

FILED MAR 7 2005

SENATE FILE 272  
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 1042)

Passed Senate, Date 3-15-05 Passed House, Date 4-26-05

Vote: Ayes 49 Nays 0 Vote: Ayes 100 Nays 0

*Re-passed*  
*4-28-05 47-0* Approved 5/12/05

**A BILL FOR**

1 An Act relating to the council with which the director of human  
2 services consults regarding the medical assistance program.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 272

1 Section 1. Section 249A.4, subsection 8, unnumbered  
2 paragraphs 1 and 3, Code 2005, are amended to read as follows:  
3 Shall advise and consult at least semiannually with a  
4 council composed of the presidents or directors of the  
5 following organizations or agencies, or a president's  
6 representative who is a member of the organization represented  
7 by the president, or a director's representative: the Iowa  
8 medical society, the Iowa osteopathic medical association, the  
9 Iowa academy of family physicians, the Iowa chapter of the  
10 American academy of pediatrics, the Iowa physical therapy  
11 association, the Iowa dental association, the Iowa nurses  
12 association, the Iowa pharmacy association, the Iowa podiatric  
13 medical society, the Iowa optometric association, the Iowa  
14 association of community providers, the Iowa psychological  
15 association, the Iowa psychiatric society, the Iowa chapter of  
16 the national association of social workers, the coalition for  
17 family and children's services in Iowa, the Iowa hospital  
18 association, the Iowa association of rural health clinics, the  
19 opticians' association of Iowa, inc., the Iowa association of  
20 hearing health professionals, the Iowa speech and hearing  
21 association, the Iowa health care association, the Iowa  
22 association of area agencies on aging, AARP, the Iowa  
23 caregivers association, the Iowa coalition of home and  
24 community based services for seniors, the Iowa adult day  
25 services association, the Iowa association for home care, the  
26 Iowa council of health care centers, the Iowa physician  
27 assistant society, the Iowa association of nurse  
28 practitioners, the Iowa nurse practitioner society, the Iowa  
29 occupational therapy association, the Iowa association of  
30 homes and services for the aging, the ARC of Iowa which was  
31 formerly known as the association for retarded citizens of  
32 Iowa, the alliance for the mentally ill of Iowa, Iowa state  
33 association of counties, and the governor's developmental  
34 disabilities council, together with one person designated by  
35 the Iowa chiropractic society; one state representative from

1 each of the two major political parties appointed by the  
2 speaker of the house, one state senator from each of the two  
3 major political parties appointed by the president of the  
4 senate, after consultation with the majority leader and the  
5 minority leader of the senate, each for a term of two years;  
6 four public representatives, appointed by the governor for  
7 staggered terms of two years each, none of whom shall be  
8 members of, or practitioners of, or have a pecuniary interest  
9 in any of the professions or businesses represented by any of  
10 the several professional groups and associations specifically  
11 represented on the council under this subsection, and at least  
12 one of whom shall be a recipient of medical assistance; the  
13 director of public health, or a representative designated by  
14 the director; the director of the department of elder affairs,  
15 or a representative designated by the director; the dean of  
16 Des Moines university -- osteopathic medical center, or a  
17 representative designated by the dean; and the dean of the  
18 university of Iowa college of medicine, or a representative  
19 designated by the dean.

20 The director shall consider the advice and consultation  
21 offered by the council in the director's preparation of  
22 medical assistance budget recommendations to the council on  
23 human services pursuant to section 217.3.

24 EXPLANATION

25 This bill adds to the membership of the council with which  
26 the director of the department of human services is required  
27 to consult regarding the medical assistance program (known as  
28 the medical assistance advisory council, or MAAC) the  
29 president, director, or the representative of the president or  
30 director of the department of elder affairs, the Iowa  
31 association of area agencies on aging, AARP, the Iowa  
32 caregivers association, the Iowa coalition of home and  
33 community based services for seniors, the Iowa adult day  
34 services association, the coalition for family and children's  
35 services in Iowa, and the Iowa nurse practitioner society.

1 The bill also directs the director of the department of human  
2 services to consider the advice and consultation offered by  
3 the MAAC in the director's preparation of medical assistance  
4 budget recommendations to the council on human services.

5

**SENATE FILE 272**

**H-1389**

1 Amend Senate File 272, as passed by the Senate, as  
2 follows:

3 1. Page 1, line 18, by inserting after the word  
4 "clinics," the following: "the Iowa/Nebraska primary  
5 care association,".

