

Holveck
Schumer
Boettger

SSB - 1023
Human Resources

Succeeded By
SE/HF 114

SENATE/HOUSE FILE
BY (PROPOSED DEPARTMENT OF HUMAN SERVICES BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the composition of the medical assistance
2 advisory council.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 85A.20, Code 2001, is amended to read
2 as follows:

3 85A.20 INVESTIGATION.

4 The workers' compensation commissioner may designate the
5 industrial hygiene physician of the Iowa department of public
6 health and two physicians selected by the dean of the
7 university of Iowa college of medicine of-the-state-university
8 of-iowa, from the staff of the college, who shall be qualified
9 to diagnose and report on occupational diseases. For the
10 purpose of investigating occupational diseases, the physicians
11 shall have the use, without charge, of all necessary
12 laboratory and other facilities of the university of Iowa
13 college of medicine and of the university hospital at the
14 state university of Iowa, and of the Iowa department of public
15 health in performing its duties.

16 Sec. 2. Section 135.83, Code 2001, is amended to read as
17 follows:

18 135.83 CONTRACTS FOR ASSISTANCE WITH ANALYSES, STUDIES,
19 AND DATA.

20 In furtherance of the department's responsibilities under
21 sections 135.76 and 135.78, the director may contract with the
22 association-of Iowa hospitals-and-health-systems hospital
23 association and third party payers, the Iowa health care
24 facilities association and third party payers, or the Iowa
25 association of homes for the aging and third party payers for
26 the establishment of pilot programs dealing with prospective
27 rate review in hospitals or health care facilities, or both.
28 Such contract shall be subject to the approval of the
29 executive council and shall provide for an equitable
30 representation of health care providers, third party payers,
31 and health care consumers in the determination of criterion
32 for rate review. No third party payer shall be excluded from
33 positive financial incentives based upon volume of gross
34 patient revenues. No state or federal funds appropriated or
35 available to the department shall be used for any such pilot

1 program.

2 Sec. 3. Section 142C.2, subsection 6, Code 2001, is
3 amended to read as follows:

4 6. "Enucleator" means an individual who is certified by
5 the department of ophthalmology of the university of Iowa
6 college of medicine ~~of-the-university-of-iowa~~, or by the eye
7 bank association of America to remove or process eyes or parts
8 of eyes.

9 Sec. 4. Section 142C.16, subsection 1, paragraph c, Code
10 2001, is amended to read as follows:

11 c. ~~The association-of Iowa hospitals-and-health-systems~~
12 hospital association.

13 Sec. 5. Section 147A.2, unnumbered paragraph 1, Code 2001,
14 is amended to read as follows:

15 An EMS advisory council shall be appointed by the director.
16 Membership of the council shall be comprised of individuals
17 nominated from, but not limited to, the following state or
18 national organizations: Iowa osteopathic medical association,
19 Iowa medical society, American college of emergency
20 physicians, Iowa physician assistant society, Iowa academy of
21 family physicians, university of Iowa hospitals and clinics,
22 Iowa EMS association, Iowa firemen's association, Iowa
23 professional firefighters, EMS education programs committee,
24 EMS regional council, Iowa nurses association, ~~association-of~~
25 ~~Iowa hospitals-and-health-systems~~ hospital association, and
26 the Iowa state association of counties.

27 Sec. 6. Section 147A.24, subsection 1, paragraphs i and j,
28 Code 2001, are amended to read as follows:

29 i. ~~Association-of Iowa hospitals-and-health-systems~~
30 hospital association representing rural hospitals.

31 j. ~~Association-of Iowa hospitals-and-health-systems~~
32 hospital association representing urban hospitals.

33 Sec. 7. Section 148D.1, subsection 2, Code 2001, is
34 amended to read as follows:

35 2. "College of medicine" means the university of Iowa

1 college of medicine ~~at-the-state-University-of-Iowa.~~

2 Sec. 8. Section 206.23, subsection 1, paragraph b, Code
3 2001, is amended to read as follows:

4 b. The dean, university of Iowa college of medicine,
5 ~~University-of-Iowa~~, or the dean's designee;

6 Sec. 9. Section 225.2, Code 2001, is amended to read as
7 follows:

8 225.2 NAME -- LOCATION.

9 It shall be known as the state psychiatric hospital, and
10 shall be located at Iowa City, and integrated with the
11 university of Iowa college of medicine and university hospital
12 of the state university of Iowa.

13 Sec. 10. Section 225.30, Code 2001, is amended to read as
14 follows:

15 225.30 BLANKS -- AUDIT.

16 The medical faculty ~~of-the-hospital~~ of the university of
17 Iowa college of medicine ~~of-the-state-University-of-Iowa~~ shall
18 prepare blanks containing such questions and requiring such
19 information as may be necessary and proper to be obtained by
20 the physician who examines a person or respondent whose
21 referral to the state psychiatric hospital is contemplated. A
22 judge may request that a physician who examines a respondent
23 as required by section 229.10 complete such blanks in
24 duplicate in the course of the examination. A physician who
25 proposes to file an information under section 225.10 shall
26 obtain and complete such blanks in duplicate and file them
27 with the information. The blanks shall be printed by the
28 state and a supply thereof shall be sent to the clerk of each
29 district court of the state. The director of revenue and
30 finance shall audit, allow, and pay the cost of the blanks as
31 other bills for public printing are allowed and paid.

32 Sec. 11. Section 225.33, Code 2001, is amended to read as
33 follows:

34 225.33 DEATH OF PATIENT -- DISPOSAL OF BODY.

