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WE WANT YOUR IDEAS!

infoNET wants to know what you think about our coverage of the state legislature and the advocacy tools and tips provided. It is important that we know what our readers think – and what we can do better.



Please answer the enclosed survey (on yellow paper), and return it in the envelope included (it's free!). Those that send the survey back will be entered to win one of three \$25 gift cards. Give us your feedback – and get a chance to win!

GOVERNOR TAKES FINAL ACTION

Governor Culver closed the book on the 2009 session, signing the final 46 bills sent to him this year over the Memorial Day weekend. By law, the Governor has 30 days after session ends to take action (sign or veto) the bills sent to him.

This year, Governor Culver signed all 171 bills sent to him, using his veto power to line item veto only a few minor things in the following budget bills. You can read the veto messages by following the links.

- **Administration/Regulation Budget - [HF 809](http://www.legis.state.ia.us/GA/83GA/Session.1/Affected/ivHF809.htm)**
www.legis.state.ia.us/GA/83GA/Session.1/Affected/ivHF809.htm
- **Health/Human Services Budget – [HF 811](http://www.legis.state.ia.us/GA/83GA/Session.1/Affected/ivHF809.htm)**
www.legis.state.ia.us/GA/83GA/Session.1/Affected/ivHF809.htm
- **Agriculture/Natural Resources Budget - [SF 467](http://www.legis.state.ia.us/GA/83GA/Session.1/Affected/ivSF467.htm)**
www.legis.state.ia.us/GA/83GA/Session.1/Affected/ivSF467.htm
- **Economic Development Budget - [SF 469](http://www.legis.state.ia.us/GA/83GA/Session.1/Affected/ivSF469.htm)**
www.legis.state.ia.us/GA/83GA/Session.1/Affected/ivSF469.htm
- **Education Budget - [SF 470](http://www.legis.state.ia.us/GA/83GA/Session.1/Affected/ivSF470.htm)**
www.legis.state.ia.us/GA/83GA/Session.1/Affected/ivSF470.htm
- **Justice Budget - [SF 475](http://www.legis.state.ia.us/GA/83GA/Session.1/Affected/ivSF475.htm)**
www.legis.state.ia.us/GA/83GA/Session.1/Affected/ivSF475.htm
- **Standings Budget - [SF 478](http://www.legis.state.ia.us/GA/83GA/Session.1/Affected/ivSF478.htm)**
www.legis.state.ia.us/GA/83GA/Session.1/Affected/ivSF478.htm

While most of these line-item vetoes were not of much significance, there were a few of importance to the disability advocacy community. *These are all line-item vetoes, meaning the Governor vetoed only the sections noted, not the entire bill.*

👉 **VETOED: Assistive Technology Tax Credit Elimination**

In [SF 478](#), the Legislature eliminated this program that gives businesses employing persons with disabilities a tax credit for the amount of money spent on making workplace adaptations for those persons. Legislators eliminated this program because it had been used once in more than five years, but the Governor said in his [veto message](#) that “This is not the time during this economic downturn to eliminate assistance for helping employers hire persons with disabilities, and I strongly encourage employers to use this tax credit.”

👉 **VETOED: Reorganization & Funding Cuts**

In [HF 811](#) (Health/Human Services Budget), the Legislature gave the Department of Human Services permission to reorganize but required the Legislature be given detailed reports and 30-day notice before any action. The Governor vetoed this language, saying it was an “infringement on the Executive Branch’s authority to administer operations and programs.” The bill also required each department (Elder Affairs, Health, Human Services and Veterans Affairs) to submit a plan to further reduce spending by 5%. The Governor also said this went beyond the Legislature’s authority, as the budget by law starts in the Executive Branch. This veto does not mean DHS (or any other department for that matter) cannot reorganize – it simply means they do not have to give the Legislature notice before doing it.’

The final status of all the bills signed into law is included at the end of this report. You can also view, download and sort these at:

www.infonetiowa.com/current_issue/active_bills.php or www.ialobby.com/CPCBillTracker/tabid/59/Default.aspx?id=INFONET.

You can also view all the “dead bills” – bills that didn’t make it to becoming law – at:

www.infonetiowa.com/current_issue/dead_bills.php. These bills become “alive” again in the 2010 legislative session, so you can talk to your legislators over the summer about reviving them.

DEPENDENT ADULT TASK FORCE TO MEET AGAIN

On February 17, Governor Culver signed [Executive Order 11](#) creating a task force to make recommendations on things state agencies could do to better identify, protect, and care for vulnerable Iowans. The Order was signed in response to revelations that a company called Henry’s Turkey Service in Atalissa paid dozens of men with intellectual disabilities less than a dollar an hour on average, plus room and board, to work in a West Liberty meat processing plant.

The Task Force was given only a few weeks – until April 1 – to develop their initial recommendations. The short timeline was needed to give legislators the ability to pass bill implementing the recommendations this year (rather than wait another year).

The Legislature followed suit by passing a bill ([SF 484](#)) to enact many of the Task Force recommendations. The Governor signed the bill into law on Friday, May 22, 2009 (you can read the Governor’s press release on it at: www.governor.iowa.gov/news/2009/05/22_2.php).

The bill sets new standards for boarding facilities in the state, and establishes the process to review any and all allegations of abuse to dependent adults.

Members of the Task Force joined Governor Culver at the bill signing ceremony, including Task Force Chair, John McCalley, Director of the Department of Elder Affairs. Director McCalley presented the Governor with a pen made by his brother, Mark, who has Down’s Syndrome. Governor Culver used the pen to sign [SF 484](#) into law.

Earlier that week Governor Culver signed [SF 438](#), which provides greater protections for dependent adults across the state, and enacts new penalties for engaging in dependent adult abuse. The Governor said that these two pieces of legislation will help protect dependent adults

and demonstrates his administration's commitment to ensuring all Iowans are treated with dignity and respect.

"When we learned of the situation in Atalissa, I vowed to do everything possible to ensure this never happens again in Iowa," said Governor Culver. "Today, I'm proud to say we move closer towards this goal."

While the Task Force has completed its obligations under Executive Order 11, they do not feel they had fully addressed the problem. One of the recommendations was to "extend the task force to continue meeting through December 2009" in order to provide additional recommendations to the 2010 Legislature.

The Task Force plans to meet again on July 6 from 1:30-3:30 p.m. in the Grant Room in the basement of the Jessie Parker Building (510 E. 12th Street). The meeting is open to the public. Keep an eye on the *infoNET* website for an agenda and to see if there will be an opportunity for public input (www.infonetia.com).

- To read the Task Force's final report, along with recommendations for initial legislative action, go to:
www.state.ia.us/elderaffairs/Documents/DependentAdultTF/FinalReport/GTFonDAMR_Final_Report.pdf.
- For additional information about the Task Force, go to:
www.state.ia.us/elderaffairs/resources/DependentAdultTaskForce.html

INTERIM ALERT: GOVERNMENT REORGANIZATION

Legislative leaders are getting serious this summer about reorganizing state government to improve services, save money, and boost efficiency. The effort, lead by [Senator Staci Appel](#) of Ackworth and [Representative Mary Mascher](#) of Iowa City, will be lead by a commission over the summer. Sen. Appel and Rep. Mascher are the Chairs of the Senate and House State Government Committees.

infoNET Issue 8, 2009

In a press conference last month, Sen. Appel acknowledged that it has been a quarter of a century since legislators and former Governor Terry Branstad



shrank the number of state agencies from 64 to 24. "We've been doing some of the same things for 25 years, and it makes sense to change the delivery of some of those services and streamline those and make them better and more efficient for our Iowans," said Sen. Appel.

"We are making some of those tough choices now in this year's budget. We'll have to make more tough choices next year," Rep. Mascher warned. "Rather than do that in a piecemeal fashion, the commission could give us some bold alternatives and that's what we're looking for -- bold alternatives."

"Middle-class families across Iowa are going through their budgets with a fine-tooth comb," said Rep. Mascher. "Now more than ever it's important for state government to do the same."

Other states are currently exploring ways to streamline government services. Proposals include offering more services online, eliminating duplication of services across agencies, and improving accountability.

"The silver lining of the recession is that we have an opportunity to restructure and to modernize state government. There's a renewed focus on government accountability as we are forced to make tough budget choices," said Sen. Appel.

The commission's recommendations will be presented to the lawmakers in late 2009 for the consideration of the 2010 Iowa Legislature. Commission members will be appointed in June by legislative leaders, and will include public members as well as legislators.

