

IDPH Legislative Update
Iowa Department of Public Health
March 26, 2012

The Eleventh Week

The following are some highlights from the eleventh week of the 2012 Session.

IDPH Legislative Package Update

- **The Iowa Health Information Network (IHIN) Bills.** [SF 2318](#) passed the Senate Chamber on March 19 by a vote of 45-5! It is now in the [House Ways and Means Standing Committee](#) with [HF 2283](#). The subcommittee of Representatives [Helland](#), [Paustian](#), and [Petersen](#), held a meeting on March 22 and indicated there that they would consider SF 2318 instead of HF 2283. All three subcommittee members have indicated that they will recommend passage of the bill to the full Ways and Means Committee when it comes up for consideration on Monday, March 26.
- Thank you to Senator [Jack Hatch](#) for being the floor manager of the bill and for his leadership and continued support. We are slowly inching toward the governor's desk one step at a time!
- A fiscal note was published by the [Legislative Services Agency](#) to discuss the fiscal components of the legislation. To read the fiscal note, click [here](#).
- **The Technical/Omnibus Bill.** [HF 2420](#), IDPH's annual technical bill, was referred to the House Ways and Means Committee on March 12. It has finally been assigned to a subcommittee of Representatives [De Boef](#), [Hein](#), and [Petersen](#). As of this writing a subcommittee meeting has not been scheduled.
- To understand how a bill moves through the legislative process, click [here](#).
- **Other Committee Work.**
 - Senate and House Human Resources Committees will no longer be holding meetings for this session unless a special circumstance arises. Committee work will continue to occur in each chamber's ways and means and appropriations committees however floor debate and the budget will be the focus in the last few weeks of this session.

Bill Highlights

- You will notice as you click on the various links to the legislation listed below, that some of the bills are pink. This means that the bill has passed the originating chamber (the chamber that introduced the bill) and was amended during floor debate. To see a list of the amendment(s), click on "current bill history" to the left of the screen. You will see the amendments in the order they were filed and whether they were adopted or not. Links to the amendment language are also provided.
- [HF 2369](#) that strikes county registrars from the list of entities permitted to issue a burial transit permit passed the House Chamber by a vote of 98-0 on March 12. It was amended to include the state registrar to the list which coincides with the efforts in the IDPH technical bill. The relevant division in [HF 2420](#) was removed in order to align with this bill. It passed the Senate on March 21 by a vote of 50-0 but an amendment was adopted that added [HF 2318](#)'s language to the bill. This bill died in the funnel deadlines. The next step is that the House must take the bill up on the floor again to indicate to the Senate if they agree or disagree with the amendment. IDPH voiced concerns at an early subcommittee meeting on HF 2318 about the duplication of records and how it can potentially lead to fraud. One major directive of the Bureau of Health Statistics is to advocate for the integrity of Iowa's vital records.
- [SF 2284](#) is the Senate education reform bill and includes language in [SF 468](#) that prohibits use by any student enrolled in a school district or by anyone on school grounds of nicotine

products. SF 468 is not technically dead and was not added to SF 2284 by an amendment however since it is unlikely to pass the House Local Government Committee, it appears that the Senate would like to give the language a fresh look.

- [SF 2291](#) creates a tax credit for food producers that donate produce to Iowa food banks or other Iowa emergency feeding organizations. It also creates an Iowa Food-Link to Food-Bank Initiative administered by the Department of Human Services (DHS). A [Fiscal Note](#) was published on March 14 by the Legislative Services Agency. The bill passed the Senate Ways and Means Committee on March 21.
- [SSB 3195](#) was introduced on March 19. It provides a \$50 individual income tax credit for volunteer fire fighters and emergency medical services personnel. A subcommittee meeting was held on March 21 and the bill was passed out of the Senate Ways and Means Committee on the same day.
- [HF 2434](#) is a House government operations and efficiencies bill and includes other provisions for school elections and eliminating certain tax credits. It has passed the House State Government Standing Committee and is now in the House Ways and Means Committee. A [Notes on Bills and Amendments](#) (NOBA) document has been published by the Legislative Services Agency.
- [SF 2299](#) is a Senate government operations and efficiencies bill and includes other related matters. It passed the Senate State Government Committee and is now in the Senate Appropriations Standing Committee.

Sent to the Governor

- Once a bill passes both chambers it must be reviewed once more for minor errors and then signed by both the president of the Senate and the speaker of the House. It is then considered an “enrolled bill” and is sent to the governor for his consideration. The governor can sign or veto a policy bill. He or she can line item veto sections of bills with appropriations in it.
- [HF 2285](#) relates to the definition of “hydronic” for purposes of the Iowa Plumber, Mechanical Professional, and Contractor Licensing Act. It passed both chambers unanimously; the House vote was on February 29 and the Senate vote was on March 19. It will now be sent to the governor for his consideration. The IDPH Division of Environmental Health Director, Ken Sharp, received several kudos and thanks from legislators and the lobby. His facilitation between the interested stakeholders over the summer, led to this successful piece of legislation. Thanks to Ken for his positive representation of IDPH!
- [HF 2368](#) that provides for the issuance of a certificate of birth resulting in a stillbirth and provides for a fee to IDPH that the department will retain to cover costs. It passed both chambers unanimously; the House vote was on March 6 and the Senate vote was on March 21. It will now be sent to the governor for his consideration. This bill is particularly noteworthy because it is an example of how the citizens of Iowa can impact the legislative process; it is the product of one constituent’s determination. She contacted her representative, worked with him to draft the language, and provided an impressive amount of education to legislators on the laws of other states as well as those of Iowa. She and her husband lost their third child and had to deliver her stillborn. The existing memorial certificate that IDPH provides upon request was not adequate for her and she took the initiative to have the option of having a certificate of birth resulting in stillbirth available to grieving families. Her determination has paid off.
- [SF 2225](#) relates to child abuse by prohibiting retaliation for reporting abuse, providing for implementation of reporting policies at postsecondary institutions, and requiring review of training requirements. It passed the Senate Chamber by a vote of 50-0 on February 29 and the House Chamber by a vote of 94-0 on March 21. IDPH is charged with convening the

stakeholder interim workgroup that will review mandatory reporting training requirements and curricula. The bill will now be sent to the governor for his consideration.