35 In the event that a committed public patient or a voluntary

1 public patient or a committed private patient should die while
 2 at the state psychiatric hospital or at the ~~general~~ university
 3 ~~hospital of-the-college-of-medicine-of-the-state-University-of~~
 4 ~~Iowa~~, the state psychiatric hospital shall have the body
 5 prepared for shipment in accordance with the rules prescribed
 6 by the state board of health for shipping such bodies; and it
 7 shall be the duty of the state board of regents to make
 8 arrangements for the embalming and such other preparation as
 9 may be necessary to comply with the rules and for the purchase
 10 of suitable caskets.

11 Sec. 12. Section 225B.3, subsection 1, paragraphs b, c,
 12 and d, Code 2001, are amended to read as follows:

13 b. Three providers of disability prevention services,
 14 recommended by the ~~Iowa~~ governor's ~~planning-council-for~~
 15 developmental disabilities council, appointed by the governor,
 16 and confirmed by the senate.

17 c. Three persons with expertise in priority prevention
 18 areas, recommended by the ~~Iowa~~ governor's ~~planning-council-for~~
 19 developmental disabilities council, appointed by the governor,
 20 and confirmed by the senate.

21 d. Three persons with disabilities or family members of a
 22 person with disabilities, recommended by the ~~Iowa~~ governor's
 23 ~~planning-council-for~~ developmental disabilities council,
 24 appointed by the governor and confirmed by the senate.

25 Sec. 13. Section 225B.7, subsection 2, unnumbered
 26 paragraph 1, Code 2001, is amended to read as follows:

27 The council shall, during the fiscal year beginning July 1,
 28 1991, request grants from the ~~Iowa~~ governor's ~~planning-council-for~~
 29 for developmental disabilities council and from private
 30 foundations to defray a minimum of seventy-five percent of the
 31 costs of implementation of this chapter. The funds shall be
 32 used to carry out the purposes of this chapter, including but
 33 not limited to, any of the following purposes:

34 Sec. 14. Section 225C.6, subsection 1, paragraph k, Code
 35 2001, is amended to read as follows:

1 k. Coordinate activities with the Iowa governor's planning
2 council-for developmental disabilities council.

3 Sec. 15. Section 235C.2, subsection 8, Code 2001, is
4 amended to read as follows:

5 8. A hospital administrator or the administrator's
6 designee selected by the board of the ~~association-of Iowa~~
7 ~~hospitals-and-health-systems~~ hospital association.

8 Sec. 16. Section 235C.3, subsection 2, paragraph b, Code
9 2001, is amended to read as follows:

10 b. A health professional training campaign, including
11 recommendations concerning the curriculum offered at the
12 university of Iowa college of medicine ~~at-the-state-university~~
13 ~~of-iowa~~ and Des Moines university -- osteopathic medical
14 center, providing assistance in the identification of women at
15 risk of substance abuse during pregnancy and strategies to be
16 employed in assisting those women to maintain healthy
17 lifestyles during pregnancy. This education campaign shall
18 offer information to health professionals on assessment,
19 laboratory testing, and referrals.

20 Sec. 17. Section 249A.4, subsection 8, unnumbered
21 paragraph 1, Code 2001, is amended to read as follows:

22 Shall advise and consult at least semiannually with a
23 council composed of the presidents of the following
24 organizations, or a president's representative who is a member
25 of the organization represented by the president: the Iowa
26 medical society, the Iowa osteopathic medical association, the
27 Iowa academy of family physicians, the Iowa physical therapy
28 association, the Iowa state dental ~~society~~ association, the
29 Iowa state nurses association, the Iowa pharmacists pharmacy
30 association, the Iowa podiatry podiatric medical society, the
31 Iowa optometric association, the Iowa association of community
32 providers, the Iowa psychological association, the ~~association~~
33 ~~of Iowa hospitals-and-health-systems~~ hospital association, the
34 Iowa association of rural health clinics, the ~~Iowa-osteopathic~~
35 ~~hospital-association~~, opticians' association of Iowa, inc.,

1 the Iowa association of hearing aid-society health
 2 professionals, the Iowa speech-language and hearing
 3 association, the Iowa health care association, the Iowa
 4 association for home care, the Iowa council of health care
 5 centers, the Iowa physician assistant society, the Iowa
 6 association of nurse practitioners, the Iowa occupational
 7 therapy association, and the Iowa association of homes and
 8 services for the aging, the arc of Iowa which was formerly
 9 known as the association for retarded citizens of Iowa, the
 10 alliance for the mentally ill of Iowa, Iowa state association
 11 of counties, and the Iowa governor's planning-council-for
 12 developmental disabilities council, together with one person
 13 designated by the Iowa state-board-of chiropractic examiners
 14 society; one state representative from each of the two major
 15 political parties appointed by the speaker of the house, one
 16 state senator from each of the two major political parties
 17 appointed by the president of the senate, after consultation
 18 with the majority leader and the minority leader of the
 19 senate, each for a term of two years; four public
 20 representatives, appointed by the governor for staggered terms
 21 of two years each, none of whom shall be members of, or
 22 practitioners of, or have a pecuniary interest in any of the
 23 professions or businesses represented by any of the several
 24 professional groups and associations specifically represented
 25 on the council under this subsection, and at least one of whom
 26 shall be a recipient of medical assistance; the director of
 27 public health, or a representative designated by the director;
 28 and the dean of the college-of-medicine, university of Iowa
 29 college of medicine, or a representative designated by the
 30 dean.

31 Sec. 18. Section 255.29, Code 2001, is amended to read as
 32 follows:

33 255.29 MEDICAL CARE FOR PAROLEES AND PERSONS ON WORK
 34 RELEASE.