June 2, 2009

SUMMER ASSIGNMENT: **ADVOCATE FOR CHANGE!**

The session has ended, and legislators have gone home. **Now is the best time to advocate for change!** Legislators are back home, and have more time to talk, learn more about your issues, and work on a solution. Do not miss this opportunity to make a difference. Take on our summer assignment for you and advocate for change!

The following articles will give you some ideas on ways to get started – beginning with one from our 2009 ID Action Advocate of the Year

2009 ID ACTION ADVOCATE OF THE YEAR SPEAKS OUT



Gano Whetstone (pictured with at left with Iowa Secretary of State Michael Mauro and DD Council Staff Rik Shannon) was a 2008 ID Action

Lobbyist Apprentice and our 2009 ID Action Advocate of the Year. The following is from her acceptance speech at Advocating Change Day, and we thought it would inspire others to advocate for change.

When I became disabled, things were very difficult for me. I did not have a job, friends or good relationships with my family. Through work with my doctors, hospitals, and mental health agencies, I have reached a level of recovery that allows me to work, have a great circle of friends, and good relationships with others. I knew when I began to do so well, I wanted to do what I could to help others reach their level of recovery.

Politics came naturally to me. I became involved with the Presidential campaigns during the caucuses eight years ago. I discussed health care, both physical and mental, for people with disabilities and the great need there was to

improve the health care system. The more I spoke up, the more comfortable I became discussing these important topics with candidates that could help us change the system. After being withdrawn and isolated for so many years, I could hardly believe this was **ME**, talking to Presidential candidates and anyone else who would listen!

I am here today to tell you that **YOU** can do the same thing! I challenge you to tell your congressmen and women what you need and why change must occur. I know if I can do it **YOU can do it!** And if we all speak up, change will occur. Advocate for CHANGE! Attending our event today is the first step in making change happen. You can write, email or call your legislators and Congressmen. You can attend the forums they hold where they gather information. You can become involved in campaigns, both State and National, to help elect candidates that you believe will make the changes necessary to help people with disabilities. You can VOTE and encourage everyone you know to vote also. **YES, YOU can make a difference.**

There is no need to wait. The time is NOW! Be an active advocate for the causes that you BELIEVE IN!

LOBBYIST APPRENTICE SHARES EXPERIENCE

The following article is reprinted from the Holstein Advance, the local newspaper of 2009 ID Action Lobbyist Apprentice Diane Lane.

In January, I got a great opportunity to become a lobbyist apprentice for ID Action (Iowans with Disabilities in Action). I have been going to the Capitol once a month to talk about issues that are important to me. One of the issues that is important to me is better funding for places like ISI (Ida Services Inc.) that assist people with disabilities learn work skills and learn to live on their own.

The reason that this issue is important to me is because I am a part of ISI. I became a

consumer of ISI in 2004. I was put there as a last option. I had no other choice. I have worked hard on myself and I am now a CNA (certified nurse assistant) and have a job. I am no looking at working towards getting my LPN (licensed practical nurse), and eventually my RN (registered nurse). ISI gave me the confidence and courage to go towards my goals. Programs like ISI give people without opportunities the chance to live on their own and get a job. If places like ISI did not exist, most people would go to an institution or eventually end up in prison. This would end up costing the taxpayers more money then to fund places like ISI. Plus, the consumer's quality of life would be nonexistent.

I have been going to the Capitol once a month since January. I have learned that there is a deficit in the budget and that asking for money was not really going to work, so I decided to not ask for more money but to convince the people in government not to cut the money that we are already receiving. I know that it is almost like asking to move mountains because ISI is not a big priority to some people, but I asked anyway. More people than I thought were for helping out these types of programs, because without them

it would cost a lot more, and eventually some of the consumers will be able to live without services and live on their own and work in a community job.

I met with Representative Jason Schultz and he was very nice and listened to everything that I had to say, and explained things from the government's perspective and from his perspective. He was very supportive in my views about ISI and said that he would look for ways he could help. Unfortunately with the budget the way it is there is not much anyone can do in the government.

I also met with Senator James Seymour he was also very nice and supportive. He was very good at listening to me and taking the time to meet with me.

ID Action has taught me more about government than I have ever learned in a classroom. It was an awesome experience. I am going to continue lobbying even after I am done with the program. It was an awesome experience and I am glad that I was able to participate in this. There are many people living with disabilities in America, many can live their

CONTACTING YOUR LEGISLATORS

Finding the Names of Your Legislators:

- ✓ It's on your mailing label (unless you have a PO box or business address, or new reader)
- ✓ Call the Legislative Information Office (515-281-5129) – you need to know your street address
- ✓ Enter your street address online www.legis.state.ia.us/FindLeg/
- ✓ Call or email ID Action and let us know your name, address, and that you want to know your legislator's names and home contact information. 866.432.2846 or info@idaction.org

Your Legislators' Emails can be found at: www.legis.state.ia.us/asp/Legislators/LegislatorInfo.aspx

Calls to your legislators must now be made to their home addresses. This information is available from one of the above sources.

Letters to your legislators must now be sent their home addresses – they are no longer at the Capitol. This information is available from one of the above sources.

day to day life without help there are others who need help to succeed, I was one of them and now it is my turn to help those who cannot take care of themselves. I hope that programs like ISI will continue because there are more people that need help and will eventually be able to live on their own. For the people who may not be able to live without services to still have a great quality of life, they have a job, and live in their own home. They are self-sufficient.

Since the government cannot help this year, maybe the community can. People with disabilities are no different than anyone else they just need a little extra help, but if you think about it, no one can live a fulfilling life without help from someone.

STATE LEGISLATURE ENDS, BUT CONGRESS IN FULL SWING

The state legislative session may be over, but your opportunities to advocate are not! President Obama and the U.S. Congress are moving fast to pass laws that reform our country's health care system, encourage renewable energy development, address problems with the economy, and give people with disabilities more community choices.

Iowans with disabilities have much to gain (or lose) in these discussions. Iowa's two U.S. Senators (Charles Grassley & Tom Harkin) are leaders in many of these issues, and are the chief negotiators with the White House on health care. **This puts you, the Iowa advocate, in a very powerful position.**

Here are a few "Frequently Asked Questions" to help you get started in lobbying your federal elected officials.

WHO? I'm not sure who represents me in Congress – how do I find out?

Iowa has five Representatives and two Senators in the U.S. Congress. Every Iowan has one U.S. Representative and two U.S. Senators representing them.

Senator Tom Harkin and Senator Charles Grassley represent all Iowans. They are your two Senators representing you in the U.S. Senate.

Iowans are represented by one of five U.S. Representatives (Leonard Boswell, Bruce Braley, Steve King, Tom Latham, and Dave Loebsack). If you know which county you live in, you can find your congressional district at: (insert [infonetowa congressional map link](#)).

If you do not know your county, go to: www.legis.state.ia.us/FindLeg/. You will be asked for either your enhanced zip code (zip plus four) or your street address (no PO boxes).

WHAT? How do I know what issues Congress is considering?

The best place to find the most current information about the issues being considered by Congress, and keeping up on their progress, is at the official Congressional website at www.thomas.gov/.

This website features Yesterday in Congress (recap on what happened the day before), On the Floor Now (what Congress is doing at the moment), Search by Sponsor, Search by Subject, and more. You can find bills and resolutions (and their summaries) at: www.thomas.gov/home/bills_res.html.

You can also follow Congressional action through news coverage from Roll Call (www.congress.org/congressorg/home/). This is not an issue-specific website. Roll Call's been around since 1955, and delivers Congressional coverage of the people, politics and policies of Capitol Hill. You'll get gossip and news!

DisabilityInfo.gov is another great resource for navigating the federal government. DisabilityInfo.org provides quick and easy access to comprehensive information about disability programs, services, laws and benefits. (www.disabilityinfo.gov)

Finally, another great way to watch for issues of importance to you is to keep your eye on national disability advocacy organizations' websites. This way, you can watch for issues in your specific area of interest, and most are updated frequently.

You can find a list of national disability organizations (and links to their websites) at: www.disabilityinfo.gov/digov-public/public/DisplayPage.do?parentFolderId=5195. Here are a few that you might consider bookmarking:

- **ADA Watch** - adawatch.org/
Sponsored by the National Coalition for Disability Rights, this website features the "Disability Rights Newswire" with current news events of interest to persons with disabilities. You can also sign up to receive email alerts and comment on the stories you read there. ADA Watch is a non-profit alliance of hundreds of disability, civil rights and social justice organizations united to defend and strengthen disability rights.
- **National Organization on Disability** - www.nod.org/
The National Organization on Disability works in partnership with businesses, government, national philanthropies and local organizations to promote the inclusion of people with disabilities in American society. Their website features news headlines and an e-newsletter, but the organization is less focused on policy and more on practical applications of that policy.
- **American Association of People with Disabilities** - www.aapd-dc.org/
AAPD is a cross-disability member organization that is dedicated to ensuring economic self-sufficiency and political empowerment for Americans with disabilities. Its website includes Spotlights on hot topics of the day, news headlines, and great resources for advocates.

