IDPH Legislative Update Iowa Department of Public Health April 9, 2012

The Thirteenth Week

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

IDPH Legislative Package Update

- The lowa Health Information Network (IHIN) Bills. SF 2318 passed the Senate Chamber on March 19 by a vote of 45-5 and passed the House Chamber on April 3 with an amendment by a vote of 97-2. The amendment removed section 16 of the bill that relates to the adoption of rules for a patient's choice to opt out of participating in the IHIN. The Senate concurred with the amendment on April 4 and the next stop is the governor's desk! Staff from the Governor's Office has indicated that the governor may hold a bill signing ceremony since it is one of his priorities!
- 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 here.
- The Technical/Omnibus Bill. HF 2464, (formerly HF 2420), IDPH's annual technical bill, passed the House Ways and Means Committee on April 5. The focus of the committee's discussion was on fines that IDPH would be permitted to charge operators of tanning facilities for violations of regulations. The bill will be eligible for debate on the House floor as early as next week. Hopefully it will be debated as soon as possible. We have been sending information to the Senate's legislative staff in an effort to get their members up to speed quickly. It will be referred to the Senate Ways and Means Committee when it passes the House Chamber. It still has quite a long way to go before it gets to the governor's desk but we remain optimistic that it will get there!
- To understand how a bill moves through the legislative process, click here.

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.
- 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. It passed the Senate Appropriations Committee on April 2. It was taken up on the Senate Chamber floor for debate but was deferred; debate will likely resume the week of April 9. A Fiscal Note was published by the Legislative Services Agency on March 29. There is no fiscal impact to the state's general fund for the division of the bill that relates to tobacco-free schools.
- SF 2230 relates to health care cost containment measures. It was introduced early in session and was funnel proof due to its placement in the Senate Ways and Means Committee. It creates a bureau in the Iowa Insurance Division dedicated to cost containment of health insurance and medical costs and establishes a new advisory board. The director of IDPH or a designee is one member of the board. The bill also directs collaboration with IDPH's medical home and e-Health advisory councils. One of the key points of SF 2230 would be for the

bureau and the board to compare typical health procedure costs throughout the state in an "all-payer claims database." This is in an effort to understand whether or not some areas of the state pay more for their health care procedures than others. The bill will tentatively be on the committee's agenda the week of April 9. For information on all-payer claims databases click here.

- HF 2458 is a bill that establishes a rural lowa primary care loan repayment program and trust fund to be administrated by the lowa College Student Aid Commission. It has passed out of the House Appropriations Committee and is on the debate calendar for the week of April 9.
- <u>HF 2448</u> is a bill that provides for a sales tax exemption for the sale of tangible personal
 property or services to substance abuse treatment or prevention programs that receive block
 funding from IDPH. It has passed the House Ways and Means Committee and is on the
 House debate calendar for the week of April 9. A <u>Fiscal Note</u> was published by the
 Legislative Services Agency on March 29.
- 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 visitation 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, <u>SF 2321</u>, has passed the Senate Chamber and the House Chamber with amendments. Amendment <u>H-8327</u> 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 <u>HOPES Program</u>, 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. The Senate must concur with all of the amendments that the House adopted. On April 3, the Senate refused to concur with the House amendments; therefore, this bill will be appointed to a conference committee. This is a committee of members from both chambers that will be charged with negotiating the differences in both bills in an effort to reach a compromise that will pass both chambers.
- HF 2449 (formerly 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 Ways and Means Committee. A Notes on Bills and Amendments (NOBA) document has been published by the Legislative Services Agency. Provisions of this bill include but are not limited to the following:
 - Several directives to the Department of Administrative Services (DAS):
 - Conduct an inventory of information technology devices with the goal of identifying possible cost reductions.
 - Look into privatizing their human resources function.
 - Conduct an analysis of state employee workstations and office standards.
 - Codify the <u>medication therapy management</u> pilot program into an ongoing program for eligible state employees.
 - Requires state employees who spouse is also a state employee to enroll in a family group health insurance plan for both employees. This includes legislators and legislative staff and directs similar discussions to take place during collective bargaining negotiations.
 - Requires the Department of Human Services (DHS) to request authorization from the United States Department of Agriculture to allow lowa to restrict the use of food assistance benefits for food items with low nutritional value in the federal Supplemental Nutritional Assistance Program (SNAP).

- Addresses regular review of programs and projects administered by executive branch departments by providing for implementation of an organized system of ongoing repeal dates by the <u>State Government Efficiency Review Committee</u>. A similar system has been implemented by the State of Texas called the <u>Texas Sunset</u> <u>Advisory Commission</u> since 1977 and has saved that state millions of dollars over three decades.
- Eliminates the Iowa Jobs Board and transfers its duties to the Iowa Finance Authority.
- Eliminates the E911 Communications Council and transfers its duties to the State Interoperable Communications Systems Board.
- Adds legislative intent language to include provisions to establish a homeland security and emergency management department that is separate from the lowa <u>Department of Public Defense</u>.
- HF 2465 is known as the "Standings Bill." This bill has passed out of the House Appropriations Committee and will be on the calendar for debate as early as next week. The bill appropriates \$10.00 of every \$20.00 fee for ordering birth certificates to be transferred to the Center for Congenital and Inherited Disorders up a to cap of \$154,000 for FY 2013. This is a decrease of \$17,283 compared to FY 2012. The other half of the \$20.00 fee is transferred to DHS for child abuse prevention programs.

The bill also requires state employees to pay at least 25.0 percent of the total premium for the plan they select for state group health insurance.

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.

Signed by the Governor

- <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 the Senate on March 21 by a vote of 50-0 but an amendment was adopted that added <u>HF 2318</u>'s language to the bill. The House accepted the Senate amendment on March 28. The bill was signed by Governor Branstad on April 5.
- <u>SF 2225</u> 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 was signed by Governor Branstad on March 30.
- <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 Chamber by a vote of 93-1. The bill was signed by Governor Branstad on March 30.
- <u>SF 2185</u> 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. The bill was signed by Governor Branstad on March 30.

Mental Health Recap

- 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. The Senate did not concur with the House amendment and the House receded therefore it has been sent to the governor for his consideration. 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.
 - 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. 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. An updated Fiscal Note was published by the Legislative Services Agency on March 27.

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.