35 The director of the Iowa department of corrections may send

1 former inmates of the institutions provided for in section
2 904.102, while on parole or work release, to the hospital of
3 the university of Iowa college of medicine of-the-state
4 ~~University-of-Iowa~~ for treatment and care as provided in this
5 chapter, without securing the order of the court required in
6 other cases. The director may pay the traveling expenses of
7 any patient thus committed, and when necessary the traveling
8 expenses of an attendant of the patient out of funds
9 appropriated for the use of the department.

10 Sec. 19. Section 263.4, Code 2001, is amended to read as
11 follows:

12 263.4 HOMEOPATHIC MATERIA MEDICA AND THERAPEUTICS.

13 The state board of regents ~~is-hereby-authorized-and~~
14 ~~directed-to~~ shall establish and maintain a department of
15 homeopathic materia medica and therapeutics in the university
16 of Iowa college of medicine of-the-state-university-of-Iowa,
17 with suitable and sufficient hours and rooms for ~~said~~ the
18 department. The use of the university homeopathic hospital
19 department shall be ~~left-to~~ at the discretion of the board.

20 Sec. 20. Section 263.17, subsection 2, paragraph a,
21 subparagraph (2), Code 2001, is amended to read as follows:

22 (2) The ~~state-university-of-Iowa~~ department of pediatrics
23 of the university of Iowa college of medicine.

24 Sec. 21. Section 691.5, Code 2001, is amended to read as
25 follows:

26 691.5 STATE MEDICAL EXAMINER.

27 The office and position of state medical examiner is
28 established for administrative purposes within the Iowa
29 department of public health. Other state agencies shall
30 cooperate with the state medical examiner in the use of state-
31 owned facilities when appropriate for the performance of
32 nonadministrative duties of the state medical examiner. The
33 state medical examiner shall be a physician and surgeon or
34 osteopathic physician and surgeon, be licensed to practice
35 medicine in the state of Iowa, and be board certified or

1 eligible to be board certified in anatomic and forensic
 2 pathology by the American board of pathology. The state
 3 medical examiner shall be appointed by and serve at the
 4 pleasure of the director of public health upon the advice of
 5 and in consultation with the director of public safety and the
 6 governor. The state medical examiner, in consultation with
 7 the director of public health, shall be responsible for
 8 developing and administering the medical examiner's budget and
 9 for employment of medical examiner staff and assistants. The
 10 state medical examiner may be a faculty member of the
 11 university of Iowa college of medicine or the college of law
 12 at the university of Iowa, and any of the examiner's
 13 assistants or staff may be members of the faculty or staff of
 14 the university of Iowa college of medicine or the college of
 15 law at the university of Iowa.

16 Sec. 22. Section 691.6A, Code 2001, is amended to read as
 17 follows:

18 691.6A DEPUTY STATE MEDICAL EXAMINER -- CREATION AND
 19 DUTIES.

20 The position of deputy state medical examiner is created
 21 within the office of the state medical examiner. The deputy
 22 state medical examiner shall report to and be responsible to
 23 the state medical examiner. The deputy state medical examiner
 24 shall meet the qualification criteria established in section
 25 691.5 for the state medical examiner and shall be subject to
 26 rules adopted by the state medical examiner as provided in
 27 section 691.6, subsection 3. The state medical examiner and
 28 the deputy state medical examiner shall function as a team,
 29 providing peer review as necessary, fulfilling each other's
 30 job responsibilities during times of absence, and working
 31 jointly to provide services and education to county medical
 32 examiners, law enforcement officials, hospital pathologists,
 33 and other individuals and entities. The deputy medical
 34 examiner may be, but is not required to be, a full-time
 35 salaried faculty member of the department of pathology of the

1 university of Iowa college of medicine ~~at-the-university-of~~
2 ~~Iowa~~. If the medical examiner is a full-time salaried faculty
3 member of the department of pathology of the university of
4 Iowa college of medicine ~~at-the-university-of-Iowa~~, the Iowa
5 department of public health and the state board of regents
6 shall enter into a chapter 28E agreement to define the
7 activities and functions of the deputy medical examiner, and
8 to allocate deputy medical examiner costs, consistent with the
9 requirements of this section.

10

EXPLANATION

11 This bill updates references to entities represented on the
12 medical assistance advisory council due to name changes or
13 termination of the existence of the entity. The bill also
14 makes conforming changes in the Code to reflect the name
15 changes.

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THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

DEPARTMENT OF HUMAN SERVICES
JESSIE K. RASMUSSEN, DIRECTOR

December 13, 2000

TO: Members of the General Assembly

FROM: Karla Fultz McHenry

The Iowa Department of Human Services (DHS) is proposing legislation relating to:

Making changes to the names of or terminating the organizations or associations represented on the Medical Assistance Advisory Council (MAAC). The membership on the MAAC Council has changed because some of the organization's names have changed, some organizations no longer exist, or some organizations have dual membership through an association and a network. The MAAC Council requested that these changes be made.

For additional information regarding this proposal, or other questions, please contact Karla McHenry, Legislative Liaison, at 281-4848 or e-mail at kmchenr@dhs.state.ia.us.