- **National Association of Councils for Developmental Disabilities** - www.nacdd.org/
The National Association of Councils on Developmental Disabilities (NACDD) is a national membership organization representing the 55 State and Territorial Councils on Developmental Disabilities (like the Iowa DD Council). They assist member councils in developing and sustaining inclusive communities and self directed services and supports for individuals with developmental disabilities. They have excellent public policy resources at: www.nacdd.org/pages/public_policy.htm

Justice for All – Justice for All is an AAPD (American Association of People with Disabilities) campaign to defend and advance disability rights and civil rights of those with disabilities. They send out regular email alerts – to join their list, go to: jfactivist.typepad.com/jfactivist/about-justice-for-all.html.

HOW?

What is the best way to contact my U.S. Senators and U.S. Representative?

Since 9/11, it is best to e-mail or fax your letters to your Congressional delegation (as mail now is delayed as it is checked for chemical contaminants). You can also call the staff of your federal elected officials to discuss your issues. Here is how to reach each:

U.S. Senator Tom Harkin

Website - harkin.senate.gov/

Email - harkin.senate.gov/c/index.cfm

Fax - (202) 224-9369

Mail: 731 Hart Senate Office Building, Washington, DC 20510

Phone:

Cedar Rapids Office: (319) 365-4504

Davenport Office: (563) 322-1338

Des Moines Office: (515) 284-4574

Dubuque Office: (563) 582-2130

Sioux City Office: (712) 252-1550

[U.S. Senator Charles Grassley](#)

Website - grassley.senate.gov/
Email: grassley.senate.gov/contact.cfm.
Fax: (202) 224-6020

Mail: 135 Hart Senate Office Building
Washington, DC 20510-1501

Phone:
Cedar Rapids Office: (319) 363-6832
Council Bluffs Office: (712) 322-7103
Davenport Office: (563) 322-4331
Des Moines Office: (515) 288-1145
Sioux City Office: (712) 233-1860
Waterloo Office: (319) 232-6657

[U.S. Representative Leonard Boswell](#)

Website: boswell.house.gov/
Email: boswell.house.gov/?sectionid=81§iontree=4,81
Fax: (202) 225-5608

Mail: 1427 Longworth House Office Bldg.
Washington, DC 20515

Phone:
Des Moines Office: (515) 282-1909; (888) 432-1984 (toll-free)

[U.S. Representative Bruce Braley](#)

Website: braley.house.gov/
Email: forms.house.gov/braley/webforms/issue_subscribe.html

Fax: (202) 225-6666

Mail: 1019 Longworth House Office Bldg.
Washington, DC 20515

Phone:
Davenport Office: (563) 323-5988
Dubuque Office: (563) 557-7789
Waterloo Office: (319) 287-3233

[U.S. Representative Steve King](#)

Website: steveking.house.gov/
Email: steveking.house.gov/index.cfm?FuseAction=ContactUs.ContactForm
Fax: (202) 225-3193

Mail: 1131 Longworth House Office Bldg.
Washington, DC 20515

Phone:
Creston Office: (641) 782-2495
Council Bluffs Office: (712) 325-1404
Spencer Office: (712) 580-7754
Sioux City Office: (712) 224-4692
Storm Lake Office: (712) 732-4197

[U.S. Representative Tom Latham](#)

Website: www.tomlatham.house.gov/
Email: www.tomlatham.house.gov/Contact/
Fax: (202) 225-3301

Mail: 2217 Rayburn House Office Bldg.
Washington, DC 20515

Phone:
Ames Office: (515) 232-2885
Clear Lake/Mason City Office: (641) 357-5225
Fort Dodge Office: (515) 573-2738

[U.S. Representative Dave Loebsack](#)

Website: <http://loebsack.house.gov/>
Email: loebsack.house.gov/contactform/
Fax: (202) 225-6576

Mail: 1513 Longworth House Office Bldg.
Washington, DC 20515

Phone:
Cedar Rapids Office: (319) 364-2288
Iowa City Office: (319) 351-0789

Keep your eye on the *infoNET* website for opportunities to meet your federal elected officials at town hall meetings (www.infonetiowa.com).

WHEN?

Isn't it too late to contact them? Didn't the legislative session end?

The State Legislature (that meets in Des Moines) has finished for the year, but the U.S. Congress (that meets in Washington D.C.) is only just beginning their work.

Congress meets year-round, with a few breaks (called "District Work Periods") to give members time to go back to their states and meet with the people they represent. Here is the calendar for the rest of 2009:

June 14	Flag Day
June 2	Father's Day
June 29 - July 3	Independence Day District Work Period
July 4	Independence Day
Aug. 3 – Sept. 4	Summer District Work Period
September 7	Labor Day
September 18	Rosh Hashanah Begins
September 27	Yom Kipper Begins
October 12	Columbus Day
October 30	Target Adjournment
November 11	Veterans Day
November 26	Thanksgiving Day
December 11	Hanukkah Begins
December 25	Christmas Day

Keep in mind that Congressional work breaks are great times to find your U.S. Senator and U.S. Representative in Iowa. Many have “town hall meetings” while they are back home, so ask to be added to their mailing lists so you know when they have public events. *Check infoNET for listings of these district work period advocacy opportunities (www.infonetiowa.com).*

You can find additional information and advice on contacting your federal elected officials at: www.infonetiowa.com/advocate/advocacy_toolkit_link.php

BILL TRACKER – SIGNED BY GOVERNOR

HF 64 - Rebuild Iowa Disaster Recovery (Status: Signed) - This bill contains disaster assistance through the rebuild Iowa office and makes appropriations. Division I of the bill requires the Iowa Finance Authority (IFA) to establish and administer a jumpstart housing assistance program to provide grants to local government participants for eligible residents for eligible purposes relating to disaster-affected homes. The bill includes eligibility requirements and appropriates \$24 million from the Iowa economic emergency fund for the program. Division II of the bill appropriates \$10 million from the Iowa economic emergency fund to the department of human services for providing disaster aid individual assistance grants. Division III of the bill appropriates from the Iowa economic emergency fund \$22 million for community disaster grants to

cities and counties, awarded based on their pro rata share of the total statewide damage costs associated with natural disasters occurring after May 24, 2008, and before August 14, 2008, as calculated by the federal emergency management agency as of January 1, 2009. Division IV of the bill creates a Rebuild Iowa Office for purposes of coordinating the state activities associated with the rebuilding efforts. Effective 2/2/2009.

HF 311 - Prosthetic Device Insurance Coverage (Status: Signed) - Requires all health insurance plans to cover the costs of prosthetic devices prescribed by a doctor. In order for the device to be covered by the insurance, it must be "medically necessary" as defined by federal law for health insurance for Americans with disabilities. Allows Medicare Part B (prescription drug) coverage to apply same deductibles and out-of-pocket limits. Effective 7/1/2009.

HF 414 - 2009 Budget Cuts & Restorations (Status: Signed) - Enacts the Governor's 1.5% across the board cut to the current year's budget (fiscal year 2009), but does it in a more selected manner by increasing cuts in some areas and reinstating funding for "priority" programs. Codifies the Governor's flood recovery actions, including the creation of the Jumpstart Housing Initiative and the Small Business Disaster Recovery program. Transfers \$37 million of infrastructure funds to the general fund to balance the budget. Reduces state agency administrative funding by \$25.6 million for the current fiscal year. **FY 2009 FUNDING RESTORATIONS:** Restores the 1.5% across the board cut to various programs, including mental health and substance abuse treatment for persons in prisons and all county mental health and disability services funding (\$1,326,000 to county property tax relief, \$203,372 to state cases, \$272,318 to community services, and \$811,220 to county allowed growth). Fiscal year 2009 began on July 1, 2008 and runs until June 30, 2009.

HF 478 - Diabetes Insurance Coverage (Status: Signed) - Requires insurance plans to cover outpatient diabetes self-management training (10 hours/year) for any individual diagnosed with any type of diabetes. Current law requires only 10 hours of initial training for certain types of diabetes. Applies to individual, group, and public employer plans. Effective upon enactment to plans started or renewed on or after 7/1/2009.

HF 488 - Service Animals/HCBS Waiver

Eligibility (Status: Signed) - Directs DHS to apply for a waiver to add the purchase and maintenance of a service animal to the list of eligible services under the Medicaid Home and Community Based Services (HCBS) waivers.

