution to Iowa's complicated and inequitable property tax system).

Criminal Code Reorganization Study Committee will also continue to meet to look at changes needed to Iowa's Criminal Code.

Effects of Flooding on Livestock Industry Study Committee will meet twice over the summer to look at the effects of the 2008 flooding on the Iowa livestock industry, including

Internet access opens a world of information to you – and can help you stay “in the know.”



But we know not everyone has a computer, the Internet, and know how to use them.

Remember! For those of you without Internet access, ask your local public library for suggestions.

Public libraries frequently hold trainings to teach people how to use a computer and the Internet, as well as have free public use of computers and the Internet.

commodity prices, differential effects on small and large producers, financing issues, and effects on businesses associated with the livestock industry.

Energy Efficiency Plans and Programs Study Committee will meet twice as well to look at the existence and effectiveness of energy efficiency plans and programs implemented by gas and electric public utilities, with an emphasis on results achieved by current plans and programs from the demand, or customer, perspective, and make recommendations for additional requirements applicable to energy efficiency plans and programs that would improve such results.

Identity Theft Prevention Study Committee will meet once to review how much our personal, identifying information is used by the state or government-affiliated organizations, and which, if disclosed, could leave us vulnerable to identity theft.

Iowa Law Enforcement Academy Facility Analysis will meet once to issue a request for proposals to contract for an independent entity to analyze and make recommendations for an optimal site and facilities for the Iowa Law Enforcement Academy.

Mass Transit Study Committee will study the ways in which mass transit might be used to provide public transportation services among Iowa communities. The committee will consider the ways mass transit availability affects various populations in rural and urban communities, particularly those who are unable to drive or cannot afford to own a motor vehicle; determine any impact mass transit among communities can have on population levels, quality of life, and economic development in urban job centers, small and satellite communities, and rural towns; identify the effect of mass transit on greenhouse gases and on overall air quality; determine the level of public need for mass transit, including any specific areas in immediate need; investigate the feasibility of expanding mass transit services and the types and combination of services that might comprise a state mass transit system; identify potential costs and funding mechanisms for developing and maintaining specific mass transit services; and assess the attitudes and habits of Iowans

concerning personal transportation and ways to educate the public about the economic, social, and environmental advantages of mass transit. This committee is authorized to meet only one day to accomplish all this work.

Medicaid Elderly Waiver Program Study Committee will review the services, costs, and requirements under the Medicaid Home and Community-based Services Elderly Waiver Program, in consultation with with the Department of Human Services and persons interested in the program. This committee is also authorized to meet only a single day.

Medicaid Program Drug Product Selection Study Committee will meet once this summer and convene public and private stakeholders to review current law for drug product selection under the Medicaid Program. This arose out of the controversy this session over allowing pharmacists to give people generic or alternative drugs used to treat epilepsy and transplant patients, even without patient or doctor authorization.

Postsecondary Education Rigor Analysis will meet once to issue a request for proposals to contract for an independent entity to analyze and compare the rigor of the first two years of study at community colleges and institutions of higher education governed by the State Board of Regents.

Committees are to have completed their work and reports by December 15, 2008. You will be able to find the schedules of these meetings online at: www.legis.state.ia.us/aspx/Committees/CommitteeInfo.aspx (scroll down to the “interim committee” list).

TAKE ACTION!

Iowans with Disabilities in Action (ID Action) is working hard to give you the tools and opportunities to take action, and make sure your voice is heard as you advocate for change.

We are all different (thank goodness!) – so different things will appeal to different people. That is why we are working hard to give you lots of choices this summer. Check out our website for

up-to-the-minute events and new ideas (www.infonetiowa.com).

Continuing Education for Advocates

ID Action's Advocacy University is gearing up again this summer to offer Voter Training in a community near you. New voting laws and equipment have made voting in Iowa more accessible than ever. While it is always good to register to vote in advance, this year voters will be able to register to vote on Election Day with proof of identity and residency.

As they say – practice makes perfect. We want everyone to feel comfortable with voting, whether you have done it dozens of times or are new to it all, these trainings will give you ideas on how to become a more informed voter while covering the basics of how to vote.

These entertaining, interactive workshops will help Iowans of all abilities get more comfortable with voting, know their rights, and understand the importance of showing up on Election Day.

Advocacy University is currently identifying local hosts for these free trainings. We hope to begin these as soon as the floodwaters go down and towns have an opportunity to rebuild. ..let's hope by August!

If you are interested in hosting or attending an elections workshop, call today at **1-866-432-2846** or email us at info@idaction.org.

ID Action Election Resources

ID Action's Caucus 2008 Project was an overwhelming success, and many of you have shared your caucus experiences with us. Please continue to share those stories and photos.

