

FILED MAR 13 1977

SENATE FILE

442

BY TINSMAN

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
 Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to enforcement actions against assisted living  
2 programs.

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

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Sf 442 HUMAN RESOURCES

1 final decision of the department is public record.

2 EXPLANATION

3 This bill establishes enforcement provisions relating to  
4 certified or voluntarily accredited assisted living programs.

5 The bill authorizes the department of elder affairs to take  
6 enforcement actions against assisted living programs that do  
7 not comply with the Code chapter or with rules or standards  
8 adopted under the Code chapter and directs the department to  
9 adopt rules to establish these enforcement actions.

10 The bill also authorizes the department to adopt rules, as  
11 necessary, to enforce the Code chapter.

12 The bill directs the department to adopt rules to establish  
13 a procedure for the filing and investigation of complaints  
14 against an assisted living program. The bill provides that if  
15 the department determines on preliminary review of a complaint  
16 that the complaint is intended to harass a program or is  
17 without reasonable basis, or if the department determines  
18 following an investigation that the complaint is  
19 unsubstantiated, the determination is final agency action and  
20 is not subject to contested case proceedings, appeal, or  
21 judicial review under Code chapter 17A.

22 The bill prohibits a certified or voluntarily accredited  
23 assisted living program from discriminating or retaliating  
24 against a tenant, an employee of the program, or any other  
25 person who initiates or participates in any proceeding  
26 authorized under the Code chapter or the rules or standards  
27 adopted under the Code chapter.

28 The bill establishes confidentiality requirements relating  
29 to complaints against an assisted living program and relating  
30 to the monitoring, investigation, and survey of assisted  
31 living programs.

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