H. 2/28/01 Harmon Kao
H. 4/5/01 Amend/Bodder w/H. 1442

FILED FEB 6 '01

SENATE FILE **114**
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 1023)

Passed Senate, Date 2/27/01 (p.438) Passed House, Date 4-11-01 (p.1158)
Vote: Ayes 47 Nays 0 Vote: Ayes 97 Nays 0

Approved April 25, 2001
Passed 4-17-01
Vote 50-0

1154)

A BILL FOR

1 An Act relating to the composition of the medical assistance
2 advisory council.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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5

SENATE FILE 114

H-1442

- 1 Amend Senate File 114, as passed by the Senate, as
- 2 follows:
- 3 1. Page 5, line 27, by inserting after the word
- 4 "physicians," the following: "the Iowa chapter of the
- 5 American academy of pediatrics,".
- 6 2. Page 6, line 27, by inserting after the word
- 7 "director;" the following: "the dean of Des Moines
- 8 university--osteopathic medical center, or a
- 9 representative designated by the dean;".

By COMMITTEE ON HUMAN RESOURCES
BODDICKER of Cedar, Chairperson

H-1442 FILED APRIL 5, 2001

Adopted 4-10-01 (P.1125)

SF 114

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1 Section 1. Section 85A.20, Code 2001, is amended to read
2 as follows:

3 85A.20 INVESTIGATION.

4 The workers' compensation commissioner may designate the
5 industrial hygiene physician of the Iowa department of public
6 health and two physicians selected by the dean of the
7 university of Iowa college of medicine of-the-state-university
8 of-Iowa, from the staff of the college, who shall be qualified
9 to diagnose and report on occupational diseases. For the
10 purpose of investigating occupational diseases, the physicians
11 shall have the use, without charge, of all necessary
12 laboratory and other facilities of the university of Iowa
13 college of medicine and of the university hospital at the
14 state university of Iowa, and of the Iowa department of public
15 health in performing its duties.

16 Sec. 2. Section 135.83, Code 2001, is amended to read as
17 follows:

18 135.83 CONTRACTS FOR ASSISTANCE WITH ANALYSES, STUDIES,
19 AND DATA.

20 In furtherance of the department's responsibilities under
21 sections 135.76 and 135.78, the director may contract with the
22 association-of Iowa hospitals-and-health-systems hospital
23 association and third party payers, the Iowa health care
24 facilities association and third party payers, or the Iowa
25 association of homes for the aging and third party payers for
26 the establishment of pilot programs dealing with prospective
27 rate review in hospitals or health care facilities, or both.
28 Such contract shall be subject to the approval of the
29 executive council and shall provide for an equitable
30 representation of health care providers, third party payers,
31 and health care consumers in the determination of criterion
32 for rate review. No third party payer shall be excluded from
33 positive financial incentives based upon volume of gross
34 patient revenues. No state or federal funds appropriated or
35 available to the department shall be used for any such pilot

1 program.

2 Sec. 3. Section 142C.2, subsection 6, Code 2001, is
3 amended to read as follows:

4 6. "Enucleator" means an individual who is certified by
5 the department of ophthalmology of the university of Iowa
6 college of medicine ~~of-the-university-of-Iowa~~, or by the eye
7 bank association of America to remove or process eyes or parts
8 of eyes.

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10 2001, is amended to read as follows:

11 c. The ~~association-of Iowa hospitals-and-health-systems~~
12 hospital association.

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14 is amended to read as follows:

15 An EMS advisory council shall be appointed by the director.
16 Membership of the council shall be comprised of individuals
17 nominated from, but not limited to, the following state or
18 national organizations: Iowa osteopathic medical association,
19 Iowa medical society, American college of emergency
20 physicians, Iowa physician assistant society, Iowa academy of
21 family physicians, university of Iowa hospitals and clinics,
22 Iowa EMS association, Iowa firemen's association, Iowa
23 professional firefighters, EMS education programs committee,
24 EMS regional council, Iowa nurses association, ~~association-of~~
25 Iowa hospitals-and-health-systems hospital association, and
26 the Iowa state association of counties.

27 Sec. 6. Section 147A.24, subsection 1, paragraphs i and j,
28 Code 2001, are amended to read as follows:

29 i. ~~Association-of Iowa hospitals-and-health-systems~~
30 hospital association representing rural hospitals.

31 j. ~~Association-of Iowa hospitals-and-health-systems~~
32 hospital association representing urban hospitals.

33 Sec. 7. Section 148D.1, subsection 2, Code 2001, is
34 amended to read as follows:

35 2. "College of medicine" means the university of Iowa

1 college of medicine ~~at-the-state-University-of-Iowa.~~

2 Sec. 8. Section 206.23, subsection 1, paragraph b, Code
3 2001, is amended to read as follows:

4 b. The dean, university of Iowa college of medicine,
5 ~~University-of-Iowa,~~ or the dean's designee;

6 Sec. 9. Section 225.2, Code 2001, is amended to read as
7 follows:

8 225.2 NAME -- LOCATION.

9 It shall be known as the state psychiatric hospital, and
10 shall be located at Iowa City, and integrated with the
11 university of Iowa college of medicine and university hospital
12 of the state university of Iowa.

13 Sec. 10. Section 225.30, Code 2001, is amended to read as
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16 The medical faculty ~~of-the-hospital~~ of the university of
17 Iowa college of medicine ~~of-the-state-University-of-Iowa~~ shall
18 prepare blanks containing such questions and requiring such
19 information as may be necessary and proper to be obtained by
20 the physician who examines a person or respondent whose
21 referral to the state psychiatric hospital is contemplated. A
22 judge may request that a physician who examines a respondent
23 as required by section 229.10 complete such blanks in
24 duplicate in the course of the examination. A physician who
25 proposes to file an information under section 225.10 shall
26 obtain and complete such blanks in duplicate and file them
27 with the information. The blanks shall be printed by the
28 state and a supply thereof shall be sent to the clerk of each
29 district court of the state. The director of revenue and
30 finance shall audit, allow, and pay the cost of the blanks as
31 other bills for public printing are allowed and paid.