- [SF 2248](#) permits licensed physician assistants and licensed advanced registered nurse practitioners (ARNPs) to prescribe respiratory care to patients. This bill passed the Senate Chamber by a vote of 50-0 on February 29 and the House Chamber by a vote of 93-1. It will now be sent to the governor for his consideration.
- [SF 2185](#) permits a licensed physician to supervise up to five physician assistants at one time. This bill passed the Senate Chamber by a vote of 50-0 on February 28 and the House Chamber by a vote of 88-5 on March 21. It will now be sent to the governor for his consideration.
- IDPH is collaborating on an effort to promote voluntary home visiting and group-based parent education that target families with children ages 0 – 5. The legislation directs state general funds that are used for home visitations programming to be expended on programs that are considered ‘promising practices’ or ‘evidence-based.’ The language provides for a phased in approach over the next four years and maintains innovation and local control. The Senate Education Appropriations Bill, [SF 2321](#), has passed the Senate Chamber and the House Appropriations Standing Committee as amended. The committee amendment, [H-8327](#), includes the language starting on page 7, line 35 and ends on page 10, line 5. Language is also intended to be included in the Health and Human Services Appropriations Bill for the [HOPES Program](#), once it reaches the Senate Chamber. It has the support of the Lt. governor, key House and Senate members of both parties, and a variety of private and nonprofit organizations.

Mental Health Recap

- [SF 2247](#) changes the Iowa Code references for “mental retardation” to “intellectual disabilities” and provides a new definition for the latter. It passed both chambers unanimously; the Senate vote was on February 28 and the House vote was on March 6. It is the first of the mental health bills to be signed by Governor Branstad. He signed the bill into law on Thursday, March 22.
- [SF 2312](#) relating to persons with mental health illnesses and substance-related disorders. Passed the Senate Chamber by a vote of 49-0 on March 5. It passed the House Chamber on by a vote of 95-1 on March 20 with one amendment. Since the House amended the bill it must now go back to the Senate so that they can agree or disagree with the House amendment. The amendment is discussed in the fourth bullet below. The bill does the following:
 - Requires all law enforcement officers to complete a course on mental health at least once every four years.
 - Specifies that a nursing facility of a residential care facility is not required to admit an individual without approval from the administrator of the facility.
 - For persons who are intoxicated and have threatened harm against others or themselves after-hours, the bill amends the current procedures for emergency detention and hospitalization. Current law requires that an application for involuntary commitment or hospitalization must be filed before a person can be taken into custody. This option is only available during the regular operating hours of the district court. The bill permits this requirement to be waived if a person requires immediate commitment during after-hours.
 - Requires the state court administrator to implement a pre-application screening assessment program for involuntary hospitalization commitments. The House

amendment provides clarification that a person must request a pre-application screening from the program in order to have it conducted.

- Directs the Judicial Branch, the Department of Human Services, IDPH, and other stakeholders to continue an existing workgroup that is discussing the involuntary commitment process for persons with substance-related disorders. The bill also directs the workgroup to consider the feasibility of establishing an independent statewide patient advocate program. A report is due to the General Assembly and the governor by December 1, 2012.
- Directs the Division of Criminal and Juvenile Justice Planning (CJJP) of the Department of Human Rights to conduct a study on the feasibility of establishing a comprehensive statewide jail diversion program. This includes consideration of the establishment of mental health courts for nonviolent criminal offenders who suffer from mental illness. A report is due to the General Assembly and the governor by December 1, 2012.
- [SF 2315](#) is the central bill for the mental health redesign. It proposes the required core services, addresses other services, and establishes regions for the system. It passed the Senate Chamber by a vote of 32-18 on March 12; a [Fiscal Note](#) was published by the Legislative Services Agency on March 14. It does a great job of explaining the policy as well as the fiscal implications. The bill passed the House Appropriations Standing Committee as amended by [H-8330](#) that adds some long-awaited funding provisions for the redesign. The concept of the amendment is to reinstate the local levy that was sunset last session but makes it more equitable on a per capita basis. This is similar to the way the school aid formula works but without local decision-making. It also includes options for a state buy-out of the county system in five years.

Other Information

- The IDPH 2011 Annual Report and Budget Summary has been published! This report provides audiences with general information about the many program areas that IDPH is involved in, how that work is funded, and the results that are achieved. To view the report, please click [here](#).
- The Iowa General Assembly website is a great source of legislative information. The address is www.legis.iowa.gov. It's easy to find your legislator, get information on committee members, view photos of legislators, and access bills. Please take some time to check it out.
- Did you know you can listen to the chamber floor debates? You can also watch the floor debates in the House chamber. Click [here](#) for more information. To view the daily debate calendars for each chamber click on the home page link in the paragraph above and then click on the "Tentative Senate Debate Calendar" or "Tentative House Debate Calendar" above the Senate and House floor action windows.

Information on the Legislative Update

The Legislative Update is also posted on the IDPH website at www.idph.state.ia.us/adper/legislative_updates.asp. To subscribe to the IDPH Legislative Update, please send a blank email to join-IDPHLEGUPDATE@lists.ia.gov.