But the caucuses are now over, the two major party candidates are known (we think), and the campaign for President is now underway. ID Action is now launching its Vote 2008 campaign to

offer a variety of activities and resources to engage individuals with disabilities in the political activities leading up to the elections including:

➤ **Voter Captain Program** – As one component of the Vote 2008 project, ID Action is looking for 10 Iowans with disabilities from all areas of the state to coordinate regional voting-related activities for their community from June through November. ID Action will provide training on managing get-out-the-vote efforts at a local level and successful applicants will be reimbursed for their time and effort. Please contact ID Action for additional information.

➤ **Vote 2008 Grants** – ID Action is offering Vote 2008 grants ranging from \$500 to \$2,000 to cover the costs of community get-out-the-vote efforts. The funds may be used for community get-out-the-vote efforts. Since ID Action is a nonpartisan political action program, the grants may be used for initiatives such as educational workshops, grassroots activities to register Iowans with disabilities to vote,

coalition building activities, voter forums, etc. However, the grants may not be used for partisan purposes, such as advocating for a particular political party, candidate or issue. Use your imagination and be creative in your efforts to organize vote-related events! Grants are only available for a limited time, so submit your application early to increase your chances of receiving a grant.

➤ **More information** – To learn more about the Vote 2008 Campaign activities, including the Vote 2008 grant application guidelines and registration information for voter trainings, visit www.idaction.org or call **1-866-432-2846**.

Mark Your Calendars!



August – October 2008
ID Action Election Workshops

November 4, 2008

Election Day!

- President/Vice President
- US Senator
- US Representative
- Half of the State Senators
- State Representatives
- And many others....

2008 Primary Election Results

There were primaries in many of Iowa's state legislative and congressional races – to find results and who will be on the ballot on November 4, go to:

Primary Election Results

www.sos.state.ia.us/PDFs/elections/2008/P08.mht
www.infonetiowa.com/advocate/campaigns_and_voting.php

County Auditor Contact Information

www.sos.state.ia.us/elections/auditors/auditorslist.html

Apply To Be a 2008 Lobbyist Apprentice

Are you interested in being our next lobbyist apprentice? Send in an application now – we'll be selecting our 2009 class this summer!

Call or e-mail your request for an application here:

866/432-2846; 866/432-2847 TTY/TDD
info@idaction.org

Download the application here:

www.infonetiowa.com

BILL TRACKER

BILLS SIGNED INTO LAW

HF 2393 - Minority Impact Statements -

Requires all applications for state grants to include a minority impact statement (written by the applicants) describing the proposal's unique impact on minority persons, reason for the proposal if there is an impact and evidence the applicant has consulted with representatives of the minority persons if there is an impact. Also requires that correctional impact statements on bills include information on the specific impact on minorities. Persons with disabilities are included in the definition of "minority." Effective for grant applications beginning 1/1/2009.

HF 2407 - Accessible Parking Registration

Fee - Currently, there is a \$60 annual registration fee for multi-purpose vehicles modified for persons with disabilities or used by persons in wheelchairs. This bill makes it apply to any vehicle or station wagon, not just multi-

purpose vehicles (trucks, motor homes, ambulances, hearses, motorcycles, motorized bicycles are still not included). Effective 7/1/2008.

HF 2423 - County MH/MR/DD Risk Pool -

Changes the date for counties to apply for risk pool funds from January 25 to October 31, and requires the Risk Pool Board make its decisions by December 15 (instead of February 25). Requires payment to counties be by January 1, instead of June 30. These changes help struggling counties get their money faster - which may help avoid cuts in services to people with disabilities. Effective 7/1/2008.

HF 2539 - Health Care Reform -

Declares the intent of the legislature to make progress toward all Iowans having health care insurance that meets certain criteria for quality and affordability, starting with children in 2011. Expands children's health insurance coverage up to 300% of the federal poverty level, and incorporates additional coverage strategies. Begins developing an alternative affordable health care plan offered to people above 300% of the federal poverty level on an unsubsidized basis through the Iowa Comprehensive Health Care Insurance Association, called the Iowa Choice Health Plan. Allows continued coverage of a dependent child up to age 25. Prohibits the use of pre-existing conditions when moving between plans, including to and from individual plans. Establishes groundwork for a medical home, electronic medical records, chronic care management, quality assurance through clinical outcomes and patient surveys, and greater transparency in health care. Works on strategies to improve direct care worker compensation and benefits, including a demonstration pilot on health care coverage for direct careworkers. Establishes new procedures and guidelines for end-of-life planning and care coordination. Includes community wellness grants to encourage healthier lifestyles. Requires the Insurance Commissioner to work with the industry to make health plans more uniform and provide better transparency to allow consumers to compare and manage costs. For more details, review the chart prepared by the IDPH at:

www.idph.state.ia.us/adper/common/pdf/legis/archive/2008/080428_update.pdf. Effective 7/1/2008.

