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CAPITOL NEWS: The Gloves Come Off

Today is the 67th day of the 100-day legislative session, with only 33 more days to go. You can tell it's late in session because the gloves have come off and debate has taken a less than pleasant turn.

Legislators in the House decided to take up a controversial bill that would have expanded the scope of public employee labor union negotiations. The debated went into the wee hours of the morning (2:30 a.m.) and then continued well into the following day.

The debate turned personal when one legislator's visitor had to be escorted from the House chambers by a state trooper.

The legislator had failed to get proper approval for a school board member from his district to sit on the floor during debate. Because school boards were opposed to

the bill, other legislators grew concerned that the person was "advising" the legislator instead of visiting.

In defense of the visiting school board member, it was his legislator's job to get proper approval. The rules of the legislature require legislators to get approval of visitors, and visitors must wear a badge while in the chambers.

At another point in the debate, lawmakers called for an end to the debate and set a time for a final vote. Ten minutes before the vote was to be taken, a fire alarm (the second one that day) went off, further delaying debate.

In the meantime, the Senate had been waiting eagerly for the bill. They had planned to rush it through the committee process and debate the bill before going home for the Easter weekend. Unfortunately, before the House could "message" the bill, the House Minority Leader called a caucus. The business of the House was forced to stop until late in the day.

The House must formally tell the Senate they have passed a bill (called "messaging") before the Senate can take up the bill. The Senate sat waiting while the minority party in the House held the bill hostage.

For a student of the legislative process, this week's debates were like an educational seminar on legislative rules. Even the most veteran of lobbyists were seen running for their rulebooks. In all fairness, this debate took two days. When collective bargaining laws were first put into law in 1974, the debate lasted 19 days, non-stop.

The fun was not limited to the House this week. When the Senate finally got the bill, minority party Senators went to caucus and threatened to stay there for the rest of the weekend, unless leaders agreed to wait to debate the bill next week.

The Senate stood at ease while legislators caucused for more than 24 hours – all night on Thursday night.

Legislators finally came out, agreed to wait to debate the bill on Monday, and left the Capitol at about 2:30 p.m. today.

Most legislators have kept their sense of humor about the tensions that tend to take hold as the session winds down. Sometimes you can hear some pretty funny exchanges during debate. If you are looking for something to do, and have an Internet connection, you can listen to the House and Senate debate live here: www.legis.state.ia.us/Audio/Audio.html.

There won't be a lot of debate next week – but beginning March 31, legislators will be in floor debate most of the day.

The smoking ban bill has not yet gone “up in smoke” as some predicted. The bill has been sent to conference committee, where the House and Senate will work out their differences. They will decide whether to have a statewide ban on smoking in all public places (Senate version), in all public places except casinos (first House version), or only in those places that do not have a liquor license (second House version).

Conference committee reports cannot be amended – legislators either have to vote “yes” to accept the compromise, or “no” to reject it. Some legislators still want to talk about allowing local governments to ban smoking, but they won't be able to do that in a conference committee. Conference committees may only discuss things that were in one of the bills passed.

Finally, there is still no word on budgets. Legislators are waiting to make final decisions until the revenue estimates are released on April 4. If revenues are coming in strong, as they were in March (11% growth), they may feel confident to spend a little more.

We have heard an early version of the Health/Human Services Budget may be available to the public on Tuesday. Keep your eye on the *infoNET* website – we'll post it there as soon as we see it (www.infonetiowa.org).

On a final note, next Friday (March 28) is the second funnel deadline. As you might recall, these deadlines help keep bills moving through the legislative process (and winnow out the ones that are not going anywhere).

By next Friday, bills must be voted on (and passed out) by one chamber (either House or Senate) and be voted out of a committee in the opposite chamber. Needless

to say, the bill list at the end of this update will be much smaller by the time we issue our next report.

CANDIDATE ROUNDUP: Who's Staying, Who's Retiring

Last Friday (March 14) was the deadline for candidates to announce they are running for office. This includes state legislators as well as candidates for federal office (like Congress, U.S. Senate).

There were a few surprises last week. Rep. Ro Foege (D-Mt. Vernon) announced he would be retiring after spending 12 years as a state legislator. Rep. Foege wants to spend more time with his family and grandchildren. Rep. Foege was known as a champion for the people with disabilities and children, and led the charge in the House to find more money for the MH/DS system.

Former state Rep. Danny Carroll (R-Grinnell) shocked people with his announcement that he will run for the seat held by Rep. Eric Palmer (D-Oskaloosa). Rep. Palmer narrowly defeated Carroll in 2006. The rematch is expected to be one of the most closely watched statehouse races this year.

Two more former Senators are running this year as well – Merlin Bartz (running as a Republican for the seat being vacated by Sen. Thurman Gaskill) and Al Sorenson (running as a Democrat against Sen. Jerry Behn).