HF 708 – Absentee Ballot Delivery/Health Care Facilities (Status: Signed) - Requires absentee ballots requested by a hospital or health care facility resident be delivered sometime during the 14 days leading up to an election or on election day (current law requires delivery in the ten days before the election).

HF 712 - Private Cause of Action (Status: Signed) - Iowa is the only state in the nation without a law that allows a person to sue a company for consumer fraud. Only the Iowa Attorney General (AG) can file an action under Iowa's Consumer Fraud Act. The AG's Office receives more than 6,000 complaints each year, and cannot prosecute all of them. Passing this bill would mean Iowans who are the victims of consumer fraud, often vulnerable people, could take court action. This is very important now after the floods and tornadoes, as many of these frauds happen when people pay a contractor to fix their homes, and the person never does the work. Right now, the person who was the victim of that fraud would not be able to take action. This law would let that person take the contractor to court. The law does not apply to insurance companies, attorneys, banks and credit unions, public utilities, hospitals, health care facilities, hospice programs, health care and mental health providers, public accountants, engineers, funeral directors, architects, realtors, cable companies, and landscape architects.

HF 805 - Transportation Budget (Status: Signed) - Appropriates funds from road funds to pay for the operations of the Department of Transportation (DOT). Since no general fund dollars are used to pay for DOT operations, no across-the-board cuts were made in 2009 and none are recommended in 2010. Spends a total of \$352.4 million from the Road Use Tax Fund and Primary Road Fund (an increase of \$15.6 million, or .04%). Increases are due to increased facility leases, upgraded permitting systems, road salt cost increases, fuel costs, and identity theft protection in driver's licenses and REAL ID compliance. There is no change in funding for public transportation or rail service, although these may receive additional funding through the federal

stimulus package.

HF 809 - Administration & Regulation Budget (Status: Signed/Line-Item Vetoed) - Spends a total of \$108.8 million in FY 2010 on various state agencies (a decrease of \$9.8 million, or 9%). Spends \$52,253 on the Senior Health Insurance Information Program in the Insurance Commissioner's Office (a cut of \$6,847). Spends \$378,792 on the Deaf Services Division (\$46,067 cut) and \$208,231 on the Persons with Disabilities Division (\$25,234 cut). Requires the Department of Human Rights (where the Persons with Disabilities & Deaf Services Divisions are housed) to study whether reorganization could improve services, and make recommendations to the Legislature by the end of 2009. Eliminates \$120,000 appropriation for the free Capitol shuttle services (\$200,000 is allocated in the Standings Bill, SF 478). *LINE ITEM VETO: Language requiring the Department of Inspections & Appeals (DIA) to make health facilities inspection information available to the public via the Internet and language requiring DIA to continually solicit input from regulated facilities to assess and improve collaboration were vetoed by the Governor.*

HF 811 - Health & Human Services Budget (Status: Signed/Line-Item Vetoed) - Spends \$1.3 billion for the next fiscal year (which begins on July 1, 2009) on aging, health, child welfare and human services programs and services, an increase of \$25.1 million. The enhanced federal Medicaid match (as passed by Congress as a part of its economic stimulus package) is factored into this appropriation, although additional federal stimulus funds are appropriated from the Federal Funding Bill (HF 820). *DEPARTMENT CUTS: Cuts total funding for the Department of Public Health by 11.3%, the Department on Aging by 6%, and the Department of Human Services by 11.3%. Nearly all items (except Medicaid) receive a standard 11% cut, which is on top of last year's 1.5% across-the-board reduction. Only Medicaid, county mental health services, and select other services did not receive the 1.5% cut. MH/MR/DD ALLOWED GROWTH: Cuts county MH/MR/DD Allowed Growth by \$15.9 million, or 12.8%. Eliminates this year's 3% growth factor. Maintains the current formula for distribution and codifies it (puts it into law, so it does not have to be put in the budget bill each year). Continues to direct DHS to use the most current population factors in mental health funding formulas. Allows State Resource Center billings to counties to be adjusted, so counties pay a lower match (enhanced match*

goes to the county, not the state). Requires coordination between the MH/MR/DD/BI Commission and the Mental Health Planning Council, and requires the Chairs of the Health/Human Services Budget Subcommittee to appoint a task force of stakeholders to review and make recommendations for the county MH/MR/DD services system, with action to be taken in the 2010 session. DISABILITY/MENTAL HEALTH: Increases funding for State Supplementary Assistance (SSA) by \$80,432 (\$18.4 million total). The following programs receive between 11-12% reduction (amount of cut is noted): Child at Home Program of the Family Support Subsidy (\$47,737); Connor Consent Decree (\$4,626); MH/MR/DD State Cases (\$1.6 million cut) but continues to allow counties to implement waiting lists if funding is insufficient; MH/DD community services (total funding \$20.7 million - \$2.23 million cut); Iowa Compass (\$3,840 cut); Prevention of Disabilities Council (\$8,444 cut); and child health specialty clinics (\$90,710 cut). Reduces funding for the following programs by 6-7%: Substance Abuse and Mental Health Services Administration grant state match (\$18,783 cut) and Four Oaks Autism Spectrum Disorder Services Program (\$1,208 cut). Also reduces funding for the Family Support Subsidy Program by 7% (\$130,175, with \$1.8 million total funding). This includes a one-time transfer from child welfare services funding to reduce the impact of the cut (\$80,000). Gives DHS the authority to adjust payments to family support subsidy participants if funding is not sufficient. Cuts audiological services and hearing aids to children by 20% (\$28,172 cut, leaving \$190,328). Makes the current appropriation for emergency mental health and children's mental health grants for two years (\$1.5 million will carry forward from last year's appropriation and be used by Black Hawk and Polk counties for two-year grants – but the amount is expected to be \$500,000 short). Specifically states that continuation of mobile crisis units is a reason for priority funding in the MH/MR/DD Risk Pool. Maintains current funding for nursing home, ICF/MR and ICF/MI personal needs allowances (\$50/month). Requires DHS to add behavior programming, crisis intervention and mental health outreach services to waiver programs. Also requires DHS to review options for implementing an HCBS waiver program for individuals under age 21 with autism. Also directs DHS to submit a state plan amendment to cover Applied Behavioral Analysis therapy in the Remedial Services Program (to be effective FY2011). Continues to require the Behavioral Health Managed Care Contract to submit all interest earned on state

funds to be given back to the state. States that it is the intent of the Legislature to have DHS reapply for the transfer the Seriously Emotionally Disturbed Children Waiver to a 1915(c) HCBS waiver. Requires DHS to continue the long-term care stakeholders work group to recommend quality of care improvements, including nursing facility best practices. Gives DHS and the MH/MR/DD/BI Commission emergency rule making authority when permitted. MENTAL HEALTH INSTITUTES/STATE RESOURCE CENTERS: Cuts all four mental health institutes by 11%, but the state's Federal Stimulus Bill (HF 820) reinstates \$2,204,749 of the \$2,488,943 cut, leaving a \$284,194 reduction in spending (about 1% cut). The Cherokee MHI maintains funding at current levels, while Clarinda (\$266,940), Independence (\$12,492), and Mt. Pleasant (\$4,762) are cut. Eliminates the mobile Alzheimer's unit at the Clarinda Mental Health Institute. Also requires DHS to staff a task force appointed by the Governor to review the four State Mental Health Institutes, including public benefits and economic effects to communities where MHIs are located (report due 12/15/2009). Requires DHS to submit proposal to close one state MHI and consolidate services provided without reducing the total number of beds currently available (the proposal is to be developed in coordination with the task force reviewing the benefits of the MHIs). Cuts Glenwood by 4.8% and Woodward by 11.3%, but the state's Federal Stimulus Bill (HF 820) appropriates \$3,186,704 in additional dollars to reinstate the \$2,915,803 in cuts made in this bill. However, funding is moved around so Glenwood gets a 7% increase (\$1,261,398) and Woodward's cut is reduced to 8% (\$990,497). Permits Woodward and Glenwood to expand time limited assessment (analysis of patient conditions and development of therapy plans to assist families in caring for individuals with mental retardation or developmental disabilities) and respite services (care for special needs individuals to give families time away from caretaking responsibilities). MEDICAID: Increases Medicaid by \$84.3 million for a total FY 2010 appropriation of \$677.6 million, and reduces FY 2009 appropriation by \$61.7 million to reflect additional anticipated stimulus dollars. The FY 2010 appropriation reflects a \$53.4 million increase in the number of people served; \$9 million increase to replace lost federal funding for the state's Mental Health Institutes; \$6.04 million increase to annualize the HCBS waiver programs (keeping service level); \$988,923 increase for Targeted Case Management; \$95 million increase to replace funding no longer