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**By** TOMENGA of Polk

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**H-1389** FILED APRIL 18, 2005

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SENATE FILE 272

H-1471

1 Amend Senate File 272, as passed by the Senate, as  
2 follows:

3 1. By striking everything after the enacting  
4 clause and inserting the following:

5 "Section 1. Section 217.3, subsection 4, Code  
6 2005, is amended to read as follows:

7 4. Approve the budget of the department of human  
8 services prior to submission to the governor. Prior  
9 to approval of the budget, the council shall publicize  
10 and hold a public hearing to provide explanations and  
11 hear questions, opinions, and suggestions regarding  
12 the budget. Invitations to the hearing shall be  
13 extended to the governor, the governor-elect, the  
14 director of the department of management, and other  
15 persons deemed by the council as integral to the  
16 budget process. The budget materials submitted to the  
17 governor shall include a review of options for  
18 revising the medical assistance program made available  
19 by federal action or by actions implemented by other  
20 states as identified by the department, the medical  
21 assistance advisory council and the executive  
22 committee of the medical assistance advisory council  
23 created in section 249A.4, subsection 8 249A.4B, and  
24 by county representatives. The review shall address  
25 what potential revisions could be made in this state  
26 and how the changes would be beneficial to Iowans.

27 Sec. 2. Section 249A.4, subsection 8, Code 2005,  
28 is amended by striking the subsection.

29 Sec. 3. NEW SECTION. 249A.4B MEDICAL ASSISTANCE  
30 ADVISORY COUNCIL.

31 1. A medical assistance advisory council is  
32 created to comply with 42 C.F.R. § 431.12 based on  
33 section 1902(a)(4) of the federal Social Security Act  
34 and to advise the director about health and medical  
35 care services under the medical assistance program.  
36 The council shall meet no more than quarterly. The  
37 director of public health shall serve as chairperson  
38 of the council.

39 2. The council shall include all of the following  
40 members:

41 a. The president, or the president's  
42 representative, of each of the following professional  
43 or business entities, or a member of each of the  
44 following professional or business entities, selected  
45 by the entity:

46 (1) The Iowa medical society.

47 (2) The Iowa osteopathic medical association.

48 (3) The Iowa academy of family physicians.

49 (4) The Iowa chapter of the American academy of  
50 pediatrics.

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- 1 (5) The Iowa physical therapy association.
- 2 (6) The Iowa dental association.
- 3 (7) The Iowa nurses association.
- 4 (8) The Iowa pharmacy association.
- 5 (9) The Iowa podiatric medical society.
- 6 (10) The Iowa optometric association.
- 7 (11) The Iowa association of community providers.
- 8 (12) The Iowa psychological association.
- 9 (13) The Iowa psychiatric society.
- 10 (14) The Iowa chapter of the national association
- 11 of social workers.
- 12 (15) The coalition for family and children's
- 13 services in Iowa.
- 14 (16) The Iowa hospital association.
- 15 (17) The Iowa association of rural health clinics.
- 16 (18) The Iowa/Nebraska primary care association.
- 17 (19) Free clinics of Iowa.
- 18 (20) The opticians' association of Iowa, inc.
- 19 (21) The Iowa association of hearing health
- 20 professionals.
- 21 (22) The Iowa speech and hearing association.
- 22 (23) The Iowa health care association.
- 23 (24) The Iowa association of area agencies on
- 24 aging.
- 25 (25) AARP.
- 26 (26) The Iowa caregivers association.
- 27 (27) The Iowa coalition of home and community-
- 28 based services for seniors.
- 29 (28) The Iowa adult day services association.
- 30 (29) The Iowa association of homes and services
- 31 for the aging.
- 32 (30) The Iowa association for home care.
- 33 (31) The Iowa council of health care centers.
- 34 (32) The Iowa physician assistant society.
- 35 (33) The Iowa association of nurse practitioners.
- 36 (34) The Iowa nurse practitioner society.
- 37 (35) The Iowa occupational therapy association.
- 38 (36) The ARC of Iowa, formerly known as the
- 39 association for retarded citizens of Iowa.
- 40 (37) The alliance for the mentally ill of Iowa.
- 41 (38) The Iowa state association of counties.
- 42 (39) The governor's developmental disabilities
- 43 council.
- 44 (40) The Iowa chiropractic society.
- 45 b. Public representatives which may include
- 46 members of consumer groups, including recipients of
- 47 medical assistance or their families, consumer
- 48 organizations, and others, equal in number to the
- 49 number of representatives of the professional and
- 50 business entities specifically represented under

1 paragraph "a", appointed by the governor for staggered  
2 terms of two years each, none of whom shall be members  
3 of, or practitioners of, or have a pecuniary interest  
4 in any of the professional or business entities  
5 specifically represented under paragraph "a", and a  
6 majority of whom shall be current or former recipients  
7 of medical assistance or members of the families of  
8 current or former recipients.

