IDPH Legislative Update Iowa Department of Public Health March 19, 2012

The Tenth Week

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

IDPH Legislative Package Update

• The IHIN Bills. The department's e-Health/lowa Health Information Network (IHIN) legislation, HF 2283 is still in the House Ways and Means Standing Committee. It has been assigned to a subcommittee of Representatives Helland, Paustian, and Petersen. IDPH staff have met and discussed the bill with Representative Helland and have forwarded information to Reps. Paustian and Petersen. As of this writing, a subcommittee meeting has not been scheduled.

The companion bill in the Senate received a new bill number, <u>SF 2318</u>, after passing out of the Ways and Means Committee on March 7.

A fiscal note was published by the <u>Legislative Services Agency</u> to discuss the fiscal components of the legislation. To read the fiscal note, click <u>here</u>.

- The Technical/Omnibus Bill. <u>HF 2420</u>, IDPH's annual technical bill, was referred to the House Ways and Means Committee due to the language that permits fines to be charged to tanning facilities for violations that are included in the bill.
- Since they were referred to the Ways and Means Committees, each bill in the IDPH
 legislative package survived the second funnel on March 17. There are many exemptions to
 the funnel rule; having a bill in this committee is one of them. Several hurdles are still ahead
 but IDPH staff will be ready to continue to answer questions that legislators and others have!
- To understand how a bill moves through the legislative process, click here.
- Other Committee Work.
 - To see the agendas and minutes for Senate Human Resources, please click here.
 - To see the agendas and minutes for House Human Resources, please click here.

Bill Highlights from Second Funnel

- Second funnel was March 17. Bills had to have passed at least one chamber and one committee in the second chamber to be considered funnel proof. Of course, there are exceptions, like the IDPH bills in the Ways and Means Committees, but technically bills that have died during the second funnel week should not receive any further consideration by the General Assembly. However, the seasoned "dome watcher" knows that there is no such thing as dead legislation. All or part of a bill that did not pass the funnels can be attached to live bills by amendments at any time. In these last weeks of session, I will be keeping an eye on amendments that are filed to be sure I don't miss anything!
- 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.

- <u>HF 2369</u> 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 <u>HF 2420</u> was removed in order to align with this bill. It passed out of the Senate Local Government on March 13.
- <u>SF 2315</u> relates to the redesign of the publically funded mental health and disability services
 by requiring certain core services and addressing other services and providing for the
 establishment of regions. This bill passed the Senate by a vote of 32-18 with several
 amendments and is now in the <u>House Standing Appropriations Committee</u>. A <u>Fiscal Note</u> was
 published by the Legislative Services Agency on March 12.
- <u>HF 2368</u> 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, passed the House Chamber by a vote of 98-0 on March 7. It passed Senate Human Resources on March 14.
- <u>SF 2225</u> relating to child abuse by prohibiting retaliation for reporting, providing for implementation of reporting policies at postsecondary institutions, and requiring review of training requirements passed the Senate Chamber by a vote of 50-0 on February 29. IDPH is charged with convening the stakeholder interim workgroup that will review mandatory reporting training requirements and curricula. The bill passed House Human Resources on March 14.
- HF 2285 that relates to the definition of "hydronic" for purposes of the Iowa Plumber, Mechanical Professional, and Contractor Licensing Act passed the House Chamber by a vote of 98-0 on February 29. It passed the Senate State Government Committee on March 13.
- <u>SF 2220</u> relating to the licensing of schools of cosmetology arts and sciences and barber schools passed the Senate Chamber by a vote of 50-0 on February 28. It passed the House Education Committee on March 15.
- <u>SF 2289</u> relating to the Iowa Disaster Aid Individual Assistance Grant Program (administered by the Department of Human Services) passed out of the Senate by a vote of 49-0 on March 5. It passed out of the House Human Resources Committee on March 15th.
- <u>SF 2245</u> requires a study and report on the establishment of a dual diagnosis treatment program for posttraumatic stress at the <u>lowa Veterans Home</u>. The director of IDPH or the director's designee is named as one of five voting members on the study committee. This bill passed the Senate by a vote of 50-0 on February 29. It passed the House Veterans Affairs Committee on March 15.
- 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
 Human Resources Committee on March 15.
- <u>SF 2248</u> 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 State Government Committee on March 14.

Notable Bills that Did Not Survive

<u>SF 2298</u> that provides for the establishment of a board of direct care professionals under the purview of IDPH passed the Senate by a vote of 26-24 and but did not pass the <u>House State Government Committee</u>, despite a subcommittee meeting that was held on March 15. A <u>Fiscal Note</u> was published by the Legislative Services Agency on March 12. To learn more about the direct care workforce initiative and the existing advisory council click here.