32 Sec. 11. Section 225.33, Code 2001, is amended to read as
33 follows:

34 225.33 DEATH OF PATIENT -- DISPOSAL OF BODY.

35 In the event that a committed public patient or a voluntary

1 public patient or a committed private patient should die while
2 at the state psychiatric hospital or at the ~~general~~ university
3 ~~hospital of-the-college-of-medicine-of-the-state-University-of~~
4 ~~Iowa~~, the state psychiatric hospital shall have the body
5 prepared for shipment in accordance with the rules prescribed
6 by the state board of health for shipping such bodies; and it
7 shall be the duty of the state board of regents to make
8 arrangements for the embalming and such other preparation as
9 may be necessary to comply with the rules and for the purchase
10 of suitable caskets.

11 Sec. 12. Section 225B.3, subsection 1, paragraphs b, c,
12 and d, Code 2001, are amended to read as follows:

13 b. Three providers of disability prevention services,
14 recommended by the ~~Iowa~~ governor's ~~planning-council-for~~
15 ~~developmental disabilities~~ council, appointed by the governor,
16 and confirmed by the senate.

17 c. Three persons with expertise in priority prevention
18 areas, recommended by the ~~Iowa~~ governor's ~~planning-council-for~~
19 ~~developmental disabilities~~ council, appointed by the governor,
20 and confirmed by the senate.

21 d. Three persons with disabilities or family members of a
22 person with disabilities, recommended by the ~~Iowa~~ governor's
23 ~~planning-council-for~~ ~~developmental disabilities~~ council,
24 appointed by the governor and confirmed by the senate.

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26 paragraph 1, Code 2001, is amended to read as follows:

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28 1991, request grants from the ~~Iowa~~ governor's ~~planning-council~~
29 ~~for~~ ~~developmental disabilities~~ council and from private
30 foundations to defray a minimum of seventy-five percent of the
31 costs of implementation of this chapter. The funds shall be
32 used to carry out the purposes of this chapter, including but
33 not limited to, any of the following purposes:

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10 b. A health professional training campaign, including
11 recommendations concerning the curriculum offered at the
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14 center, providing assistance in the identification of women at
15 risk of substance abuse during pregnancy and strategies to be
16 employed in assisting those women to maintain healthy
17 lifestyles during pregnancy. This education campaign shall
18 offer information to health professionals on assessment,
19 laboratory testing, and referrals.

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21 paragraph 1, Code 2001, is amended to read as follows:

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23 council composed of the presidents of the following
24 organizations, or a president's representative who is a member
25 of the organization represented by the president: the Iowa
26 medical society, the Iowa osteopathic medical association, the
27 Iowa academy of family physicians, the Iowa physical therapy
28 association, the Iowa state dental ~~society~~ association, the
29 Iowa state nurses association, the Iowa ~~pharmacists~~ pharmacy
30 association, the Iowa ~~podiatry~~ podiatric medical society, the
31 Iowa optometric association, the Iowa association of community
32 providers, the Iowa psychological association, the ~~association~~
33 ~~of Iowa hospitals-and-health-systems~~ hospital association, the
34 Iowa association of rural health clinics, the ~~Iowa-osteopathic~~
35 ~~hospital-association~~, opticians' association of Iowa, inc.,

1 the Iowa association of hearing aid-society health
2 professionals, the Iowa speech-language and hearing
3 association, the Iowa health care association, the Iowa
4 association for home care, the Iowa council of health care
5 centers, the Iowa physician assistant society, the Iowa
6 association of nurse practitioners, the Iowa occupational
7 therapy association, and the Iowa association of homes and
8 services for the aging, the arc of Iowa which was formerly
9 known as the association for retarded citizens of Iowa, the
10 alliance for the mentally ill of Iowa, Iowa state association
11 of counties, and the Iowa governor's planning-council-for
12 developmental disabilities council, together with one person
13 designated by the Iowa state-board-of chiropractic examiners
14 society; one state representative from each of the two major
15 political parties appointed by the speaker of the house, one
16 state senator from each of the two major political parties
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18 with the majority leader and the minority leader of the
19 senate, each for a term of two years; four public
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21 of two years each, none of whom shall be members of, or
22 practitioners of, or have a pecuniary interest in any of the
23 professions or businesses represented by any of the several
24 professional groups and associations specifically represented
25 on the council under this subsection, and at least one of whom
26 shall be a recipient of medical assistance; the director of
27 public health, or a representative designated by the director;
28 and the dean of the college-of-medicine, university of Iowa
29 college of medicine, or a representative designated by the
30 dean.

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32 follows:

33 255.29 MEDICAL CARE FOR PAROLEES AND PERSONS ON WORK
34 RELEASE.

35 The director of the Iowa department of corrections may send

1 former inmates of the institutions provided for in section
2 904.102, while on parole or work release, to the hospital of
3 the university of Iowa college of medicine ~~of-the-state~~
4 ~~University-of-Iowa~~ for treatment and care as provided in this
5 chapter, without securing the order of the court required in
6 other cases. The director may pay the traveling expenses of
7 any patient thus committed, and when necessary the traveling
8 expenses of an attendant of the patient out of funds
9 appropriated for the use of the department.

10 Sec. 19. Section 263.17, subsection 2, paragraph a,
11 subparagraph (2), Code 2001, is amended to read as follows:

12 (2) The ~~state-university-of-Iowa~~ department of pediatrics
13 of the university of Iowa college of medicine.