Finally, first-term Senator David Hartsuch (an emergency room doctor from Bettendorf) is planning to challenge first-term Congressman Bruce Braley (a lawyer from Waterloo). Congressman Braley took the seat previously held by Jim Nussle, who ran against Governor Culver in 2006. Sen. Hartsuch is in the middle of his four-year Senate term, so he will not have to give up his seat if he loses.

This year Senate Republicans will have 14 seats up for re-election, and eight of those are retiring. The Senate Democrats have 8 members up for re-election this year, and only one of those is retiring. Senate Democrats currently hold a 30-20 majority in the Iowa Senate.

Unlike the Senate, all 100 House seats are up for re-election this year. House Republicans found candidates to run in 81 of those seats; House Democrats have got candidates to run in 90 of the seats.

The House Democrats have only four retirements (of which two are leaving to run for Senate), while the House Republicans have nine retirements. The House Democrats currently have a narrow 54-46 majority in the Iowa House of Representatives.

House Democrats Retiring:

Rep. Ro Foege (Linn County)

Rep. Phil Wise (Lee County)

House Democrats Running for Senate:

Rep. Swati Dandekar (Linn County)

Rep. Pam Jochum (Dubuque County)

House Republicans Retiring:

Rep. Carmine Boal (Polk County)

Rep. Dan Clute (Polk County)

Rep. Chuck Gipp (Winneshiek County)

Rep. Polly Granzow (Hardin County)

Rep. Sandy Greiner (Washington County)

Rep. Clarence Hoffman (Crawford County)

Rep. Libby Jacobs (Polk County)

Rep. Bill Schickel (Cerro Gordo County)

Rep. Walt Tomenga (Polk County)

Senate Democrats Retiring:

Sen. Mike Connolly (Dubuque County)

Senate Republicans Retiring:

Sen. Jeff Angelo (Union County)

Sen. Thurman Gaskill (Hancock County)

Sen. Mary Lundby (Linn County)

Sen. Larry McKibben (Marshall County)

Sen. Dave Mulder (Sioux County)

Sen. John Putney (Tama County)

You can see the entire list of candidates running for state legislature this year (and see if anyone is running against your legislators) on our website:

www.infonetiowa.com/advocate/campaigns_and_voting.php

ISSUE UPDATES

Health Care Reform Keeps Moving

There is no shortage of health care reform ideas this year. It's the big topic in the Presidential races. Iowa's lawmakers are not waiting for Congress to work things out – they are ready to get started now.

Governor Culver has his plan. The House has their plan. The Senate has yet another plan. Now we have a “blended” plan.

That's right, this week the Senate Appropriations Committee amended the House Health Care Reform bill (HF 2539) to include the best of all plans. The amendment incorporates things the Governor wanted, retained many of the House's initiatives, and added in the Senate's more expansive plan.

When the bill came out of the House it carried a \$2.5 million price tag. The Senate's amendment triples that in the first year (\$6.2 million) and then adds \$10 million a year more for two years (\$16.2 million in fiscal year 2009; \$26.2 million in fiscal year 2010). The Senate's plan is the only one of the three to include a children's health insurance mandate (requiring parents buy insurance for their kids).

You can view the description of the bill and the amendment in our bill list, or can take a look at a spreadsheet comparison (courtesy of the Iowa Department of Public Health): http://www.infonetiowa.com/current_issue/issues_and_policy_briefs.php - Health4All.

Mental Health Parity Gets New Life

The bill that would have expanded access to mental health and substance abuse treatment for all Iowans failed to make it out of committee before the first deadline earlier this month. The bill would have required insurance plans pay for the costs of restoring mental health and treating substance abuse.

While this bill is no longer eligible for debate, the Veterans Mental Health Act ([HF 2592](#)) is still alive despite being re-referred to the House Commerce Committee, adding yet one more hurdle to make before next week's deadline.

But in a surprise move, Rep. Janet Petersen (Chair of the House Commerce Committee and a strong advocate of mental health parity) offered an amendment to expand the bill to cover everyone, not just veterans. Rep. Deborah Berry supported the amendment; Rep. Dawn Pettengill of Cedar County opposed the amendment (but said she would have supported the bill covering only veterans).

The bill and amendment will be voted on by the full Commerce Committee next week. They can approve both amendment and bill (expanding coverage to all Iowans), just the bill (expanding coverage only to veterans), or neither (not changing Iowa law).

Contact your legislators if this is important to you – & Commerce Committee members.