- <u>SF 2270</u> that directs IDPH to develop and administer a state comprehensive Alzheimer's disease response strategy passed the Senate by a vote of 44-6 on March 5 but did not pass the House Human Resources Committee. The bill required IDPH to establish a dedicated full-time coordinator position to implement several directives that are delineated in the bill.
- <u>SF 2275</u> that authorizes limited Internet gambling in Iowa was the topic of a <u>Fiscal Note</u> that was published by the Legislative Services Agency on March 7. This bill passed the Senate Chamber by a vote of 29-20 on March 13th but did not pass the House State Government Committee.
- HF 2433 includes several directives relating to the administrative rules process of state government agencies and passed the House by a vote of 96-1 on March 13. The bill did not pass the Senate State Government Committee. Several provisions of this legislation would impact IDPH. In addition to the new requirements for the process of creating administrative rules, the majority of our professional licensure boards have implemented rules to permit them to review deferred judgments when deciding whether or not an application for licensure or renewal is considered. This practice is prohibited by the bill. Two Fiscal Notes have been published by the Legislative Services Agency. One discusses the introduced legislation; the second discusses the substantive floor amendment.

House Health and Human Services Appropriations Bill

• The Health and Human Services (HHS) appropriations bill provides HF 2435 general fund and other funds appropriations to IDPH, the Department of Human Services (DHS), the Department on Aging (IDA), and the Department of Veterans Affairs and Iowa Veterans Home. It is not clear when the bill will be debated in the House; however, the House minority party members have been very busy filing amendments to restore funding to various programs. If you click on the link for the bill, you can see a drop down list of the amendments on the left side of your screen.

There were no amendments to the bill by the committee; therefore, no changes have been made to the summary below. The LSA has published their <u>Notes on Bills and Amendments</u> (<u>NOBA</u>) that provides a section-by-section analysis of the bill for those of us who did not attend law school. It is an incredibly useful tool! To reiterate, summaries for HSB 661 are still relevant to HF 2435.

- The following summary has not changed from previous Legislative Updates. IDPH's general fund budget was reduced by \$3.8 million total compared to the budget for FY 2012 and the governor's recommendations for FY 2013. This is a total reduction of 8.12%. Each division director will be compiling information in an effort to help legislators understand the impact of the reductions on the services to Iowans. IDPH would like to see all of the reductions restored to the governor's recommendations for FY 2013.
- The reductions are delineated as follows and more details have been added:
 - Each budget unit, with the exception of Healthy Aging which provides for local public health nursing and home care aide services, received at least a general reduction for printing, postage, communications, information technology, and office supply savings. This is a total reduction of \$435,016 to the IDPH general fund budget. The reductions are required to be applied evenly to each program.
 - The \$2.8 million in general funds for the Division of Tobacco Use, Prevention, and Control have been eliminated.
 - The \$12,500 of one-time funding for the 2011 task force relating to epilepsy has been eliminated.
 - The funding for the <u>Prescription Drug Repository Program</u> has been reduced by \$29,937 for a total allocation of \$100,000.

- The allocation to the Iowa Primary Care Association to administer the <u>Iowa Safety</u>
 <u>Net Collaborative Grant Program</u> has been reduced by \$62,580 for a total allocation
 of \$70,000.
- The general funds for programming relating to direct care workers has been eliminated. However, funding of \$149,000 will be provided to IDPH for the <u>Direct Care Worker Advisory Council</u> from the fines collected by DHS from nursing facilities. This represents status quo funding for the council. Funding that is passed through IDPH to the <u>Iowa Caregivers Association</u> for statewide training and conference subsidies has been eliminated.
- Funding from the Health Care Transformation Account (HCTA) for the Medical Home and Prevention and Chronic Care Management Advisory Council and the Health and Long-Term Care Access Advisory Council of \$233,357 and \$100,000 respectively was eliminated.
- Several areas of the IDPH budget are also impacted by contracts we hold with DHS.
 Reductions are summarized below:
 - There is funding from the medical contracts budget line item for DHS that
 provides funding for contracts with IDPH for the Early Periodic, Screening,
 Diagnosis, and Treatment (EPSDT) Program and Title V Maternal and Child
 Health (MCH) agencies outreach. Reductions to this funding are estimated to
 result in a 9.0% decrease of these contracts.
 - Funding for <u>Hawk-i</u> outreach has also been eliminated in the amount of \$128,950. IDPH has held a contract for services and received at least \$64,745 of this funding.
- The Iowa Health Information Network (IHIN) funding is estimated by DHS to be reduced by \$1.15 million (20.0%) due to reductions to the Medicaid budget. The Iowa Medicaid Enterprise (IME) is receiving \$9 for every \$1 that the state matches to drawn down funding for the IHIN project.
- To view the general funds budget spreadsheet prepared by the Legislative Services Agency, please click here.
- To view the other funds budget spreadsheet prepared by the Legislative Services Agency, please click here.

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 lowa 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.