HF 2555 - Insurance Commissioner Bill - Makes a number of technical and policy changes to the work of the Insurance Commissioner, including the creation of an Insurance Consumer Advocate with the responsibility to ensure consumers receive fair treatment from the insurance industry and that unfair/deceptive practices are prevented. Requires annual reporting and makes information submitted confidential. States the information the Consumer Advocate is to report and gives it the authority to hold public hearings, take complaints, and conduct investigations. It does not grant any powers beyond investigation (so there are no teeth in the bill). Effective 7/1/2008.

HF 2591 - Dependent Adult Abuse - Expands protections for dependent adults and older lowans who live in assisted living facilities, nursing homes and other care facilities, or are served by various supported community living programs. Requires the departments involved to communicate to each other to make sure things don't fall through the cracks. Expands the definitions of dependent adult abuse to include things like exploitation (including financial exploitation). Also gives some caretakers protections for accidental incidents that occur only once or twice in a five-year period (giving DHS the opportunity to determine if the injuries would be likely to reoccur, minor and/or isolated). Also requires police officers responding to domestic abuse calls be prepared to inform the dependent adult of their rights, services available to help them, and make reasonable efforts to prevent any further abuse (like remaining on the scene until the dependent adult is safe). Requires abuse investigators get special training. Effective 7/1/2008.

HF 2620 - Elections/Voter Registration - Requires all polling places be accessible to persons with disabilities and requires all polling places have voting equipment for use by voters with disabilities in counties where paper ballots are not used. Prohibits the use of cell phones, cameras, pagers, and other electronic

communications while voting. Effective 7/1/2008.

HF 2660 - Justice Systems Budget - This budget funds Iowa's correctional system, as well as public safety programs and homeland security. It also gives money to pay for legal services to persons in poverty (\$2 million), the Office of the Consumer Advocate (\$3.1 million) who helps provide consumer protection services, and the Civil Rights Commission (\$1.5 million) which gives people whose civil rights have been violated a place to be heard. All of these spending levels are the same as last year - no increase, but no decrease either. Effective 7/1/2008. *Status: Signed; Floor Manager/Subcommittee: Line Item Veto: The Governor did veto some things in this bill, but the items noted were not affected by these line-item vetoes.*

HF 2663 - School Infrastructure Local Option (SILO) - This bill replaces the local option sales and services tax for school infrastructure purposes by increasing the state sales and use taxes from 5 percent to 6 percent, effective July 1, 2008. The increased use tax rate does not apply to the sale or lease of motor vehicles. The state sales and use tax rates are reduced from 6 percent to 5 percent on January 1, 2030. The increased state sales and use tax revenues are deposited into a new Secure an Advanced Vision for Education (SAVE) fund to be distributed to all school districts. A statewide amount per pupil would be computed each fiscal year based upon the estimated amount that would have been generated by a 1 percent local sales and services tax divided by the combined enrollment of all school districts. Each district will receive an amount equal to the amount that it would have received under the formula if the local sales and services tax for school infrastructure was still imposed. The bill contains several related provisions. Effective 7/1/2009.

HF 2679 - Education Budget - Spends \$988.9 million dollars on various education programs, an overall increase of \$5.5 million. No change in funding for the following: Department for the Blind (\$2.5 million); Vocational Rehabilitation (\$5.7 million); Entrepreneurs with Disabilities

Program (\$200,000); IDEA (Individuals with Disabilities Education Improvement Act) funding (\$1.7 million); Center for Disabilities & Development at the University of Iowa (\$6.7 million); Employment Policy Group, used to be called Creative Employment Options (\$200,000); and Farmers with Disabilities Program initiated last year by Easter Seals (\$130,000). Gives the State School for the Deaf (\$10.1 million) and Braille & Sight Saving School (\$5.7 million) a 4% increase. Also makes a brand new appropriation of \$250,000 for a competitive grant for a single Center for Independent Living (the recipient is required to submit a written report detailing the use of the money by October 1, 2009). Includes new language stating the Legislature's intent to have community empowerment areas consider whether support services to prevent the spread of infectious diseases, prevent child injuries, develop health emergency protocols, help with medication, and care for children with special health needs are being provided to registered and licensed child care facilities. Effective 7/1/2008. *Line Item Veto: The Governor did veto some things in this bill, but the items noted were not affected by these line-item vetoes.*

HF 2694 - Long Term Care Insurance -

Repeals existing regulatory requirements for long-term care insurance and replaces them with new policies going into affect on July 1, 2008. Includes new and additional definitions and expanded disclosure and performance standards for long-term care insurance. Allows consumers to return policies and receive a refund, requires written policy summaries to be provided to people buying long-term care insurance, requires written explanations for denials (within 60 days), requires prompt payment of claims, establishes a process for independent review of an insurer's benefit determination, establishes stiff penalties for long-term care insurance fraud, and appropriates \$60,000 for a Senior Health Insurance Information Program to get information about long-term health insurance out and raise public awareness of consumer choices when considering various insurance products designed to meet the health care needs of older Iowans. Effective 1/1/2009.