9 c. The director of public health, or the  
10 director's designee.

11 d. The director of the department of elder  
12 affairs, or the director's designee.

13 e. The dean of Des Moines university --  
14 osteopathic medical center, or the dean's designee.

15 f. The dean of the university of Iowa college of  
16 medicine, or the dean's designee.

17 g. The following members of the general assembly,  
18 each for a term of two years:

19 (1) One member of the house of representatives  
20 from each of the two major political parties,  
21 appointed by the speaker of the house.

22 (2) One member of the senate from each of the two  
23 major political parties, appointed by the president of  
24 the senate, after consultation with the majority  
25 leader and the minority leader of the senate.

26 3. a. An executive committee of the council is  
27 created and shall consist of the following members of  
28 the council:

29 (1) Five of the professional or business entity  
30 members designated pursuant to subsection 2, paragraph  
31 "a", and selected by the members specified under that  
32 paragraph.

33 (2) Five of the public members appointed pursuant  
34 to subsection 2, paragraph "b", and selected by the  
35 members specified under that paragraph.

36 (3) The director of public health, or the  
37 director's designee.

38 b. The executive committee shall meet on a monthly  
39 basis. The director of public health shall serve as  
40 chairperson of the executive committee.

41 c. Based upon the deliberations of the council and  
42 the executive committee, the executive committee shall  
43 make recommendations to the director regarding the  
44 budget, policy, and administration of the medical  
45 assistance program.

46 4. For each council meeting, other than those held  
47 during the time the general assembly is in session,  
48 each legislative member of the council shall be  
49 reimbursed for actual travel and other necessary  
50 expenses and shall receive a per diem as specified in

1 section 7E.6 for each day in attendance, as shall the  
2 members of the council or the executive committee who  
3 are recipients or the family members of recipients of  
4 medical assistance, regardless of whether the general  
5 assembly is in session.

6 5. The department shall provide staff support and  
7 independent technical assistance to the council and  
8 the executive committee.

9 6. The director shall consider the recommendations  
10 offered by the council and the executive committee in  
11 the director's preparation of medical assistance  
12 budget recommendations to the council on human  
13 services pursuant to section 217.3 and in  
14 implementation of medical assistance program policies.

15 Sec. 4. Section 249A.34, subsection 1, paragraph  
16 h, Code 2005, is amended to read as follows:

17 h. A representative of the medical assistance  
18 advisory council executive committee established  
19 pursuant to section 249A.4, subsection 8 249A.4B."

20 2. By renumbering as necessary.

By CARROLL of Poweshiek

SENATE FILE 272

H-1504

1 Amend Senate File 272, as passed by the Senate, as  
2 follows:

3 1. By striking everything after the enacting  
4 clause and inserting the following:

5 "Section 1. Section 217.3, subsection 4, Code  
6 2005, is amended to read as follows:

7 4. Approve the budget of the department of human  
8 services prior to submission to the governor. Prior  
9 to approval of the budget, the council shall publicize  
10 and hold a public hearing to provide explanations and  
11 hear questions, opinions, and suggestions regarding  
12 the budget. Invitations to the hearing shall be  
13 extended to the governor, the governor-elect, the  
14 director of the department of management, and other  
15 persons deemed by the council as integral to the  
16 budget process. The budget materials submitted to the  
17 governor shall include a review of options for  
18 revising the medical assistance program made available  
19 by federal action or by actions implemented by other  
20 states as identified by the department, the medical  
21 assistance advisory council and the executive  
22 committee of the medical assistance advisory council  
23 created in section 249A.4, ~~subsection 8~~ 249A.4B, and  
24 by county representatives. The review shall address  
25 what potential revisions could be made in this state  
26 and how the changes would be beneficial to Iowans.

27 Sec. 2. Section 249A.4, subsection 8, Code 2005,  
28 is amended by striking the subsection.

29 Sec. 3. NEW SECTION. 249A.4B MEDICAL ASSISTANCE  
30 ADVISORY COUNCIL.

31 1. A medical assistance advisory council is  
32 created to comply with 42 C.F.R. § 431.12 based on  
33 section 1902(a)(4) of the federal Social Security Act  
34 and to advise the director about health and medical  
35 care services under the medical assistance program.  
36 The council shall meet no more than quarterly. The  
37 director of public health shall serve as chairperson  
38 of the council.