14 Sec. 20. Section 691.5, Code 2001, is amended to read as
15 follows:

16 691.5 STATE MEDICAL EXAMINER.

17 The office and position of state medical examiner is
18 established for administrative purposes within the Iowa
19 department of public health. Other state agencies shall
20 cooperate with the state medical examiner in the use of state-
21 owned facilities when appropriate for the performance of
22 nonadministrative duties of the state medical examiner. The
23 state medical examiner shall be a physician and surgeon or
24 osteopathic physician and surgeon, be licensed to practice
25 medicine in the state of Iowa, and be board certified or
26 eligible to be board certified in anatomic and forensic
27 pathology by the American board of pathology. The state
28 medical examiner shall be appointed by and serve at the
29 pleasure of the director of public health upon the advice of
30 and in consultation with the director of public safety and the
31 governor. The state medical examiner, in consultation with
32 the director of public health, shall be responsible for
33 developing and administering the medical examiner's budget and
34 for employment of medical examiner staff and assistants. The
35 state medical examiner may be a faculty member of the

1 university of Iowa college of medicine or the college of law
2 at the university of Iowa, and any of the examiner's
3 assistants or staff may be members of the faculty or staff of
4 the university of Iowa college of medicine or the college of
5 law at the university of Iowa.

6 Sec. 21. Section 691.6A, Code 2001, is amended to read as
7 follows:

8 691.6A DEPUTY STATE MEDICAL EXAMINER -- CREATION AND
9 DUTIES.

10 The position of deputy state medical examiner is created
11 within the office of the state medical examiner. The deputy
12 state medical examiner shall report to and be responsible to
13 the state medical examiner. The deputy state medical examiner
14 shall meet the qualification criteria established in section
15 691.5 for the state medical examiner and shall be subject to
16 rules adopted by the state medical examiner as provided in
17 section 691.6, subsection 3. The state medical examiner and
18 the deputy state medical examiner shall function as a team,
19 providing peer review as necessary, fulfilling each other's
20 job responsibilities during times of absence, and working
21 jointly to provide services and education to county medical
22 examiners, law enforcement officials, hospital pathologists,
23 and other individuals and entities. The deputy medical
24 examiner may be, but is not required to be, a full-time
25 salaried faculty member of the department of pathology of the
26 university of Iowa college of medicine ~~at-the-university-of~~
27 ~~Iowa~~. If the medical examiner is a full-time salaried faculty
28 member of the department of pathology of the university of
29 Iowa college of medicine ~~at-the-university-of-Iowa~~, the Iowa
30 department of public health and the state board of regents
31 shall enter into a chapter 28E agreement to define the
32 activities and functions of the deputy medical examiner, and
33 to allocate deputy medical examiner costs, consistent with the
34 requirements of this section.

35

EXPLANATION

1 This bill updates references to entities represented on the
2 medical assistance advisory council due to name changes or
3 termination of the existence of the entity. The bill also
4 makes conforming changes in the Code to reflect the name
5 changes.

SENATE FILE 114

H-1465

1 Amend Senate File 114, as passed by the Senate, as
2 follows:

3 1. Page 5, line 32, by inserting after the word
4 "association," the following: "the Iowa psychiatric
5 society, the Iowa chapter of the national association
6 of social workers,".

By FOEGE of Linn

H-1465 FILED APRIL 10, 2001

Adopted 4-11-01 (p.1158)

**HOUSE AMENDMENT TO
SENATE FILE 114**

S-3348

1 Amend Senate File 114, as passed by the Senate, as
2 follows:

3 1. Page 5, line 27, by inserting after the word
4 "physicians," the following: "the Iowa chapter of the
5 American academy of pediatrics,".

6 2. Page 5, line 32, by inserting after the word
7 "association," the following: "the Iowa psychiatric
8 society, the Iowa chapter of the national association
9 of social workers,".

10 3. Page 6, line 27, by inserting after the word
11 "director;" the following: "the dean of Des Moines
12 university--osteopathic medical center, or a
13 representative designated by the dean,".

14 4. By renumbering, relettering, or redesignating
15 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

Senate Concurred 4-17-01 (p.1154)

S-3348 FILED APRIL 12, 2001

SENATE FILE 114

AN ACT

RELATING TO THE COMPOSITION OF THE MEDICAL ASSISTANCE ADVISORY COUNCIL.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 85A.20, Code 2001, is amended to read as follows:

85A.20 INVESTIGATION.

The workers' compensation commissioner may designate the industrial hygiene physician of the Iowa department of public health and two physicians selected by the dean of the university of Iowa college of medicine of-the-state-university of-iowa, from the staff of the college, who shall be qualified to diagnose and report on occupational diseases. For the purpose of investigating occupational diseases, the physicians shall have the use, without charge, of all necessary laboratory and other facilities of the university of Iowa college of medicine and of the university hospital at the state university of Iowa, and of the Iowa department of public health in performing its duties.

Sec. 2. Section 135.83, Code 2001, is amended to read as follows:

135.83 CONTRACTS FOR ASSISTANCE WITH ANALYSES, STUDIES, AND DATA.

In furtherance of the department's responsibilities under sections 135.76 and 135.78, the director may contract with the association-of Iowa hospitals-and-health-systems hospital association and third party payers, the Iowa health care facilities association and third party payers, or the Iowa association of homes for the aging and third party payers for the establishment of pilot programs dealing with prospective rate review in hospitals or health care facilities, or both.

Such contract shall be subject to the approval of the executive council and shall provide for an equitable representation of health care providers, third party payers, and health care consumers in the determination of criterion for rate review. No third party payer shall be excluded from positive financial incentives based upon volume of gross patient revenues. No state or federal funds appropriated or available to the department shall be used for any such pilot program.