HF 2700 - Standings Budget - Spends \$289.5 million on various standing (automatic annual) appropriations, and makes dozens of corrections to bills already passed this session. This is also known as the "last train out of the station," so contains a number of statutory changes that didn't make it through the legislative process as stand-alone bills. Sets the FY10 mental health/developmental disabilities (MH/DD) allowed growth at 3%, or \$8.3 million more than FY09. The legislature decides on spending two years in advance for allowed growth, to give counties time to adjust their budgets and property taxes accordingly. Makes \$200,000 available to pay for deaf interpreters at the Iowa School for the Deaf and Iowa Western Community College. Allows the Legislature to use the April revenue estimates instead of the December estimates as required by law (which allows them to spend an extra \$48.6 million). Allows a legislator (and his/her family) to accept food and drink received as a part of an event to honor the legislator. Makes it illegal (consumer fraud) for a business to place an expiration date on a gift certificate or deduct money from the value of the gift certificate if not used by a certain time. Businesses will be required to send in unused gift certificate proceeds to the State under the Unclaimed Property statute, which will bring in an estimated \$3 million each year in unused gift certificates. Effective 7/1/2008. *Line Item Veto: The Governor line item vetoed language that required the Department of Inspections & Appeals to provide the results of onsite inspections of assisted living programs within 10 working days (current language requires this within 20 working days). The Governor said the timeline was unreasonable and "make it impossible to ensure accurate compliance evaluations, which help protect the welfare of Iowans living in assisted living facilities." The Governor also vetoed sections changing inspections timelines for nursing homes, which would have put Iowa law in conflict with Federal law and would have had a significant fiscal impact on the Department of Inspections & Appeals. Finally, the Governor vetoed language adding a public member to the Hospital Licensing Board, saying "we need more public representation on the Hospital Licensing Board in order to reduce the inherent conflict of*

interest that members representing the hospital industry face and in order to provide greater voice for consumers regarding licensing rules that directly affect hospital care."

SF 2054 - MH/MR/DD Funding (Late-Filing Counties) - Counties are required by law to report on how they spent their MH/MR/DD funds by December 1 each year. This bill allows a county (Clayton County) that filed their reports by March 15, 2008 to still be eligible for MH/MR/DD allowed growth. Effective 2/4/2008.

SF 2089 - Absentee Ballot Applications – Voters may now request an absentee ballot on any sheet of paper or on any form (right now you must use the "official" form). Effective 7/1/2008.

SF 2101 - Entrepreneurs with Disabilities Program Transfer - Moves the Entrepreneurs with Disabilities Program from the Iowa Finance Authority to the Iowa Department of Education. Two years ago it was moved from the Department of Economic Development to the Iowa Finance Authority. This program helps people with disabilities start, maintain, and expand their own business. Effective 7/1/2008.

SF 2111 - Lead Blood Testing/Dental Screening Requirements - Last year, the Legislature required all parents have their children screened for lead poisoning and been seen by a dentist before enrolling in school. Lead poisoning can result in mental retardation and developmental delays and poor dental care can lead to serious health problems. This bill cleans up this requirement and allows children to be enrolled in school even if requirements are not met. Also requires schools to give the parents information about dental screening and lead screening resources in the community, including the free I-SMILE dental screening program. Effective 7/1/2008.

SF 2154 - Vertical Wheelchair Lift Definition - Updates the definition of "inclined or vertical wheelchair lift" to reflect the current American Society of Mechanical Engineers safety standards. Requires operating permits to be posted near these lifts. Effective 7/1/2008.

SF 2161 - Homelessness Council - Creates a 38-member council on homelessness, 26 of which shall be members of the general public appointed by the governor. The council is required to make annual recommendations to the governor regarding matters which impact homelessness, prepare and file with the governor and the general assembly a report on homelessness in Iowa, and assist in the completion of the state's continuum of care application to the United States department of housing and urban development. Requires a study of issues relating to low-income seniors and low-income persons with disabilities, including lack of affordable and dependable transportation and housing near work. The study is also to review issues related to low-income persons at risk of becoming homeless and the availability of affordable rental housing and access to financing for low-income homebuyers. Effective 7/1/2008.

SF 2177 - Department of Public Health Program Revisions - Makes the brain injury diagnosis used for the Department of Public Health cost-share program the same as that for the Medicaid waiver for persons with brain injury. Effective 7/1/2008.

SF 2230 - Special Hunting Licenses/Persons with Disabilities & Terminally Ill - Allows the Natural Resources Commission to issue special nonresident turkey and deer hunting licenses to persons with a severe physical disability or a person who is terminally ill. Requires a physician to sign the application, and still requires the person to pay the license fee. Effective 7/1/2008.

