

FEB 22 2006
Place On Calendar

HOUSE FILE 2492
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HF 2021)

Passed House, Date 3-13-06 Passed Senate, Date 4-5-06
Vote: Ayes 96 Nays 0 Vote: Ayes 50 Nays 0
Approved April 20, 2006

A BILL FOR

1 An Act relating to the costs of services provided to persons with
2 mental retardation whose service costs are a state
3 responsibility.

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

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HF 2492

1 Section 1. Section 249A.12, Code Supplement 2005, is
2 amended by adding the following new subsection:

3 NEW SUBSECTION. 8. If a person with mental retardation
4 has no legal settlement or the legal settlement is unknown so
5 that the person is deemed to be a state case and the services
6 associated with the mental retardation can be covered under a
7 medical assistance program home and community-based services
8 waiver or other medical assistance program provision, the
9 department may transfer moneys to cover the nonfederal share
10 of the medical assistance program costs from an appropriation
11 made for state cases in a particular fiscal year to an
12 appropriation made for the medical assistance program in that
13 same fiscal year. The department shall act expeditiously to
14 obtain federal approval for additional waiver slots to cover
15 such state cases beginning at the earliest possible time in
16 the fiscal year, if such approval is necessary.

17 EXPLANATION

18 This bill relates to the costs of services provided to
19 persons with mental retardation whose service costs are a
20 state responsibility.

21 Code section 249A.12, relating to medical assistance
22 program benefits paid on behalf of persons with mental
23 retardation, is amended. The bill provides that if a person
24 with mental retardation has no legal settlement or the legal
25 settlement is unknown so that the person is deemed to be a
26 state case and the services associated with the mental
27 retardation can be covered under a medical assistance program
28 home and community-based services waiver or other medical
29 assistance program provision, the department of human services
30 may transfer moneys to cover the nonfederal share of the
31 medical assistance program costs from the appropriation made
32 for state cases to the appropriation made for the medical
33 assistance program.

34 The department is required to act expeditiously to obtain
35 federal approval for additional waiver slots to cover such

1 state cases beginning at the earliest possible time in the
2 fiscal year, if such approval is necessary.

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obtain federal approval for additional waiver slots to cover such state cases beginning at the earliest possible time in the fiscal year, if such approval is necessary.

HOUSE FILE 2492

AN ACT

RELATING TO THE COSTS OF SERVICES PROVIDED TO PERSONS WITH MENTAL RETARDATION WHOSE SERVICE COSTS ARE A STATE RESPONSIBILITY.

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

Section 1. Section 249A.12, Code Supplement 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 8. If a person with mental retardation has no legal settlement or the legal settlement is unknown so that the person is deemed to be a state case and the services associated with the mental retardation can be covered under a medical assistance program home and community-based services waiver or other medical assistance program provision, the department may transfer moneys to cover the nonfederal share of the medical assistance program costs from an appropriation made for state cases in a particular fiscal year to an appropriation made for the medical assistance program in that same fiscal year. The department shall act expeditiously to

CHRISTOPHER C. RANTS
Speaker of the House

JEFFREY M. LAMBERTI
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2492, Eighty-first General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved _____, 2006

THOMAS J. VILSACK
Governor