available from the Senior Living Trust Fund; and \$83.1 million decrease to reflect enhanced federal matching payments from the federal stimulus bill (feds will pay an additional 6.2%). This bill maintains the state match for the disproportionate share hospital payment (\$2.7 million, which draws down \$7.3 million in federal funds). However, SF 478 (Standings Bill) adds \$4.3 million to this appropriation (using existing money that funds University of Iowa hospital affiliated programs to draw down additional federal dollars, for an estimated total of \$19.1 million). This will help avoid cuts to programs like the University's Center for Disabilities & Development, which is funded out of the Education Budget. Requires DHS to issue an RFP to implement a correct coding initiative for Medicaid billing (to eliminate improper payments) and allows DHS to issue an RFP for a transportation brokerage system for Medicaid transportation payments and client referrals. Requests an interim study on improper use of prescription medications and strategies/solutions to the problem (members include nurses, pharmacists, doctors, insurers, and many others – SF 478 adds more insurance industry representatives to this membership list), and review use of medication therapy management and other collaborative models of care. Requires the Executive Committee of the Electronic Health Information Advisory Council to review the electronic exchange of individually identifiable health information by health care providers in facilitating informed treatment decisions and providing higher quality and safer care (while protecting patient privacy). The review will include proposed changes in law, and is due by 12/15/2009. HAWK-I: Increases the children's mental health program by \$968,978 (total \$14.63 million) to cover additional enrollments (\$276,850) and for expanded outreach and advertising (\$219,000). MEDICAID PROVIDER RATES: Rates remain the same as in effect for FY 2009, except for family planning providers (5% increase). Nursing home rebasing occurs in HF 820, where \$6 million was allocated to increase rates. The bill also implements the new nursing home pay for performance measures that reward facilities for quality of care, quality of life, and efficiency standards (\$2.28 million of the Medicaid appropriation is currently earmarked for this). AGING: Eliminates the Office of the Substitute Decision Maker (\$250,000), the Aging and Disability Resource Center (\$200,000), and the long-term care public awareness campaign (\$75,000). HEALTH CARE WORKFORCE SHORTAGE: Reduces funding for the Mental Health Workforce Shortage

Initiative by 18%, which includes the psychologist internship program (\$9,100 cut, leaving \$40,900) and the psychiatrist residency program (\$36,400 cut, leaving \$163,600). Also reduces the Mental Health Workforce Initiative at the University of Iowa and Cherokee Mental Health Institute (which uses physician assistants) by 10.3% (\$30,944 cut, leaving \$269,056) and eliminates its reporting requirements to Brain Injury Commission and others. Cuts \$450,000 from a tuition assistance pilot program in Mason City for persons serving individuals with disabilities (leaving \$50,000). DIRECT CARE WORKERS: Direct care workers are an important part of quality assurance. This bill provides \$200,000 to implement the recommendations of the direct care worker task force (an increase of \$125,000) and \$150,000 (an increase of \$10,000) for the Iowa Caregivers Association for education, outreach, leadership development, mentoring and training to help with recruitment and retention of health and long-term care direct care workers. Requires \$70,000 of these funds be used for conference scholarships for direct care workers. Reports on the use of funds given to Iowa Caregivers Association and Task Force are required, including financial reports and non-profit filings of the association. Continues \$60,000 appropriation for dementia-specific training of direct care workers. PUBLIC HEALTH: Cuts the following public health programs by 11%: substance abuse prevention and treatment programs (\$163,393 cut); culturally competent substance abuse treatment pilot projects (\$55,987 cut for the three programs); Phenylketonuria (PKU) Assistance Program (\$23,458 cut); brain injury resource facilitators and training services (\$61,982 cut); Epilepsy Education Program (\$11,062 cut); Child Vision Screening (\$10,000 cut); and childhood lead testing (\$61,084 cut). CHILD WELFARE: Decreases state childcare assistance by \$4.56 million (\$63.8 million total) and continues funding (\$350,000) for Day Care for Exceptional Children (a program in Polk County that keeps children with serious disabilities in their own homes and avoids costly institutional placement). Cuts the Preparation for Adult Living (PALS) by \$136,895. OTHER: Requires DHS to give the legislature 30-day notice when submitting rules that will have a fiscal impact not addressed in the budget process. LINE ITEM VETO: *The Governor vetoed the requirement that all departments to come up with recommendations to cut another 5% from their budgets for FY 2011, and the requirement that DHS notify the Legislature prior to any department reorganization. Other vetoes do not impact the items*

listed above.

HF 820 - Federal Block Grant/Federal Stimulus Package (Status: Signed) - Spends \$5.5 billion in federal funds (an \$865.5 million increase over the current federal fiscal year). This includes \$172.2 million in federal block grants, \$4.8 billion in categorical grants, and \$883.6 million in federal stimulus funding (American Recovery & Reinvestment Act). DISASTER RECOVERY: \$201.8 million to the Department of Public Defense (an increase of \$57.6 million due to disaster-related expenses). MENTAL HEALTH/SUBSTANCE ABUSE: \$13.5 million from the substance abuse block grant to the Department of Public Health (\$206,382 cut); requires \$1.4 million of the substance abuse dollars be used for pregnant women or women with dependent children (no change); \$3.5 million for community mental health services, of which 95% goes to community mental health centers for evidence-based practices (no change); \$7.5 million for local purchase of MH/MR/DD/BI services (\$69,000 cut); \$7.4 million for grants to the Department for the Blind (\$720,366 cut); \$500,000 increase for vocational rehabilitation cost-of-living adjustments; \$300,000 increase for vocational rehabilitation SSA reimbursement for services; and \$3.2 million increase in disability determination services. Requires the DHS to administer the Projects for Assistance in Transition from Homelessness and outlines the requirements for projects receiving funds for the transition from homelessness from the federal Alcohol, Drug Abuse, and Mental Health Administration funding. Also allocates \$2.17 million (\$1,145 cut) for Mobile & Regional Child Health Specialty Clinics and \$992,000 for the Civil Rights Commission (\$107,613 cut). SOCIAL SERVICES: \$7 million for Community Action Agencies (no change); \$36.8 million for the Low Income Home Energy Assistance Program (\$31 million cut, returning the program to normal levels after the previous year's supplemental appropriation; this also includes \$4.6 million in additional funding for home weatherization). It should be noted that any cuts (or increases) to programs is not a decision of the Legislature - they are simply appropriating the money that was decided on last year by Congress. The cuts reflect a federal decision. This bill merely distributes the money appropriated by Congress to the appropriate departments and agencies. FEDERAL STIMULUS FUNDS: Allocates funds from the federal stimulus package, including \$40 million for schools, \$2.6 billion for the school aid foundation, \$202.5 million for education allowable growth, \$80.3

million for state universities, and \$23.1 million for AEAs. Adds \$5.5 million for road construction and repair (half goes to cities, half goes to counties, must be used in two years). Allocates an additional \$21.6 million to the Community Development Block Grant (CDBG) for redevelopment of abandoned and foreclosed homes and residential properties (4% administrative cap). Appropriates \$125.3 million in CDBG Disaster Relief grants. Gives \$400,000 to the Department of Inspections & Appeals to pay for nursing home and dependent-adult related investigations. Rebases nursing homes (increases reimbursements) with an additional \$6 million appropriation. Adds \$237,173 to Medicaid for interpreter services, and \$6,263,231 to the children's health insurance program (hawk-i, of which \$510,249 is to be used for expanded dental services). Adds \$10,480,000 to the Mental Health/Mental Retardation/Developmental Disabilities Property Tax Relief Fund, and reduces the general fund appropriation to this fund by \$2,964,543 (but takes all of that cut out of the amount of money in this fund going to DHS). Makes a \$10 million appropriation to the MH/MR/DD Risk Pool, to help counties reduce waiting lists and preserve services (since the \$8 million in expected allowed growth was eliminated for FY 2010, these funds are expected to stabilize and keep the system afloat). Adds \$325,430 for county MH/MR/DD state cases. Appropriates \$400,000 for a pilot project to provide health insurance premium subsidies for direct care workers who have access to employer health plans, but cannot afford it. Adds funding for Glenwood (\$2.3 million for FY09, \$2.5 million in FY10) and Woodward (\$1.35 million in FY09, \$642,029 in FY10), and \$2.9 million in additional funding for the four state MHIs. Designates \$315,000 for use by the Legislative Services Agency in doing all the activities required in the health care reform bill (SF 389). Requires the Governor create and appoint an Accountability & Transparency Board to monitor the use of these federal funds (which he appointed on May 22).