SF 2251 - Mandatory Eye Exams/School Enrollment - Directs AEAs to collaborate with local organizations to provide vision screenings to children ages 2 - 4. Requires a parent to get a student vision card when a child is registered for kindergarten or preschool, and requires that prior to being evaluated for special education services, a student must receive an eye exam by a licensed ophthalmologist or optometrist. Allows school districts to encourage a child to have an eye examination before receiving special education services (but it is not a

requirement to receive special education). Makes it the parent's responsibility to get the child's eyes examined. Effective 7/1/2009. *FISCAL IMPACT: Funding needed is \$298,300 to \$323,300 for FY09 and \$254,600 for FY10. Cost to insured parents or their third party payers is \$761,200 in FY09 and \$856,400 in FY10.*

SF 2286 - Federal Block Grant Bill - Spends federal funds coming to the state for various purposes. Includes \$3,631,173 to community mental health centers and \$7,609,836 for MH/MR/DD/BI community service (local purchase of service). Effective 7/1/2008.

SF 2347 - Optical Scan Voting - Requires counties use accessible voting systems that are proven as reliable and have a paper record (optical scan voting systems that use electronic ballot marking devices that are ADA compatible). Gives counties \$4.9 million to help pay for these systems. Requires election personnel be trained on current laws and procedures in voting (continuing education program). Applies to elections starting November 4, 2008. Effective 4/1/2008.

SF 2394 - Transportation Budget - To change in spending for transportation in next year's budget (which begins July 1, 2008), including the same level of spending on ADA improvements (\$120,000). Effective 7/1/2008.

SF 2400 - Administration & Regulation Budget - Keeps funding the same for the next fiscal year (which begins on July 1, 2008) for the Department of Human Rights' Deaf Services Division (\$421,700) and Persons with Disabilities Division (\$217,221). Effective 7/1/2008. *Line Item Veto: The Governor did veto some things in this bill, but the items noted were not affected by these line-item vetoes.*

SF 2417 - Healthy Iowans Tobacco Trust Appropriations - Allocates \$35.4 million generated from Iowa's tobacco settlement (when states sued tobacco companies). No change in the spending levels from last year - State Supplementary Assistance (SSA) (\$182,381); tobacco use prevention (\$5.9 million); substance abuse treatment (\$13.8 million); substance

abuse prevention for children (\$1.05 million); childhood lead poisoning prevention program (\$78,388); phenylketonuria (PKU) assistance to help parents pay for the costs of necessary special foods (\$100,000); MH/MR/DD Allowed Growth (\$146,750); and epilepsy association funding (\$100,000). Adds a new \$25,000 grant to a Linn County provider for support services for children with autism spectrum disorder and their families. Reaffirms that tobacco receipts are intended to be spent on health programs only, but eliminates the tobacco trust account as a separate pot of money and puts all tobacco settlement proceeds in the general fund beginning July 1, 2009. Effective 7/1/2008. *Line Item Veto: The Governor did veto some things in this bill, but the items noted were not affected by these line-item vetoes.*

SF 2418 - Voluntary/Free Income Tax Assistance Programs - Requires DHS to provide information about federal and state earned income tax credits to people receiving state assistance (hawk-i, Medicaid, family assistance program, food stamps, etc.). Requires services for volunteer/free income tax assistance programs be marketed to low-income persons. The earned income credit (EITC) is a tax credit for certain people who work and have low wages. A tax credit usually means more money in your pocket because it will either reduce the amount of tax you owe or mean you get a refund from the government. It is available to low-income working families and individuals, and many people filing their own taxes do not know about it. Effective 7/1/2008.

SF 2425 - Health/Human Services Budget - Spends \$1.2 billion on various health and human services programs, an increase of \$31.1 million. **NEW APPROPRIATIONS:** Adds a new \$200,000 appropriation to replace lost federal funds for the Aging & Disability Resource Center. Makes a new appropriation of \$250,000 to implement the Family Opportunity Act to assist persons with disabilities and their family members achieve and maintain independence. Captures the \$6 million in interest from payments made to Magellan for the managed mental health contract and uses it to pay for: Emergency Mental Health Crisis Services System (\$1.5 million, beginning