Commerce Committee Members:

Janet Petersen (D-Polk County) - Chair
Bob Kressig (D-Black Hawk County) - Vice Chair
Chuck Soderberg (R-Sioux County)- Ranking Member
McKinley Bailey (D-Webster County)
Deborah Berry (D-Black Hawk County)
Dan Clute (R-Polk County)
Clarence Hoffman (R-Crawford County)
Libby Jacobs (R-Polk County)
David Jacoby (D-Johnson County)
Doris Kelley (D-Black Hawk County)
Steve Lukan (R-Delaware County)
Jo Oldson (D-Polk County)
Tyler Olson (D-Linn County)
Dawn Pettengill (R-Cedar County)
Brian Quirk (D-Chickasaw County)
Nathan Reichert (D-Muscatine County)
Tom Sands (R-Louisa County)
Paul Shomshor (D-Pottawattamie County)
Doug Struyk (R-Pottawattamie County)
Dick Taylor (D-Linn County)
Linda Upmeyer (R-Hancock County)
Jamie Van Fossen (R-Scott County)
Philip Wise (D-Lee County)

Commerce Committee members can be reached Monday-Thursday at 515-281-3221.

MH/DS INTERIM PROPOSED

Advocates, counties, providers, and state agencies have been meeting weekly with a group of legislators to determine what, if anything, can be done to address the needs of the state-county Mental Health/Disability Services (MH/DS) system.

About the only thing that was clear in these meetings was there is simply no new money to help support the system. Legislators decided the best they could do this year is make minor adjustments to the formula for distributing the money so that it continues to go to those areas in most need, and set up a small group of people to work together this summer to come up with a satisfactory alternative.

We'll let you know how this goes. What we do know is both state and county waiting lists are growing and more people than ever are waiting for services.

TAKE ACTION: Psychiatric Drug Alert

This alert was sent to us by the National Association for Mental Illness (NAMI) Iowa, and the Iowa Psychiatric

Society. Urgent action is needed if this is an issue important to you!

The Problem

There are efforts now underway to restrict access to some of the most effective medications to treat mental illness. In 2000, the Iowa Legislature decided to keep these medications off the "Medicaid Preferred Drug List," making sure people that needed them could access them freely.

The Iowa Department of Human Services has included in their budget proposal this year to include these medications, saying it will save the state \$1.7 million by restricting access to these drugs using things like step therapy, generic substitutions, and prior authorization.

The Facts

Medications are a critically important element in the successful treatment of mental illness. Over the past 15 years, the effectiveness of medication to control mental illness has improved immensely. With proper medications, counseling and support services, individuals with mental illness can live full and productive lives.

When it comes to mental health medication, one size does not fit all. Effectiveness and side effects vary significantly for every person – the medication that works for one individual may not work for another. Therefore, the greater the range of mental health medications offered, the greater the chance that a provider can find the right drug for that patient – improving the chance for recovery.

Changing psychiatric medications is very difficult. It can take up to 6-12 weeks to determine if a medicine works, and each failed trial results in suffering and possible worsening of a person's condition.

These policies create significant administrative burdens for doctors, often influencing them to prescribe the medication that is covered as opposed to the one that is most effective. And policies that require someone with a serious mental illness to "fail first" before becoming eligible for another, more effective drug, are simply unreasonable.

The Cost

Restricting medications is economically unwise. While these policies are thought of as "cost savings," the fact is that they can actually result in higher costs because they increase the risk of relapse and costly hospitalization.

Treatment is most effective and less expensive in the community rather than in a state hospital or correctional facility. The state will pay for other costs that are far more expensive than medication (emergency room visits, hospitalization, prisons).

Newer medications have resulted in an average net savings of \$8,702 per patient, per year, when taking into consideration decreased costs in clinical care, including inpatient hospitalization (Lewin Group, 2000).

Far from being a cure, newer medications have become a critical cornerstone of the illness recovery process. Treatment success rates are 80% for bipolar disorder, 65% for major depression, and 60% for schizophrenia. (National Institute for Mental Health)

The Solution

Policymakers and lawmakers can support current administrative and legislative language prohibiting Medicaid from placing restrictions on access to medications for mental health treatment.

The Iowa Medicaid Enterprise can ensure that treatment providers are prescribing appropriate medications through continuation and expansion of quality care activities that are focused on provider education, safe prescribing practices, and consumer protection.

What Can You Do?

If this is an issue you care about or impacts you or someone you know, let your legislators know.

- Ask your legislators to reject the DHS plan to include psychiatric drugs on the Preferred Drug List (PDL).
- Let them know this would be done in the Health and Human Services budget.