HF 822 - Infrastructure (RIIF) Budget (Status: Signed) - This bill spends the state's gambling revenues (which are placed in the Rebuild Iowa Infrastructure Fund, or RIIF). Funds are to be used for infrastructure, usually buildings and roads although sometimes for technology. Appropriates \$83.7 million in FY 2010 - \$69.2 million from the Rebuild Iowa Infrastructure Fund (RIIF), \$14.3 million from the Technology Reinvestment Fund (TRF), and \$196,000 from the Restricted Capitals

Fund (RCF). Also appropriates \$67.7 million in FY 2011 and \$13.7 million in FY 2012 from RIIF.

PUBLIC TRANSIT/TRAILS: Appropriates \$1.25 million for public transit vertical infrastructure (new appropriation), \$200,000 for the free Capitol shuttle service in FY 2010 (\$12,000 increase), \$13,000 supplemental appropriation for the free Capitol shuttle service in FY 2009, and \$3 million to study expanded passenger rail service in Iowa (new appropriation that is being used to match \$12 million in federal funds to initially look at establishing rail links in Dubuque and between Iowa City and Quad Cities). Appropriates \$3.5 million for recreational trails (\$500,000 increase), of which \$750,000 goes to the Principal Riverwalk in Des Moines and \$500,000 for the Pinicon Ridge County Park & Trail Bridge on the Wapsipinicon River in Linn County.

OTHER: Appropriates \$5 million for continued Capitol restoration, including ADA and building code compliance. Delays the \$10 million in funding for the Institute for Biomedical Discovery for a year (to FY 2011). Appropriates \$1 million for local public libraries (no change), \$200,000 for the Independence Mental Health Institute (new appropriation to improve safety and emergency systems at the facility) and \$130,000 for the second year of a grant to Prevent Blindness Iowa for screening of children for early detection of vision problems and distribute information to build public awareness (no change). TECHNOLOGY

REINVESTMENT FUND (TRF): Appropriates \$14.3 million in FY 2010, including \$250,000 for the 211 call center (24/7 call center operated by United Way to provide free health, human services, and community support information. LANGUAGE

CHANGES: Allows a health facility that relocates within the same county (closing one facility and opening another) to avoid the Certificate of Need process by defining the relocation as "replacement."

HR 6 - Disability-Friendly Health Care Coverage (Status: Adopted) - Urges the adoption of disability-friendly principles for Iowa's health care coverage system. States that a higher proportion of working adults with disabilities do not have health care coverage, and it is difficult for people with disabilities to take their health insurance from job to job. These principles include: 1) health insurance is not based on job and does not limit the ability of the person to save money or have assets; 2) health insurance is affordable; 3) individual cost sharing is based on the ability to pay; 4) health insurance is made both physically and cognitively accessible for all Iowans and the use of preexisting condition exclusions is

limited; 5) health insurance covers a broad range of benefits including mental health treatment, medications, preventive services, personal health items and special equipment; 6) public health care programs no longer require a person to remain in poverty in order to keep their benefits (buy-in offered with sliding fee scale); and 7) transitions between health care for children with disabilities and adults with disabilities is coordinated to prevent gaps in care.

SF 82 - Iowa Workforce Development Board Expansion (Status: Signed) - Adds four non-voting members to the Iowa Workforce Development Board - a representative from the vocational rehabilitation community (appointed by the State Rehabilitation Council of the Division of Vocational Rehabilitation), representatives from the Department of Education and the Department of Economic Development, and someone appointed by the US Department of Labor (Office of Apprenticeship).

SF 137 - Wage Discrimination (Status: Signed) - Makes it illegal to discriminate against employees (and pay them less) because of age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion or disability. Allows the Civil Rights Commission to award damages to a person subject to wage discrimination. Effective 7/1/2009.

SF 151 - Iowa Railway Finance Authority Repeal (Status: Signed) - This bill repeals the Iowa Railway Finance Authority and transfers those duties and responsibilities to the Iowa Department of Transportation (IDOT), including administration of the passenger rail service revolving fund. The bill also expands the authority of the Director of IDOT to enter into agreements for developing passenger rail service serving Iowa. Effective 7/1/2009.

SF 187 - Special Deer Hunting Licenses/Non-Ambulatory Persons (Status: Signed) - Allows a non-ambulatory person to get one any sex deer hunting license valid during any deer hunting season. This person is not required to pay the wildlife habitat fee, but must still buy the deer hunting license and hunting license, be otherwise qualified to hunt, and pay the \$1 fee for deer herd management. A "non-ambulatory person" means someone with paralysis of the lower half of the body, including spinal cord injuries. Effective 7/1/2009.

SF 236 - PMIC Reimbursements (Status: Signed) - Directs DHS to work with Psychiatric Medical

Institutions for Children (PMICs) to develop a new reimbursement methodology that is acuity (need) based. The new methodology is to be in place by 7/1/2011. For FY2010 and FY2011, DHS is required to set the new maximum daily rate for PMIC providers at \$182.27 (based on 103% of the patient-day weighted state average cost. Requires DHS apply for federal approval to pay a cost-based rate to the PMIC located at the Independence Mental Health Institute (total cost to operate PMIC at Independence is \$320.23/day, but federal government only matches up to \$167.19/day). Fiscal note expects \$810,000 in additional costs to the state in FY 2010 and FY 2011, but the increased rate is offset by a savings in \$780,000 of additional federal matching funds and \$30,000 in out-of-state placement avoidance (so no fiscal impact). Requires the DHS review of out-of-state PMIC placements and develop utilization review procedures that continue to take into consideration the best interest of the child and the child's family.

SF 376 - Bonding (Part 3 of 3) I-JOBS (Status: Signed) - Authorizes \$545 Million in bonding for certain infrastructure projects and for purposes of the Iowa jobs program. The bill creates the Iowa jobs board consisting of eleven members located for administrative purposes within the Iowa Finance Authority (IFA). The executive director of IFA shall provide staff assistance and necessary supplies and equipment for the board. The bill creates an Iowa jobs restricted capitals fund consisting of \$165 Million to be allocated as follows: \$118.5 Million for competitive grants for local infrastructure projects relating to disaster rebuilding, reconstruction and replacement of local buildings, flood control and flood protection, and future flood prevention public projects. \$46.5 Million for disaster relief and mitigation and local infrastructure grants for the following renovation and construction projects: \$10M for the construction of a shared facility between nonprofit human service organizations serving the public, \$5M for a facility for a county-funded workshop program serving the public and particularly persons with mental illness or developmental disabilities, \$5M for an economic redevelopment project improving energy efficiency and the development of alternative and renewable energy technologies, \$10M for the Cedar Rapids Czech Museum, \$5M for a theater, \$5M for the Cedar Rapids Public Library, \$5M for a public works building, and several other purposes. The bill includes several other allocations to state departments, including but not limited to the

following: \$5M for the IOWA ENERGY CENTER, \$55M to the IFA for water quality and wastewater improvement projects, \$25M for public broadband technology grants for the deployment and sustainability of high-speed broadband access, \$50M for functionally obsolete and structurally deficient bridges, \$10M each year for 3 years to the river enhancement community attraction and tourism (RECAT) fund, \$12M for the community attraction and tourism fund, and \$5.5M for accelerated career education program capital projects at community colleges. Effective 5/14/2009.