1/1/2009); School-Based Children's Mental Health System (\$500,000, beginning 1/1/2009); MH/MR/DD Risk Pool (\$1 million); reduce HCBS waiver waiting lists (\$2 million, allocated equally across all waiting lists); and reduction of the children's mental health waiting list (\$750,000). Prohibits Magellan from keeping the interest in the future and requires all future contracts to have this written into them. Spends the \$624,000 new MH/MR/DD property tax relief money generated from the sale of the Dwayne Arnold Nuclear Power Plant on Medicaid (instead of MH/MR/DD funding as proposed by the counties). Spends any money left over at the end of the year from MH/DD Community Services and the first \$300,000 left over at the end of the year from State Cases on substance abuse treatment (instead of reinvesting it in MH/MR/DD funding). ALLOWED GROWTH: Increases MH/MR/DD/BI services funding by \$8,119,862 (a total of \$54,081,310 - about 3%). Continues the \$12 million "leadership fund" for counties that have an ending fund balance below 10% and are levying the maximum (or levying 90% with a very high levy rate). Distribution formula remains the same. States that the Legislature intends to move back the year used for ending fund balances so that legislators may know exactly how much each county will receive before leaving the Capitol (because of the way budgeting works, legislators never know until the next legislative session how the formula turns out). Allows a two-year pilot project be implemented to allow a regional (multi-county) MH/MR/DD/BI service network administered through a risk-based contract with DHS. Counties in the pilot may pool their resources, waiver slots, and decategorize funding to the extent allowed. Allows counties to use the average of their levies and ending fund balances in order to access state allowed growth funding. MH/DS INTERIM: Requests an interim task force to consider county-state shared funding for mental health and disability services covered by the Medicaid program, consisting of legislators, DHS, counties, advocates (including a member of the Governor's DD Council), and providers. One person must be a consumer of county services. INCREASED SPENDING: Increases funding for State Supplementary Assistance by \$1.4 million (\$18.6 million total). Extends the

personal needs allowance supplement to persons living in ICF/MIs or ICF/MRs (intermediate care facilities for mental retardation or mental illness). This allows persons with incomes to keep \$50/month, and those without a income to receive a \$50 allowance (or a supplement that brings up a person's income to \$50/month). This was previously only available to persons living in nursing homes. MHIs are level funded but because of lost IowaCare funds, there is an increase of \$16.9 million in state funds. DECREASED SPENDING: Decreases funding for the Children's Health Insurance Program (hawk-i) by \$1 million because of money expected to be left at the end of the year. Decreases funding to Glenwood by \$1.9 million (\$17.1 million total) and Woodward by \$1.77 million (\$11.3 million). SPENDING STAYS LEVEL: No change in spending on the Substitute Decision Maker program (\$250,000), Long Term Care Resident Advocate (\$130,000), dental services to indigent elderly and persons with disabilities (\$40,000), assistance to persons with phenylketonuria (PKU - \$100,000), brain injury resource facilitators (\$500,000), MH/DD Community Services (\$22,911,942), Day Care for Exceptional Children in Polk County (\$350,000 - but it was added this is a "one time grant"), Preparation for Adult Living (PALS) program (\$2.9 million), state cases (\$13.07 million), Iowa Compass (\$30,000), Prevention of Disabilities Council (\$57,000), rent reimbursement for persons who meet nursing facility level of care but instead wish to live in the community (\$700,000), child health specialty clinics (\$473,981), and the Family Support Subsidy (\$1.9 million - but does increase the amount dedicated to the Family Support Center component to \$433,212, an increase of \$100,000). Withholds family support subsidy payments to families who are appealing termination because a child has reached the age of 18, until the appeal is resolved. Uses the \$260,000 in community services money previously spent on the determination of a case rate to help offset the costs of the Iowa State Association of Counties' new MH/DD data management system. MEDICAID: Fully funds Medicaid by increasing spending by \$32,857,449 (total \$649.6 million), including an increase of 2% for consumer directed attendant care

(\$121,285). Gives all Medicaid providers a 1% increase in reimbursement rates, including nursing facilities, home health providers, and remedial services providers. Leaves mental health and behavioral health drugs OFF the preferred drug list, allowing doctors to continue to prescribe the medications they think are best for their patients (rather than the cheapest). Requires DHS review all Medicaid Home & Community Based Services waivers to compare services provided and reimbursements made (report due to legislators on 12/15/2008). Transfers the Brain Injury program in the Department of Public Health to the Department of Human Services, by merging it with the BI Waiver. Requires all of the money previously expended on the separate program be spent on waiver slots for persons with Brain Injuries (\$2.5 million). MISCELLANEOUS CHANGES: Allows marriage and family therapists and licensed master social workers to be reimbursed by Medicaid for services provided. Adds a member to the MH/MR/DD/BI Commission - someone from the Iowa Behavioral Health Association. Maintains charge to DPH to enhance workforce competencies of behavioral health staff in various areas, including treatment of persons with serious mental illness, veterans, children with mental health or substance abuse disorders, and persons with co-occurring mental health and substance abuse disorders. IOWA AUTISM COUNCIL: Creates a new 13-member Autism Council to advise the state in developing and implementing a comprehensive, coordinated system to provide appropriate diagnostic, intervention, and support services for children with autism and to meet the unique needs of adults with autism. Members are to include autism specialists, persons with expertise in best practices in diagnosing, treating and educating individuals with autism, residential service providers, mental health professionals with expertise in autism, private insurers, and teachers/AEA representatives. Also includes state agencies representatives, including the Governor's DD Council. TUITION ASSISTANCE FOR PEOPLE SERVING INDIVIDUALS WITH DISABILITIES: Establishes a statewide pilot program to give grants to community colleges that award tuition assistance to students enrolled in a health care workforce training course and