To find the name of your Senator & Representative:

- Look at your mailing label (your legislators names should be on it, unless it's a PO Box).
- Enter your address here:
www.legis.state.ia.us/FindLeg/

You can call your legislators Monday-Thursday at:

- 515-281-3371 (Senators)
- 515-281-3221 (Representatives)

You can talk to your legislators at a local public forum. A list can be found here:

www.infonetiowa.com/advocate/local_forums.php

You can find a list of legislative emails here:

www.legis.state.ia.us/asp/Legislators/SenateEmail.aspx
www.legis.state.ia.us/asp/Legislators/HouseEmail.aspx

You can write to your Senator here:

Iowa Senate
State Capitol
Des Moines, Iowa 50319

You can write to your Representative here:

Iowa House of Representatives
State Capitol
Des Moines, Iowa 50319

You can find out more information about this issue on the *infoNET* website:

www.infonetiowa.com/current_issue/issues_and_policy_briefs.php#MHDrugs

TAKE ACTION! Public Forums List

Legislators attend legislative forums that are open to the public on weekends, when they are back in their hometowns. These forums are excellent times to talk to your legislators and ask questions.

Here is a list of the upcoming forums (next two weeks). A complete list of these forums is online at:
www.infonetiowa.com.

Thursday, March 27, 2008

Noon – FORT MADISON

Alpha's Annex, 709 Avenue H
Rep. Phil Wise & Rep. Dave Heaton

Friday, March 28, 2008

9:00 a.m. – LAURENS

Location TBD (call Sen. Kibbie at 515-281-3371)
Sen. Jack Kibbie

4:00 p.m. – CEDAR FALLS

AEA 267 Building, 3712 Cedar Heights Drive
Black Hawk County Area Legislators

Saturday, March 29, 2008

8:00 a.m. – ALGONA

Algona High School Little Theatre
Sen. Jack Kibbie & Rep. Marcella Frevert

8:00 a.m. - AUDUBON

Audubon Economic Development Office, 800 Market St
Sen. Nancy Boettger

8:00 a.m. – 9:00 a.m. – CRESTON

Congregate Meal Site, Restored Depot
Sen. Jeff Angelo, Rep. Mike Reasoner & Rep. Cecil Dolecheck

8:00 a.m. - MONTICELLO

Renaissance Center, 220 E. First Street
Sen. Tom Hancock

8:30 a.m. – AURELIA

Aurelia Café
Sen. Ron Wieck

8:30 a.m. – MT. PLEASANT

Chadwick Library at Iowa Westleyan College
Rep. Dave Heaton

9:00 a.m. – CLIVE

Clive City Hall, Council Chamber, 1900 NW 114th Street
Sen. Pat Ward, Rep. Dan Clute & Rep. Libby Jacobs

9:00-10:30 – COUNCIL BLUFFS

Council Bluffs Public Library, 400 Willow Avenue
Pottawattamie County Area Legislators

9:00 a.m. – HINTON

Hinton Coffee Shop
Rep. Chuck Soderberg

9:00 a.m. - MAQUOKETA

City Hall, 201 E. Pleasant Street
Rep. Tom Schueller

9:00 a.m. - SPENCER

"Eggs and Issues"
Spencer City Council Chambers, 418 Second Ave. West
Sen. David Johnson & Sen. Jack Kibbie

9:00 a.m. - WINTERSET

Farmers & Merchants State Bank, 101 West Jefferson
(on the square) - *Rep. Jodi Tymeson*

9:30 a.m. – 11:30 a.m. – IOWA CITY

Emma Harvat Hall, 410 E. Washington
Johnson County Legislators

10:00 a.m. - CARROLL

Time & Place TBD
Sen. Steve Kettering & Rep. Rod Roberts

NEW! 10:00 a.m. – CHEROKEE

Cherokee City Hall, 111 North 5th Street
Sen. Ron Wieck

10:00 a.m. - DAVENPORT

St. Ambrose Rogalski Center, Corner of Ripley & West
Lombard Streets
Scott County legislators

10:00 a.m. - DYERSVILLE

Country Junction, 913 15th Avenue SE
Sen. Tom Hancock & Rep. Steve Lukan

10:00 a.m. – EAGLE GROVE

Eagle Grove Library, 101 S. Cadwell
Sen. Rich Olive & Rep. McKinley Bailey

10:00 a.m. – HARLAN

Harlan Community Library, 718 Court Street
Sen. Nancy Boettger & Others

10:00 a.m. – HUMBOLDT

Town Meeting Hall
Sen. Jack Kibbie

10:00 a.m. - LOGAN

Community Building, 108 W. 4th Street
Sen. Jim Seymour & Rep. Matt Windschitl

10:00 a.m. - MANCHESTER

Manchester Public Library, 304 N. Franklin
Sen. Tom Hancock

10:00-11:30 – POLK CITY

Polk County Bank, 205 Broadway
Rep. Walt Tomenga & Sen. Larry Noble

10:00 a.m. - OSAGE

United Methodist Church, 819 Main
Rep. Mark Kuhn

10:00 a.m. - URBANA

Urbana Community Center, *Rep. Dawn Pettengill*

10:30 a.m. – 12:30 p.m. – URBANDALE

Urbandale Public Library, 3520 86th Street
Sen. Brad Zaun & Rep. Scott Raecker

11:00 a.m. – BURLINGTON

Southeastern Iowa Community College, Room 501
(located near the entrance of the circle drive)
Rep. Dennis Cohoon

