

FILED JAN 29 2002

SENATE FILE
BY BOLKCOM

2073

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

A BILL FOR

1 An Act relating to health care including the use of moneys
2 deposited in the senior living trust fund and the personal
3 needs allowance provided under the medical assistance program
4 for residents of health care facilities.

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

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SF 2073
HUMAN RESOURCES

1 Section 1. Section 249H.5, subsection 2, paragraph b, Code
2 2001, is amended to read as follows:

3 b. To the department of elder affairs, ~~an amount~~
4 necessary, a maximum of four million dollars, annually, for
5 expenses incurred in implementation and administration of the
6 long-term care alternatives programs and for delivery of long-
7 term care services to seniors with low or moderate incomes.

8 Sec. 2. Section 249H.5, subsection 2, paragraphs c, d, and
9 e, Code 2001, are amended by striking the paragraphs.

10 Sec. 3. Section 249H.5, subsection 3, Code 2001, is
11 amended to read as follows:

12 3. a. Any funds remaining after disbursement of moneys
13 under subsection 2 shall be invested with the interest earned
14 to be available in subsequent fiscal years for the purposes
15 provided in subsection 2, paragraph paragraphs "a" and "b",
16 ~~and-subsection-2, paragraph "c", subparagraphs (1) and (2)~~.

17 b. Moneys in the fund shall not be appropriated in an
18 amount in excess of the amount appropriated for the purposes
19 specified in subsection 2, paragraphs "a" and "b", or for
20 purposes other than those specified in subsection 2, until
21 such time as the amount deposited in the fund, following
22 disbursement of moneys under subsection 2, exceeds two hundred
23 million dollars. At such time as this amount exceeds two
24 hundred million dollars, moneys in the fund may be
25 appropriated in an amount that does not reduce the fund
26 balance below two hundred million dollars and only for the
27 purpose of providing additional funding for the purposes of
28 subsection 2, paragraph "b".

29 Sec. 4. MEDICAL ASSISTANCE -- PERSONAL NEEDS ALLOWANCE.
30 The department of human services shall adopt rules which
31 provide that the personal needs allowance under the medical
32 assistance program, which is retained by a resident of a
33 health care facility, is fifty dollars per month, unless a
34 greater amount is allowed under state or federal law.

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EXPLANATION

1 This bill provides for the use of moneys in the senior
2 living trust fund. The bill limits the purposes for which the
3 moneys in the fund may be appropriated to (1) the conversion
4 of existing nursing facility space and development of long-
5 term care alternatives and (2) for implementation and
6 administration of the long-term care alternatives programs and
7 for delivery of long-term care services to seniors with low or
8 moderate incomes. The bill also specifies that the amount
9 which may be appropriated for implementation and
10 administration of the long-term care alternatives programs and
11 for delivery of long-term care services to seniors with low or
12 moderate incomes is \$4 million, annually.

13 The bill also provides that moneys in the fund are not to
14 be appropriated in an amount in excess of the amounts
15 specified for the two purposes, or for purposes other than
16 those specified, until such time as the amount deposited in
17 the fund, following disbursement of moneys for the two
18 purposes and in the amounts specified, exceeds \$200 million.
19 At such time as the amount exceeds \$200 million, moneys in the
20 fund may be appropriated in an amount that does not reduce the
21 fund balance below \$200 million and only for the purpose of
22 providing additional funding for implementation and
23 administration of the long-term care alternatives programs and
24 for delivery of long-term care services to seniors with low or
25 moderate incomes.

26 The bill directs the department of human services to adopt
27 rules to provide that the personal needs allowance under the
28 medical assistance program, which is retained by a resident of
29 a health care facility, is \$50 per month, unless a greater
30 amount is allowed under state or federal law.

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