working part-time at a health care facility that provides services to adults with mental illness or mental retardation. Requires dollar-for-dollar match of state dollars. DEPENDENT ADULT ABUSE CHECKS: Requires hospitals do background checks on criminal, child abuse, and dependent adult abuse registeries for all employees. Persons with a founded child or dependent adult abuse record may not be employed by the hospital unless they are cleared by a state investigation that considers the severity of the charge, circumstances, and time elapsed. Also requires these checks for homemaker home health aide, adult day services, home-care aides, other in-home services providers, elder group homes, assisted living programs, hospices, and providers of direct services to consumers under the Medicaid Home & Community Based Services waiver. DEATH INVESTIGATION: Requires the county medical examiner to conduct a preliminary investigation for all deaths at a state resource center or MHI, paid for by DHS. Currently this is only done when the death is sudden or mysterious. Allows a parent, guardian or other person responsible for a patient who dies at a private institution for persons with mental retardation to request preliminary investigation by the county medical examiner, even if it is not sudden or mysterious. The family or person requesting is responsible for costs associated with the request. MHIs are required to send (within three days of the date of death) the cause of ANY death to the nearest relative, clerk of court, and county sheriff. EMERGENCY CRISIS MENTAL HEALTH: Enacts the Emergency Mental Health Crisis Services System, but requires it be implemented by DHS in cooperation with the counties, providers and advocates. The intent is to create a statewide system to respond to persons with mental illness that are in crisis 24 hours a day, 7 days a week. The program will start off as a pilot project. Community mental health centers (or providers identified by the county as providing services instead of a community mental health center), a county or city, or any other public/private provider who is approved by the Department of Human Services may apply for grants. The services system must at a minimum: be regional (serve more than one county); coordinate with other providers in the area, the

county central point of coordination (CPC), community-based corrections, the courts, and law enforcement; include basic services such as face-to-face crisis intervention, stabilization, support, counseling, preadmission screening for persons requiring psychiatric hospitalization, transportation, and follow-up services; and include telephone hotlines, mobile crisis staff, collaboration protocols, follow-up with community services, information systems, and competency-based training. CHILDREN'S MENTAL HEALTH: Requires DHS to create a mental health services system for children (0-18 years old) and youth (18-22 years old who met the criteria for "serious emotional disturbance" before they turned 18). Defines what is a "qualifying mental health disorder." The purpose of this new system of care is to improve access for children and youth with serious emotional disturbances and youth with other qualifying mental health disorders to mental health treatment, services, and other support in the least restrictive setting possible so the children and youth can live with their families and remain in their communities. Makes DHS the lead agency for the new system. Uses competitive block grants through existing community mental health centers and other local service providers to assist in the creation of this network. Directs DHS to analyze options for leveraging additional Medicaid options, and engaging local school, child welfare, juvenile justice, mental health, and health care professionals. Certain services, such as school-based mental health services and the development of mental health assessment capacity based in public schools and clinical settings, are required to be supported through the block grants. The services supported may also include other services such as mobile crisis intervention services and prevention-oriented services. Requires regular reports to the MH/MR/DD/BI Commission. PUBLIC TRANSPORTATION INTERIM STUDY: Requests an interim committee to conduct a comprehensive study on the ways in which mass transit may be used to provide public transportation services among Iowa communities, including availability and benefits to the poor, elderly, and persons with disabilities. COMMUNITY MENTAL HEALTH LAW UPDATE: Requires the MH/MR/DD/BI

Commission and the Division of Mental Health & Disability Services to appoint a stakeholder advisory committee to develop a proposal to update laws related to the Community Mental Health Centers, including laws related to establishment of centers, services offered, consumer and family involvement, capability of addressing co-occurring disorders, organization and powers, programs, populations served, evidence-based practices, and the use of functional assessments and outcomes measures. Allows DHS to defer on any requests for CMHC status until the group has completed its work. Effective 7/1/2008. *Line Item Veto: The Governor did veto some things in this bill, but the items noted were not affected by these line-item vetoes.*