1:00 p.m. – ARNOLD'S PARK

Great Lakes Maritime Museum, 243 W. Broadway St.
Sen. David Johnson

Friday, April 4, 2008

9:00 a.m. - ESTERVILLE

Esterville Public Library, 613 Central Avenue
Sen. Jack Kibbie

Saturday, April 5, 2008

9:00 a.m. – GARNER

Garner Education Center
Sen. Thurman Gaskill & Rep. Linda Upmeyer

9:00-11:00 a.m. - ALTOONA

Altoona Campus, 1500 8th Street SW
Rep. Geri Huser & Sen. Dennis Black

9:00 a.m. – ANKENY

Neveln Community Resource Center, 406 SW School St
Rep. Carmine Boal & Sen. Larry Noble

9:00 a.m. - GRINNELL

City Council Chambers, 927 4th Avenue
Rep. Eric Palmer, Rep. Andrew Wenthe, Sen. Tom Rielly

9:00 a.m. – KINGSLEY

Ed's Café, 212 Main Street
Sen. Ron Wieck

9:00 a.m. - LEMARS

LeMars Public Library, 46 1st Street SW
Rep. Chuck Soderberg & Sen. Dave Mulder

9:00 a.m. - 10:30 a.m. - MUSCATINE

Muscatine Community College, 152 Colorado
Rep. Tom Sands

9:30 a.m. - DUBUQUE

Diamond Joe's Casino, Riverview Room,
Dubuque County Legislators

9:30 a.m. - 11:00 a.m. - OTTUMWA

Bridge View Center, 101 Church Street
Sen. Becky Schmitz & Rep. Mary Gaskill

10:00 a.m. – ADEL

ISU Extension Office, Dallas County Fairgrounds, 28059
Fairground Road
Sen. Jerry Behn & Rep. Ralph Watts

10:00 a.m. – Noon - DAVENPORT

St. Ambrose Rogalski Center, Corner of Ripley & West
Lombard Streets
Scott County legislators

10:00 a.m. - GREENFIELD

Cornerstone Community Church, 284 Public Square
Rep. Clel Baudler & Sen. Nancy Boettger

10:00 a.m. - 11:30 a.m. - JOHNSTON

Johnston Public Library, 6700 Merle Hay Road
Rep. Walt Tomenga & Sen. Larry Noble

10:00 a.m. - MASSENA

Massena Coffee Shop, Main Street
Sen. Nancy Boettger

10:00 a.m. - ONAWA

Onawa Library, 707 Iowa Avenue
Sen. Jim Seymour & Rep. Matt Windschitl

10:00 a.m. - VINTON

Vinton City Hall, 510 2nd Avenue
Rep. Dawn Pettengill

NEW! 10:30 a.m. – KANAWHA

Kanawha Fire Department, 100 E. 2nd Street
Sen. Thurman Gaskill

10:30 a.m. – ORANGE CITY

Orange City Hall, 125 Central Avenue SE
Rep. Chuck Soderberg & Sen. Dave Mulder

10:30 a.m. - WILLIAMSBURG

ISU Extension Office at Fairgrounds
Rep. Betty DeBoef & Sen. Tom Rielly

11:00 a.m. - WAPELLO

State Bank of Wapello, 306 N. 2nd
*Rep. Tom Sands (call 515-281-3221 for more
information)*

BILL LIST – New This Week

Bills Signed Into Law

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 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.

Bills Sent to Governor

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 upon enactment.

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.

SF 2292 - Civil Rights Filing Deadline - Extends the time period for filing complaints with the Iowa Civil Rights Commission from 180 to 300 days.

House Bills

*Bills with an * are safe from the second legislative deadline on March 28. All others may be declared dead if they do not move quickly next week.*

HF 2393 - Minority Impact Statements - Requires all applications for grants from the Iowa Departments of Public Health, Human Services or Human Rights 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. Persons with disabilities are included in the definition of "minority." *House Floor; Rep. Ford (Floor Manager)*

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). *House Floor; Rep. Dandekar (Floor Manager)*

HF 2485 - Health Care Whistleblower - Protects health care worker whistleblowers (employees who report their employers for health and safety violations). This includes people providing care to persons in state institutions, nursing facilities, and hospitals. Does not protect persons who disclose information prohibited by law. *House Floor; Rep. Mascher (Floor Manager)*