SF 389 - Health Care Reform (Status: Signed) -
LEGISLATIVE HEALTH CARE COVERAGE COMMISSION: This 11-member voting commission is staffed by the Legislative Services Agency and includes a large employer, small employer, non-profit organization, labor representative, Iowa insurer, health underwriter, independent insurance agent, health care provider, and three consumers (representing low- and moderate-income individuals and families, and pre-Medicare populations). Non-voting members of the commission include four legislators and the directors of Human Services, Public Health, and the Insurance Division. The Legislative Council is allowed to employ or contract with a person or group to assist the commission in carrying out its duties. COMMISSION DUTIES: Develop an Iowa health care reform strategic plan which includes, options and recommendations for: 1) the coordination of a children's health care network; 2) children, adults, and families to transition among public and private health care coverage options; 3) affordable subsidized and unsubsidized health care coverage programs (purchasable affordable health care coverage options for adults and families must be developed with contribution requirements no more than 6 ½ % of family income); 4) offer a program to provide coverage under a state health or medical group insurance plan to non state public employees; 5) consequences of requiring each employer in Iowa with more than 10 employees to adopt and maintain a Section 125 cafeteria plan; and 6) the development of a long-term strategy to provide access to affordable health care coverage to the uninsured in Iowa. In developing the strategic plan, the commission is to collaborate with health care coverage experts. Reports are due quarterly beginning 1/1/2010. ADULT CHILD HEALTH CARE COVERAGE: Allows adult children to continue on their parent's insurance plan, even if they had previously dropped the coverage (as long as they are not married, a resident of Iowa, and 25 years of

age or younger; adult children over 25 can also continue coverage if they are enrolled as a full-time student at an accredited Iowa college or university). In addition, current law says the continued coverage for an adult child is considered a gift for tax purposes and has a tax implication. This bill states that this coverage is not subject to state income tax. Retroactive to 1/1/2009. CHILDREN' HEALTH INSURANCE (HAWKI): Requires the Department of Human Services (DHS) to provide coverage to individuals under 19 years old who meet the income eligibility requirements for Medicaid when there is a federal match. In addition, DHS must provide coverage to individuals under 19 years old who meet the income eligibility requirements for hawk-i when there is a federal match. INCOME TAX FORM DECLARATION OF DEPENDENT HEALTH CARE COVERAGE: Requires Iowans filing their income taxes beginning tax year 2009 indicate whether each dependent child has health care coverage. Requires the Department of Revenue to notify taxpayers who have uninsured dependent children and qualify for hawk-i or Medicaid (that is, meet income eligibility standards for the programs). Taxpayers are required to submit an application for the appropriate program within 90 days of being notified. Requires annual reports related to this. IMPROVED ACCESS TO STATE HEALTH PROGRAMS: Directs DHS to maximize federal financial participation to improve access to Medicaid and hawk-i and implement premium assistance options; add translation and interpreter services as a covered benefit; allow joint application and supplemental forms, and the same application and renewal processes for Medicaid/hawk-i; implement administrative or paperless verification at renewal; begin presumptive by 1/1/2010; and enact other administrative improvements to increase enrollment and retention. DHS is also allowed to cover legal immigrant children less than 5 years (federal match is included); allow for the use of one pay stub as verification of income for Medicaid/hawk-i; allow for the averaging of three years of income for self-employed people to establish eligibility for Medicaid/hawk-i; extend the period of renewal by Medicaid members by mailing the renewal form on the first day of the month prior to the month of renewal; and allow for reimbursement for translation and interpretation services under Medicaid/hawk-i. Permits performance bonuses as allowed under federal law (to be eligible Iowa must utilize joint applications and supplemental forms, implement administrative or paperless verification at renewal, use presumptive eligibility when determining a

child's eligibility, and add the express lane option, including utilization of other public program databases to reach and enroll children. ADDITIONAL HAWK-I CHANGES: Establishes hawk-i as "credible coverage," which means that a child can move directly from hawk-i to an adult plan without any delay or certain underwriting. Allows the DHS Director (upon hawk-i board approval) to contract with participating insurers to provide the supplemental dental-only coverage to otherwise eligible children who are currently covered by hawk-i. Requires DHS to apply for available federal grants to promote outreach and quality child health outcomes under the Medicaid/hawk-i programs. The section takes effect July 1, 2010. VOLUNTEER HEALTH CARE PROVIDERS: Expands the volunteer health care provider program to include specialty health care provider offices, giving such offices providing free care the state's liability protection. Specialty health care provider office means the private office or clinic of an individual health care provider or group of health care providers but does not include a field dental clinic, a free clinic, or a hospital. HEALTH CARE WORKFORCE SUPPORT INITIATIVES & FUND: Establishes a fund and four programs to address Iowa's health care workforce shortage problem. No funds are appropriated to the program, but any future state funds appropriated would be divided equally among the four initiatives, and 25% of any undesignated federal health care workforce funds would go to the safety net provider workforce initiative. The initiatives include a 1) Medical Residency Training State Matching Grants Program; 2) Health Care Professional Incentive Payment Program to recruit and retain health care professionals/Nurse Educator Incentive Payment Program (up to \$20,000 incentive payments to nurses who decide to stay in teaching)/Nursing Faculty Fellowship Program (fellowships for nurses who join a nursing faculty)/Registered Nurse and Nurse Educator Loan Forgiveness Program; 3) Safety Net Provider Recruitment and Retention Initiatives Program administered by the Iowa Collaborative Safety Net Provider Network governing group to establish and administer a safety net provider recruitment and retention initiatives program to address the health care workforce shortage relative to safety net providers; and a 4) Physician Assistant Mental Health Fellowship Program to determine the effect of specialized training and support for physician assistants in providing mental health services on addressing Iowa's shortage of mental health professionals.

Repeals all of these programs on 7/1/2014 if funding is not made available by that time. PROFESSIONAL GIFTS: Requires all health professional boards to report sanctions levied against a health care professional for receipt of gifts which are not in compliance with the ethics of that particular board (report by 1/15/2009). HEALTH CARE TRANSPARENCY: Requires the Department of Public Health is instructed to enter into a memorandum of understanding with the Iowa Hospital Association to collect, maintain, and disseminate hospital inpatient, outpatient, and ambulatory information.

SF 438 - Dependent Adult Abuse (Status: Signed) - Make changes in Iowa law related to dependent adult abuse and care of nursing facility residents. Clarifies the definition of "sexual exploitation" of a dependent adult by a caregiver to include sending or showing sexually explicit photos/videos of the dependent adult. Excludes the element of sexual arousal or desire from the definition of sexual exploitation. If a dependent adult's caretaker refuses to allow protective services, the courts are allowed to require protective services (issue a protective order). Adds a new penalty level for dependent adult abuse by a caretaker - a caretaker who intentionally or knowingly commits dependent adult abuse is guilty of a serious misdemeanor.

SF 470 - Education Budget (Status: Signed/Line-Item Vetoed) - Spends \$909.8 million from the state's general fund on educational programs and services for FY 2010 (\$361 million decrease over current year spending). Eliminates \$2.7 million in other (non-general fund) funding. This is a whopping 40% cut, which legislators hope will be mostly made up with federal stimulus funds. The following receives a 7.4% cut: Child Health Specialty Clinics (\$60,450 cut) and the Birth Defects Registry (\$3,511 cut). The following receive a standard 8.3% cut: Department of the Blind (\$205,242 cut); Vocational Rehabilitation Services Division (\$468,599 cut); VR's Independent Living Program (\$4,642 cut); Entrepreneurs with Disabilities Program (\$16,410 cut); State School for the Deaf (\$831,071 cut); Iowa Braille & Sight Saving School (\$469,928 cut); Tuition & Transportation costs for these schools (\$1,233 cut); and special education services to children ages birth to age 3 (\$141,275 cut). There were no cuts to funds for libraries (\$5.1 million). \$6.3 million in funding for the Center for Disabilities and Development at the University of Iowa is

appropriated in this bill, but SF 478 (the Standings Bill) eliminates this appropriation and uses it to draw down additional dollars (the Center will receive more than this \$6.3 million appropriation under this change). Finally, funding for the Centers for Independent Living Grants (\$250,000), Community College Interpreters for the Deaf (\$197,000), and the Easter Seals Agricultural Health & Safety program (\$50,000) were eliminated. Of note, the Standings Bill (SF 478) gives \$50,000 for grants to the Centers for Independent Living and \$200,000 for the deaf interpreters program. *LINE ITEM VETO: Does not affect the items above.*

SF 474 - Bonding (Part 1 of 3) Regents (Status: Signed) - Authorizes a total of \$115 Million of bonding to be carried out by the Board of Regents. \$100 Million would be authorized to repair, restore, and replace flood damaged buildings and facilities and to undertake other flood recovery and mitigation projects on the campus at the state University of Iowa. \$15 Million would be authorized for phase II of the construction and renovation of the veterinary medical facilities at Iowa State University of science and technology, specifically the renovation and modernization of the area formerly occupied by the large animal area of the teaching hospital for expanded clinical services in a small animal hospital. Effective 7/1/2009.

SF 475 - Justice Budget (Status: Signed/Line-Item Vetoed) - Appropriates a total of \$515.4 million for various law enforcement, corrections, and justice programs in FY 2010 (an \$18.4 million cut from current year funding). This is a 3.5% overall reduction in spending. Spends \$24,799 for offender mental health and substance abuse treatment in prisons (\$195 cut) and \$1,533,179 on the Iowa Civil Rights Commission (\$12,053 cut). The Civil Rights Commission has been looked at to help with the recommendations coming out of the Governor's Task Force on Dependent Adults with Mental Retardation. *LINE ITEM VETO: Does not impact the items above.*

SF 476 - Nursing Home Quality Assurance (Status: Signed) - Charges a "quality assurance assessment" fee to nursing homes that is used to draw down and match additional federal dollars. The fee is paid quarterly into a state fund, which is matched with federal dollars and used as a supplemental reimbursement to nursing homes. The bill requires that at least 35% of the funds received by nursing homes through the assessment be used

to increase direct care worker salaries, and at least 60% be used to increase all nursing facility staff salaries and compensation. The new methodology will build in nursing home rebasing, so there will no longer be a need for separate rebasing.