Sec. 3. Section 142C.2, subsection 6, Code 2001, is amended to read as follows:

6. "Enucleator" means an individual who is certified by the department of ophthalmology of the university of Iowa college of medicine of-the-university-of-iowa, or by the eye bank association of America to remove or process eyes or parts of eyes.

Sec. 4. Section 142C.16, subsection 1, paragraph c, Code 2001, is amended to read as follows:

c. The association-of Iowa hospitals-and-health-systems hospital association.

Sec. 5. Section 147A.2, unnumbered paragraph 1, Code 2001, is amended to read as follows:

An EMS advisory council shall be appointed by the director. Membership of the council shall be comprised of individuals nominated from, but not limited to, the following state or national organizations: Iowa osteopathic medical association, Iowa medical society, American college of emergency physicians, Iowa physician assistant society, Iowa academy of family physicians, university of Iowa hospitals and clinics, Iowa EMS association, Iowa firemen's association, Iowa professional firefighters, EMS education programs committee, EMS regional council, Iowa nurses association, association-of Iowa hospitals-and-health-systems hospital association, and the Iowa state association of counties.

Sec. 6. Section 147A.24, subsection 1, paragraphs i and j, Code 2001, are amended to read as follows:

i. ~~Association of Iowa hospitals and health systems hospital association~~ representing rural hospitals.

j. ~~Association of Iowa hospitals and health systems hospital association~~ representing urban hospitals.

Sec. 7. Section 148D.1, subsection 2, Code 2001, is amended to read as follows:

2. "College of medicine" means the university of Iowa college of medicine ~~at the state University of Iowa~~.

Sec. 8. Section 206.23, subsection 1, paragraph b, Code 2001, is amended to read as follows:

b. The dean, university of Iowa college of medicine, ~~University of Iowa~~, or the dean's designee;

Sec. 9. Section 225.2, Code 2001, is amended to read as follows:

225.2 NAME -- LOCATION.

It shall be known as the state psychiatric hospital, and shall be located at Iowa City, and integrated with the university of Iowa college of medicine and university hospital of the state university of Iowa.

Sec. 10. Section 225.30, Code 2001, is amended to read as follows:

225.30 BLANKS -- AUDIT.

The medical faculty ~~of the hospital~~ of the university of Iowa college of medicine ~~of the state University of Iowa~~ shall prepare blanks containing such questions and requiring such information as may be necessary and proper to be obtained by the physician who examines a person or respondent whose referral to the state psychiatric hospital is contemplated. A judge may request that a physician who examines a respondent as required by section 229.10 complete such blanks in duplicate in the course of the examination. A physician who proposes to file an information under section 225.10 shall obtain and complete such blanks in duplicate and file them with the information. The blanks shall be printed by the state and a supply thereof shall be sent to the clerk of each district court of the state. The director of revenue and

finance shall audit, allow, and pay the cost of the blanks as other bills for public printing are allowed and paid.

Sec. 11. Section 225.33, Code 2001, is amended to read as follows:

225.33 DEATH OF PATIENT -- DISPOSAL OF BODY.

In the event that a committed public patient or a voluntary public patient or a committed private patient should die while at the state psychiatric hospital or at the general university hospital ~~of the college of medicine of the state University of Iowa~~, the state psychiatric hospital shall have the body prepared for shipment in accordance with the rules prescribed by the state board of health for shipping such bodies; and it shall be the duty of the state board of regents to make arrangements for the embalming and such other preparation as may be necessary to comply with the rules and for the purchase of suitable caskets.

Sec. 12. Section 225B.3, subsection 1, paragraphs b, c, and d, Code 2001, are amended to read as follows:

b. Three providers of disability prevention services, recommended by the Iowa governor's planning council for developmental disabilities council, appointed by the governor, and confirmed by the senate.

c. Three persons with expertise in priority prevention areas, recommended by the Iowa governor's planning council for developmental disabilities council, appointed by the governor, and confirmed by the senate.

d. Three persons with disabilities or family members of a person with disabilities, recommended by the Iowa governor's planning council for developmental disabilities council, appointed by the governor and confirmed by the senate.

Sec. 13. Section 225B.7, subsection 2, unnumbered paragraph 1, Code 2001, is amended to read as follows:

The council shall, during the fiscal year beginning July 1, 1991, request grants from the Iowa governor's planning council for developmental disabilities council and from private foundations to defray a minimum of seventy-five percent of the

costs of implementation of this chapter. The funds shall be used to carry out the purposes of this chapter, including but not limited to, any of the following purposes:

Sec. 14. Section 225C.6, subsection 1, paragraph k, Code 2001, is amended to read as follows:

k. Coordinate activities with the ~~Iowa~~ governor's ~~planning council~~-for developmental disabilities council.

Sec. 15. Section 235C.2, subsection 8, Code 2001, is amended to read as follows:

8. A hospital administrator or the administrator's designee selected by the board of the ~~association of Iowa hospitals-and-health-systems~~ hospital association.

Sec. 16. Section 235C.3, subsection 2, paragraph b, Code 2001, is amended to read as follows:

b. A health professional training campaign, including recommendations concerning the curriculum offered at the university of Iowa college of medicine at-the-state-university of-Iowa and Des Moines university -- osteopathic medical center, providing assistance in the identification of women at risk of substance abuse during pregnancy and strategies to be employed in assisting those women to maintain healthy lifestyles during pregnancy. This education campaign shall offer information to health professionals on assessment, laboratory testing, and referrals.