HF 2539 - Health Care Reform Bill (House Version) - Declares the legislature's intent to make health care more affordable for families and fill gaps in coverage with expanded programs, starting with children in 2010. This very long bill does this by directing the department to use information technology to develop a system that allows patients to have a portable electronic health record (one that goes with you to any doctor you wish to see), lays the groundwork to requiring children receiving Medicaid benefits have a medical and dental home by the end of 2010 (the Governor's DD Council has a seat at the Medical Home Advisory Council). The bill also requires all health insurance plans to cover a person's unmarried dependent children until the age of 25 (or as long as they remain a student). Prohibits insurance companies from excluding pre-existing conditions. Directs Department of Public Health to develop a chronic care management system to help people manage their chronic conditions, like diabetes or heart disease. Also directs the Department of Human Services to implement the Family Opportunity Act when sufficient funding is available and report on progress made on this. Finally, the bill also requires the Department of Public Health to establish a competitive grant program to energize local communities to encourage people to live healthier lifestyles and behaviors. Requires the Department of Public Health to consult with health care professionals whose scope of practice includes end of life care to develop educational and patient-centered information on end of life care for terminally ill patients ("end of life care" is defined as care meeting the physical, psychological, social, spiritual, and practical needs of the terminally ill and their caregivers"). Requires the Insurance Commissioner to help small businesses (those with less than 25 employees) offer health

care savings accounts to their employees. Requires the Department of Public Health to develop a plan to provide a tax credit to small businesses that provide qualified wellness programs to improve the health of their employees. Requires hospitals annually report on various quality measures, so that the public can see things like rates of infections, etc. Also requires manufacturers of durable medical equipment and supplies to give the Department of Human Services a price list annually to be used by consumers to compare prices with the rates paid by Medicaid. **FISCAL IMPACT:** Total fiscal impact is estimated at \$2.5 million annually. In addition, to fully fund legislative intent \$30.8 million is needed annually (\$21.4 million to insure all children below 300% of the federal poverty level, \$135,000-\$175,000 for electronic medical records, \$2,000-\$10,000 for end of life educational information, \$260,000-274,000 for chronic care & medical home activities, \$200,000-400,000 to implement the Family Opportunity Act, \$900,000 for the Health Communities Initiative, and \$124,000 for the Governor's Council on Physical Fitness). *Senate Floor; Sen. Hatch (Floor Manager)*

SENATE COMMITTEE AMENDMENT TO [HF 2539](#): Blends the components of all three health care reform plans (Governor, Senate & House) into a single bill. **COVERING KIDS:** Strikes all of the House health coverage language. Mandates coverage for all kids by January 1, 2011 by covering more kids under hawk-i; uses Iowa Comprehensive Health Insurance Association (Insurance Division). Implements a hawk-i expansion program to subsidize private coverage for non hawk-i eligible children up to 19 years up to 300 % FPL with cost-sharing requirements for families between 200-300 % FPL by July 1, 2009. Requires by July 1, 2008, the Association to develop, with assistance from DHS, enhanced hawk-i and Medicaid outreach and enrollment strategies. Creates an Iowa Choice Health Care Coverage Program and advisory council to develop policies to offer unsubsidized health care coverage to children under 19 with a family income more than 300 % FPL and to adults and families with a family income of less than 400% FPL. **EXTENDED COVERAGE:** Up to 25 years of age on parent's insurance if full time student. Applies to group insurance for private and public employees. **PRE-EXISTING CONDITIONS:** Prohibits insurance companies from excluding pre-existing conditions when moving from an individual plan to a group plan or between individual plans. **MEDICAL HOME:** Establishes patient-centered medical home in a primary care setting and a Medical Home Commission to implement a statewide medical home system (IDPH). Requires approval of the State Board of Health for medical home recommendations and activities. Adds chiropractors as primary care physicians. Changes date for implementation of the dental home initiative to December 31, 2010 and clarifies that EPSDT services are required. **HEALTH INFORMATION TECHNOLOGY:** Strikes parts of the House language regarding the health information technology provisions and replaces with the Senate language. The Senate language specifies the members of the commission and of the advisory committee to the commission. Requires adoption of