SF 2430 - Individual Development Accounts & MicroEnterprise Development - Contains three components – expands the Community Attractions & Tourism (CAT) program to include river projects and extends the program for another two years; creates a micro-enterprise grant program to help communities grow by investing in very small businesses; and authorizes Individual Development Accounts to help low-income Iowans save money for things that increase self-sufficiency (education, home ownership, business startups). Spends a total of \$2.875 million on these three components. INDIVIDUAL DEVELOPMENT ACCOUNTS: Individual Development Accounts are savings plans available to low income individuals, including persons with disabilities, to increase opportunities for self sufficiency by allowing them to save money for qualifying purchases, such as paying for educational expenses, buying a home or starting a small business. This bill adds cars and assistive technology to the list of things a person may buy with the money. Right now money in these accounts is tax-free, and they can be matched by the operating organizations (such as the credit unions participating). The organizations giving this match are given tax breaks for doing this. This bill makes a number of changes to these accounts - accounts may have only \$30,000 in them (lowered from \$50,000), administration of the program is moved from DHS to the Division of Community Action Agencies in the Department of Human

Rights, and household income thresholds are to be determined by the Division with input from the Family Development & Self-Sufficiency (FADSS) Council. Also requires the Division to send out an RFP to select operating organizations, and gives organizations providing a match a full tax break (100% instead of 15-25%). Changes the current state match limit from \$2,000 per year to \$2,000 total. Requires the Division to work with Iowa's federal delegation to get a federal tax break on the money organizations give as match as well. **RIVER CAT:** Extends the CAT Program for another three years (\$12 million annually until June 30, 2013). Creates a new parallel program called the River Enhancement Community Attractions & Tourism Program (River CAT) and appropriates \$2 million to create and enhance community attractions and tourism opportunities along lakes, rivers, and river corridors in cities across the state. Projects may include (but are not limited to) pedestrian trails and walkways, amphitheaters, bike trails, water trails, whitewater courses, and modifications for safe mitigation of dams. **MICRO-ENTERPRISE GRANTS:** Earmarks \$475,000 to provide grants to organizations that assist micro-enterprises (businesses employing no more than five people that generally lack collateral and have difficulty securing financing from conventional lending sources). Microenterprises include start-up, home-based, and self-employed businesses. Effective 7/1/2008 (except IDA section is effective 4/29/2008).

SF 2432 - RIIF (Rebuild Iowa Infrastructure Fund) Budget - Spends \$484.1 million on various infrastructure projects, and authorizes \$130.7 million in bonds to build a new prison. Appropriates \$170,000 to continue the free Capitol bus shuttle service operated by the Des Moines Area Regional Transit (DART) system. This free service allows people to park in a free parking garage a few blocks from the Capitol and get a free ride to the Capitol (a good deal since all parking, including accessible parking, is limited). Spends \$10 million/year for four years on a new program to develop recreational opportunities around Iowa's rivers and lakes. Continues to spend \$1 million to improve technology in public libraries. Cuts the funding provided to nursing homes for facility

improvements by \$400,000 (total \$600,000). Makes a new \$130,000 appropriation for a child and adult program dedicated to preserving sight and preventing blindness through education, vision screening and training, and community and patient service programs. This grant will go to a national affiliated volunteer eye organization. Makes new \$15,000 appropriation for a seven-county Community Family Resource Drug Center to provide combined drug and gambling treatment in Webster, Calhoun, Hamilton, Humboldt, Pocahontas, Wright and Story counties. Finally, spends \$869,748 to make renovations to dorms for the Department for the Blind/Sight-Saving School. Effective 7/1/2008. Line Item Veto: *The Governor did veto some things in this bill, but the items noted were not affected by these line-item vetoes.*

ADOPTED RESOLUTIONS

HR 119 - Insurance Consumer Protection Resolution - Tells Congress that the Iowa Legislature is against any federal legislation that would limit the state's ability to regulate the insurance industry, as currently proposed in federal bills S.40 and H.R. 3200. Says states are better at protecting their people from insurance fraud.

HR 144 - Special Olympics Global Messenger Honored - Honors Tyler Joseph Steinke for becoming the youngest Global Messenger for Special Olympics Iowa (at the age of 10). Global messengers are athletes who help spread the message and vision of the Special Olympics, and talk about the benefits of participating in the event.

SR 101 - Employment of Persons with Disabilities - States that it is a priority of the Legislature to make sure there is a stable and quality direct-support workforce for individuals with disabilities. This resolutions makes the following statements: There are more than 115,000 Iowans with developmental disabilities, many of whom depend on the support of their families, communities, providers, and caregivers. Turnover rates of direct-support workers are 40-75% and high job vacancy rates make it difficult for providers to ensure quality care. Iowans with

disabilities that wish to work and live in their own homes, in their own communities, need a reliable and quality support system.

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Find more resources online at www.infonetiowa.org.

Our next issue of *infoNET* will be published in late July. Until then, check out www.idaction.org & www.infonetiowa.com for details on the latest workshops, trainings, election events, and advocacy opportunities and resources.

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Iowans with Disabilities in Action (ID Action)
PO Box 71369
Des Moines, Iowa 50325

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