Sec. 17. Section 249A.4, subsection 8, unnumbered paragraph 1, Code 2001, is amended to read as follows:

Shall advise and consult at least semiannually with a council composed of the presidents of the following organizations, or a president's representative who is a member of the organization represented by the president: the Iowa medical society, the Iowa osteopathic medical association, the Iowa academy of family physicians, the Iowa chapter of the American academy of pediatrics, the Iowa physical therapy association, the Iowa state dental society association, the Iowa state nurses association, the Iowa pharmacists pharmacy association, the Iowa podiatry podiatric medical society, the

Iowa optometric association, the Iowa association of community providers, the Iowa psychological association, the Iowa psychiatric society, the Iowa chapter of the national association of social workers, the ~~association of Iowa hospitals-and-health-systems~~ hospital association, the Iowa association of rural health clinics, the ~~Iowa-osteopathic hospital-association~~, opticians' association of Iowa, inc., the Iowa association of hearing aid-society health professionals, the Iowa speech-, language, and hearing association, the Iowa health care association, the Iowa association for home care, the Iowa council of health care centers, the Iowa physician assistant society, the Iowa association of nurse practitioners, the Iowa occupational therapy association, and the Iowa association of homes and services for the aging, the arc of Iowa which was formerly known as the association for retarded citizens of Iowa, the alliance for the mentally ill of Iowa, Iowa state association of counties, and the ~~Iowa~~ governor's ~~planning-council~~-for developmental disabilities council, together with one person designated by the Iowa ~~state-board of chiropractic examiners society~~; one state representative from each of the two major political parties appointed by the speaker of the house, one state senator from each of the two major political parties appointed by the president of the senate, after consultation with the majority leader and the minority leader of the senate, each for a term of two years; four public representatives, appointed by the governor for staggered terms of two years each, none of whom shall be members of, or practitioners of, or have a pecuniary interest in any of the professions or businesses represented by any of the several professional groups and associations specifically represented on the council under this subsection, and at least one of whom shall be a recipient of medical assistance; the director of public health, or a representative designated by the director; the dean of Des Moines university--osteopathic medical center, or a representative designated by the dean; and the dean of

the ~~college-of-medicine~~, university of Iowa college of medicine, or a representative designated by the dean.

Sec. 18. Section 255.29, Code 2001, is amended to read as follows:

255.29 MEDICAL CARE FOR PAROLEES AND PERSONS ON WORK RELEASE.

The director of the Iowa department of corrections may send former inmates of the institutions provided for in section 904.102, while on parole or work release, to the hospital of the university of Iowa college of medicine ~~of-the-state University-of-Iowa~~ for treatment and care as provided in this chapter, without securing the order of the court required in other cases. The director may pay the traveling expenses of any patient thus committed, and when necessary the traveling expenses of an attendant of the patient out of funds appropriated for the use of the department.

Sec. 19. Section 263.17, subsection 2, paragraph a, subparagraph (2), Code 2001, is amended to read as follows:

(2) The ~~state-university-of-Iowa~~ department of pediatrics of the university of Iowa college of medicine.

Sec. 20. Section 691.5, Code 2001, is amended to read as follows:

691.5 STATE MEDICAL EXAMINER.

The office and position of state medical examiner is established for administrative purposes within the Iowa department of public health. Other state agencies shall cooperate with the state medical examiner in the use of state-owned facilities when appropriate for the performance of nonadministrative duties of the state medical examiner. The state medical examiner shall be a physician and surgeon or osteopathic physician and surgeon, be licensed to practice medicine in the state of Iowa, and be board certified or eligible to be board certified in anatomic and forensic pathology by the American board of pathology. The state medical examiner shall be appointed by and serve at the pleasure of the director of public health upon the advice of

and in consultation with the director of public safety and the governor. The state medical examiner, in consultation with the director of public health, shall be responsible for developing and administering the medical examiner's budget and for employment of medical examiner staff and assistants. The state medical examiner may be a faculty member of the university of Iowa college of medicine or the college of law at the university of Iowa, and any of the examiner's assistants or staff may be members of the faculty or staff of the university of Iowa college of medicine or the college of law at the university of Iowa.

Sec. 21. Section 691.6A, Code 2001, is amended to read as follows:

691.6A DEPUTY STATE MEDICAL EXAMINER -- CREATION AND DUTIES.

The position of deputy state medical examiner is created within the office of the state medical examiner. The deputy state medical examiner shall report to and be responsible to the state medical examiner. The deputy state medical examiner shall meet the qualification criteria established in section 691.5 for the state medical examiner and shall be subject to rules adopted by the state medical examiner as provided in section 691.6, subsection 3. The state medical examiner and the deputy state medical examiner shall function as a team, providing peer review as necessary, fulfilling each other's job responsibilities during times of absence, and working jointly to provide services and education to county medical examiners, law enforcement officials, hospital pathologists, and other individuals and entities. The deputy medical examiner may be, but is not required to be, a full-time salaried faculty member of the department of pathology of the university of Iowa college of medicine ~~at-the-university-of Iowa~~. If the medical examiner is a full-time salaried faculty member of the department of pathology of the university of Iowa college of medicine ~~at-the-university-of-Iowa~~, the Iowa department of public health and the state board of regents

shall enter into a chapter 28E agreement to define the activities and functions of the deputy medical examiner, and to allocate deputy medical examiner costs, consistent with the requirements of this section.

MARY E. KRAMER
President of the Senate

BRENT SIEGRIST
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 114, Seventy-ninth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved April 25, 2001

THOMAS J. VILSACK
Governor