statewide health information technology plan by January 1, 2009, which should include a single patient identifier or alternative mechanism to share secure patient information and issues related to the content of electronic transmissions that health professionals shall use by January 1, 2010. **CHRONIC CARE:** Establishes Prevention and Chronic Care Management Advisory Council to develop a state initiative for chronic care management. Establishes a clinicians advisory panel in IDPH. Strikes the requirement that DHS apply for a federal waiver to assist in the implementation of the prevention and chronic care management initiative for Medicaid and IowaCare populations. **LONG-TERM CARE PLANNING:** Keeps the development of end of life care decision making materials, adds long-term care options public education campaign, Home and Community-Based Services public education campaign. Adds patient autonomy in health care decisions pilot. **WELLNESS:** Strikes the Governor's wellness proposals because they are already in [SF 2319](#). Keeps the small business wellness tax credit proposal. **COST CONTAINMENT:** Adds the establishment of a new office of Health Care Quality, Cost Containment, and Consumer Information. **TRANSPARENCY:** Keeps the Medical Assistance Quality Improvement Council and the health care transparency reporting requirements. **NEW BUREAUS:** Adds the establishment of the Bureau of Health Insurance Oversight (Insurance Division). Adds language adding to the duties of the Bureau of Health Care Access to develop a Statewide Health Care Delivery Infrastructure and Resources Strategic Plan, including elements that could impact the Certificate of Need program. (IDPH) **CERTIFICATE OF NEED:** Requires that each nonprofit hospital submit annually to IDPH and the Legislative Services Agency an IRS form 990, a schedule J, or other successor schedule that provides compensation information for certain officers, directors, trustees, and key employees, and highest compensated employees. Adds the expansion of the Health Facilities Council from 5 to 7 members. Adds a health economist and an actuary. **APPROPRIATIONS:** Spends total of \$6,160,200 in FY09, \$16,160,200 in FY10, and \$26,160,200 in FY11. This includes \$4.8 million in FY09, \$14.8 million in FY10 and \$24.8 million in FY11 to expand children's coverage. \$50,000 for Iowa Choice plan development and administration in the Insurance Division. \$137,800 to the Department of Public Health for managing the mental home component. \$135,900 for the new Bureau of Health Care Access. \$135,900 for new Office of Cost Containment in IDPH. \$80,000 to the Insurance Division for the transparency piece. \$10,000 for End of Life planning, \$75,000 for long-term care planning, and \$40,000 for a patient autonomy pilot project (Department of Elder Affairs). \$150,500 to IDPH for chronic care management. \$118,000 to IDPH for electronic health records. \$112,100 for the Governor's Physical Fitness Council. \$450,000 to IDPH for the various wellness activities in the wellness bill ([SF 2319](#)).

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. *Senate Commerce Committee; Not yet assigned*

HF 2579 - 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. 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. Effective upon enactment. *House Floor; Rep. Foege (Floor Manager)*

HF 2587 & SF 2265 Children/Youth Mental Health Services System - 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. *House Appropriations Committee; Rep. Foege (Chair), Gayman & Heaton; Sen. Bolkom (Chair), Dvorsky, Ragan, Johnson & Seymour*

HF 2590 - Consumer Fraud/Private Cause of Action - Establishes a private cause of action for consumer fraud violations. *House Floor; Rep. Palmer (Floor Manager)*
Amendment: 1

HF 2591 - Dependent Adult Abuse - This bill was quite controversial so the committee amended it to be a "Shell Bill," meaning it only states the legislature's intent (it does nothing to change the law at this point). Legislators plan to work on ways to protect dependent adults and older Iowans who live in assisted living facilities, nursing homes and other care facilities. The bill states the Legislature's intent "to protect dependent adults in this state from abuse and to facilitate the reporting and collection of dependent adult abuse information in certain facilities." *House Floor; Rep. Hunter (Floor Manager)*

HF 2591 - Dependent Adult Abuse - Shell bill for future work on dependent adult abuse. The bill states the Legislature's intent "to protect dependent adults in this state from abuse and to facilitate the reporting and collection of dependent adult abuse information in certain facilities." *House Floor; Rep. Hunter (Floor Manager)*

HF 2634 - Non-Smoking Business Tax Credit - This bill allows a business a property tax credit of up to \$500 for voluntarily banning smoking at its workplace. The credit ceases or is not available upon enactment of state or local law that prohibits smoking in the workplace. *House Ways & Means Committee; Not yet assigned*

HF 2643 - Small Business Linked Investments Program - The bill changes the allocation of available moneys invested in the small business linked investments program. Currently, half of the moneys are available to business owners who are women, minority persons, or persons with disabilities. The bill changes the allocation of moneys available to women, minority persons, or persons with disabilities to 40 percent and allocates 10 percent to veterans. The bill also changes the net worth requirement for the program. Currently, in order to qualify for assistance, the combined net worth of all owners of a business or borrowers under the program cannot exceed \$750,000. The bill raises the limit on combined net worth to \$1 million. *House Floor; Rep. Zirkelbach (Floor Manager)*

HF 2657 - Medical Device Exemption - Expands the sales tax exemption on medical equipment bought or used by a person with a disability to include equipment and accessories on a motor vehicle, ambulatory aids, manual and powered wheelchairs, stairway lifts, scooters, and durable medical equipment including home respiratory equipment and

accessories, hospital beds and accessories, braille writers, electronic braille equipment, reading machines, electronic print enlargers and magnifiers, and electronic alternative and augmentative communication devices. *House Ways & Means Committee; Not yet assigned*

Senate Bills

*Bills with an * are safe from the second legislative deadline on March 28. All others may be declared dead if they do not move quickly next week.*