SF 477 - Bonding (Part 2 of 3) (Status: Signed) - Authorizes \$105 Million of bonding for Alternative Energy and Vertical Infrastructure Projects. Effective 7/1/2009.

SF 478 - Standings (Status: Signed/Line-Item Vetoed) - The "Standings Bill" is a catch-all for everything they didn't get done the traditional way, which includes the pre-appropriation for mental health allowed growth (FY 2011), property tax credit reimbursements to local governments, and funding for state employee salaries. It also includes a number of "standing" appropriations – spending that is automatic each year and not a part of the regular budget process. This year the bill spends a total of \$474.2 million on various programs and services, an increase of \$167.7 million. This represents a 35% increase in spending (\$24 million more from the state's general fund and \$143.7 million more from other state funds). MH/MR/DD ALLOWED GROWTH (FY2011): Sets the Mental Health/Mental Retardation/Developmental Disabilities (MH/MR/DD) Allowed Growth factor for FY 2011 (July 1, 2010-June 30, 2011) at 3% (\$8 million increase) - for a total appropriation of \$62.2 million. This does not reflect a reinstatement of the 12.8% in cuts made this year and does not add back of the \$8 million in growth cut for FY 2010, so growth is basically funded at 2006 levels. Changes the timeframes for MH/MR/DD Risk Pool applications (7/1/2009), decisions (8/15/2009), and awards (9/15/2009). DISABILITY/MENTAL HEALTH: Fully funds (\$22.2 million) the elderly/disabled property tax credit that cuts property taxes for people with disabilities and older Iowans (fully funded). Changes the way the University of Iowa's Center for Disabilities and Development is funded by eliminating the \$6.3 million appropriation from SF 470 (Education Budget) and adding \$4.8 million to the Disproportionate Share Hospital (DSH) appropriation in HF 811 (Health/Human Services Budget). This change allows the state funds to be matched with federal DSH funds, generating a total of \$11.8 million. By cutting state funding by \$1.5 million, the state generates an additional \$7 million. Appropriates \$108,000 to the Division of Vocational Rehabilitation for the Easter Seals' Farmers with Disabilities program (\$18,713 cut - the program was

previously funded through the University of Iowa, with the appropriation in the Infrastructure budget). Reduces the cuts to the School for the Deaf by \$398,980 (leaving a \$432,091 cut) and to the Braille & Sight Saving School by \$225,602 (leaving a \$244,326 cut). Reinstates funding for interpreters for the deaf at Iowa Western Community College and adds \$3,000 - for a total of \$200,000. Provides \$50,000 for the Centers for Independent Living (\$196,000 reduction compared to the current fiscal year). INSURANCE MANDATES: Requires all state-regulated health insurance plans to pay for admission to a Psychiatric Medical Institution for Children (PMIC) in the same way they pay for acute inpatient hospitalization if a child meets the Medicaid criteria for PMIC admission (this "PMIC Parity" insurance mandate is expected to save the state \$234,000, since private insurance would now be required to pick up the first 30 days of admission). Also requires insurance plans cover cancer treatment whether medications are orally or intravenously administered. MEDICAID: Adds \$4.3 million to the Medicaid appropriation in HF 811 (bringing the total appropriation to \$681.9 million). Changes the insurance industry membership on the Pharmacy-Related Legislative Interim Study Committee (enacted in HF 811, the Health/Human Services Budget). OTHER: Cuts the legislative budget by \$4.4 million (leaving \$33.4 million) and uses \$145.3 million of the state's cash reserves (rainy day fund) to pay for spending in the bill. Increases various court fees, generating an additional \$11 million to fund judicial operations. Requires Area Education Agencies (AEAs) to report annually (by 10/1) on contracted salaries (including bonuses and benefits and lobbying activity costs) to AEA administrators, lobbyists, and governmental affairs contracts. Transfers archeologically significant portions of Glenwood State Resource Center to the Department of Natural Resources, which will make recommendations on establishing a Glenwood State Preserve. LINE ITEM VETO: *The Governor vetoed the elimination of the Assistive Device Tax Credit (allowing businesses that make adaptations for employees with disabilities to receive a tax credit for those expenses) - the tax credit was used by only one business since 2000 despite attempts to increase marketing. The Governor encouraged businesses to take advantage of this incentive during these difficult economic times.*

SF 484 - Board Homes for Dependent Adults/Regulations (Status: Signed) - This bill came out of the recommendations from the

Governor's Task Force on Dependent Adults with Mental Retardation (Atalissa report). **SPECIAL CERTIFICATES:** The bill requires the State Labor Commissioner to work with the US Department of Labor to develop and maintain a database of employers in Iowa that use the special certificates allowing them to pay workers with disabilities below minimum wage. **BOARDING HOME REGULATION:** Requires the Department of Inspections & Appeals (DIA) to regulate boarding homes (where rooms are rented to three or more unrelated people needing supervision or assistance with daily activities). Waiver homes and facilities/homes otherwise regulated by the state or federal government are exempt. Requires boarding home owners to register with DIA and submit occupancy information (\$500 penalty for failing to do so). Allows DIA to reduce or waive this penalty, but requires they work with DHS and the Department of Public Safety in setting this up. Requires DIA develop an interagency approach to address complaints involving boarding homes (keeps the name of the person filing complaint confidential). Allows the courts to order access to boarding homes if there is probable cause that dependent adult abuse is occurring in the boarding home, or if there is some other type of violation occurring. If any department inspecting a facility or home housing dependent adults finds labor or employment issues (or discrimination), the department is to notify the Labor Commissioner (or Civil Rights Commission if discrimination is involved). **DEPENDENT ADULT ABUSE:** Increases the period of time DHS keeps unfounded dependent adult abuse information from one year to five years, and requires rejected reports to be removed after three years. Requires the Dependent Adult Protective Advisory Council to recommend a uniform assessment instrument and process for use by DHS and other agencies assessing a dependent adult's degree of dependency and whether dependent adult abuse has occurred (by July 1, 2010). The assessment is to evaluate compliance with federal law by those employing, housing or providing services to the individual, health and safety risk assessment, and the degree assistance in daily activities is needed. If the assessment determines the person is at risk, the development of a safety plan (with protective services) is required. If a person's caregiver refuses to assist, the courts can prohibit the caregiver from interfering. Protective services can be ordered if the courts find a person is not capable of agreeing to needed protective services. Requires DHS to help train other department personnel on dependent adult abuse

procedures and build awareness about dependent adult abuse reporting. **FUNDING:** Funding sufficient to meet the federal match for necessary Medicaid fraud activities is appropriated; creates a Medicaid Fraud Account to pay for this effort. **REPORTING:** Requires annual reporting and requires final findings of any boarding home inspection or investigation be made available to the public.

SR 13 - Health Care for All (Encouraging Federal/State Collaboration) (Status: Adopted) - Encourages federal-state collaboration to achieve quality, affordable health care for all. States principles to follow in reforming our health care system - stabilize financing through payment reform; implement patient-centered medical home; prioritize payments for primary and preventive care; support value-based purchasing efforts; restructure national financing for long-term care; improve cost-containment policies; establish national electronic medical record standards and provide financial and technical assistance for compliance; facilitate confidential sharing of patient data within and across state borders; increase access to affordable health insurance coverage; expand coverage to everyone using private market and publicly-financed plans; allow greater flexibility in state regulation of federal ERISA plans; eliminate pre-existing condition exemptions and require guaranteed issuance of insurance; strengthen the health care safety net by increasing investments to programs like Medicaid, community health centers and children's health insurance program; support state innovation; invest in increasing the number of primary care providers, midlevel practitioners, direct care workers, and laboratory and community health workers; monitor specialty supply; increase quality by developing evidence-based standards; require the use of informed and shared decision-making between provider and patient; eliminate disparities and inequities; invest in proven prevention programs and health promotion activities; reduce unwarranted variation of care; and demand effective public quality reporting by all providers.

BILL TRACKER – INACTIVE (DEAD) BILLS

A complete list of "dead bills" with summaries is available online at:

www.infonetiowa.com/current_issue/dead_bills.php



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