SF 2259 - ICF/MR & ICF/MI Employee Tuition Assistance - Establishes a pilot tuition assistance program at North Iowa Area Community College for students who are Iowa residents and work at an Intermediate Care Facility for Mental Illness or Mental Retardation. *Senate Appropriations Committee; Sen. Dvorsky (Chair) & Kettering*

SF 2312 & 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. *House State Government Committee; Not yet assigned; Rep. Gaskill (Floor Manager)*

SF 2370 - Health Care Workforce - Getting mental health and health care in rural areas of the state can be difficult because there are simply not enough providers in some areas of the state. This bill is trying to address this shortage by encouraging people to practice in rural and underserved areas of the state by creating a loan forgiveness program, a psychiatrist residency program, tax credits for shortage professions, and increased use of telemedicine. Also requires 65% of any increased nursing home reimbursement go to direct care workers. Establishes a Direct Care Worker Advisory Council to recommend ways to credential direct care workers (recommendations due 11/30/2008). Establishes a new pilot program to give tuition assistance to people who are working in facilities that serve persons with disabilities. Tuitions can be used at a local community college while they are working in the facility. *Senate Appropriations Committee; Sen. Dotzler (Chair), Hatch & Seymour*

SF 2384 - Child Welfare Services Provider Reimbursements - Increases the reimbursement for child welfare service providers annually at the same percentage rate as the school allowed growth rate. Includes shelter, remedial services, HCBS children's mental health waiver, and court-ordered services (under chapter 232). *Senate Appropriations Committee; Sen. Dvorsky (Chair) & Kettering*

SF 2394 & HSB 774 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). *House Appropriations Committee; Rep. Cohoon (Chair), Oldson & Huseman*

SF 2400 & HSB 775 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 (\$413,700) and Persons with Disabilities Division (\$206,221). *Senate Floor; Sen. Danielson (Floor Manager); Rep. Hunter (Chair), Oldson & Alons*

SSB 3270 & 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. *Senate Appropriations Committee; Sen. Hancock (Chair), Dvorsky, Fraise, Angelo & Kettering; Rep. T. Taylor (Floor Manager)*

Resolutions

HR 118 - Mental Health Advocates - Asks the Legislature to study Iowa's system for mental health patient advocates appointed by the courts and paid for by the county of legal settlement. *House Floor; Rep. Hunter (Floor Manager)*

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. *Adopted*

SCR 103 - Full Funding of Federal Budget - Urges Congress to adopt a budget that meets the needs of Iowa's children and families, restores funding for human needs, and avoids shifting the responsibility for funding of necessary human needs from the federal to state government. *Senate Rules & Administration Committee; Not yet assigned*

Status of Bills Already Reported

HF 2239 - Education Technical Changes/Special Education - *(House Floor)*

HF 2264 - Voter Registration Deadline - *(House Floor)*

HF 2423 - County MH/MR/DD Risk Pool - *(Senate Human Resources Committee)*

HF 2592 - Mental Health Parity/Veterans - *(House Commerce Committee)*

[HF 2620 & SF 2312](#) - Elections/Voter Registration - (House Floor/House Floor)

[HF 2648](#) - Background Checks/Employees of Care Facilities - (House Floor)

[HF 2650](#) - Health Insurance Mandates Commission - (House Floor)

[SF 2023](#) - Utility Replacement Tax/Mental Health Risk Pool - (House Floor)

[SF 2089](#) - Absentee Ballot Applications - (Senate Floor)

[SF 2092 & HF 2152](#) - Dependent Adult Abuse Clean-Up - (House Floor/House Floor)

[SF 2154](#) - Vertical Wheelchair Lift Definition - (Senate Floor Second Time)

[SF 2163 & HF 2493](#) - Emergency Mental Health Crisis Services System - (Senate Appropriations Committee/House Floor)

[SF 2230](#) - Special Hunting Licenses/Persons with Disabilities & Terminally Ill - (House Natural Resources Committee)

[SF 2262 & HF 2506](#) - Family Support Subsidy - (House Floor/House Floor)

[SF 2279](#) - Healthy Kids Act - (House Education Committee)

[SF 2286](#) - Federal Block Grant Bill - (House Appropriations Committee)

[SF 2306](#) - Long Term Health Insurance - (Senate Floor)

[SF 2334 & HF 2604](#) - Medicaid Recovery from Insurance - (Senate Floor/House Floor)

[SF 2355](#) - Time Off for Caucus - (House State Government Committee)

[SF 2390](#) - Health Care Reform (Senate Version) - (Senate Floor)

[HR 10](#) - Lead Paint Interim - (House Floor)

[SR 101 & HR 103](#) - Employment of Persons with Disabilities - (Senate Rules & Administration Committee/House Floor)

infoNET is a publication of the Iowa Governor's Developmental Disabilities Council, and is a part of the ID Action initiative. infoNET is written through a contract with Campbell/Patterson Consulting (info@campbell-patterson.com).

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