39 2. The council shall include all of the following  
40 members:

41 a. The president, or the president's  
42 representative, of each of the following professional  
43 or business entities, or a member of each of the  
44 following professional or business entities, selected  
45 by the entity:

- 46 (1) The Iowa medical society.
- 47 (2) The Iowa osteopathic medical association.
- 48 (3) The Iowa academy of family physicians.
- 49 (4) The Iowa chapter of the American academy of  
50 pediatrics.

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- 1 (5) The Iowa physical therapy association.
- 2 (6) The Iowa dental association.
- 3 (7) The Iowa nurses association.
- 4 (8) The Iowa pharmacy association.
- 5 (9) The Iowa podiatric medical society.
- 6 (10) The Iowa optometric association.
- 7 (11) The Iowa association of community providers.
- 8 (12) The Iowa psychological association.
- 9 (13) The Iowa psychiatric society.
- 10 (14) The Iowa chapter of the national association
- 11 of social workers.
- 12 (15) The coalition for family and children's
- 13 services in Iowa.
- 14 (16) The Iowa hospital association.
- 15 (17) The Iowa association of rural health clinics.
- 16 (18) The Iowa/Nebraska primary care association.
- 17 (19) Free clinics of Iowa.
- 18 (20) The opticians' association of Iowa, inc.
- 19 (21) The Iowa association of hearing health
- 20 professionals.
- 21 (22) The Iowa speech and hearing association.
- 22 (23) The Iowa health care association.
- 23 (24) The Iowa association of area agencies on
- 24 aging.
- 25 (25) AARP.
- 26 (26) The Iowa caregivers association.
- 27 (27) The Iowa coalition of home and community-
- 28 based services for seniors.
- 29 (28) The Iowa adult day services association.
- 30 (29) The Iowa association of homes and services
- 31 for the aging.
- 32 (30) The Iowa association for home care.
- 33 (31) The Iowa council of health care centers.
- 34 (32) The Iowa physician assistant society.
- 35 (33) The Iowa association of nurse practitioners.
- 36 (34) The Iowa nurse practitioner society.
- 37 (35) The Iowa occupational therapy association.
- 38 (36) The ARC of Iowa, formerly known as the
- 39 association for retarded citizens of Iowa.
- 40 (37) The alliance for the mentally ill of Iowa.
- 41 (38) The Iowa state association of counties.
- 42 (39) The governor's developmental disabilities
- 43 council.
- 44 (40) The Iowa chiropractic society.
- 45 b. Public representatives which may include
- 46 members of consumer groups, including recipients of
- 47 medical assistance or their families, consumer
- 48 organizations, and others, equal in number to the
- 49 number of representatives of the professional and
- 50 business entities specifically represented under

1 paragraph "a", appointed by the governor for staggered  
2 terms of two years each, none of whom shall be members  
3 of, or practitioners of, or have a pecuniary interest  
4 in any of the professional or business entities  
5 specifically represented under paragraph "a", and a  
6 majority of whom shall be current or former recipients  
7 of medical assistance or members of the families of  
8 current or former recipients.

9 c. The director of public health, or the  
10 director's designee.

11 d. The director of the department of elder  
12 affairs, or the director's designee.

13 e. The dean of Des Moines university --  
14 osteopathic medical center, or the dean's designee.

15 f. The dean of the university of Iowa college of  
16 medicine, or the dean's designee.

17 g. The following members of the general assembly,  
18 each for a term of two years:

19 (1) One member of the house of representatives  
20 from each of the two major political parties,  
21 appointed by the speaker of the house.

22 (2) One member of the senate from each of the two  
23 major political parties, appointed by the president of  
24 the senate, after consultation with the majority  
25 leader and the minority leader of the senate.

26 3. a. An executive committee of the council is  
27 created and shall consist of the following members of  
28 the council:

29 (1) Five of the professional or business entity  
30 members designated pursuant to subsection 2, paragraph  
31 "a", and selected by the members specified under that  
32 paragraph.

33 (2) Five of the public members appointed pursuant  
34 to subsection 2, paragraph "b", and selected by the  
35 members specified under that paragraph. Of the five  
36 public members, at least one member shall be a  
37 recipient of medical assistance.

38 (3) The director of public health, or the  
39 director's designee.

40 b. The executive committee shall meet on a monthly  
41 basis. The director of public health shall serve as  
42 chairperson of the executive committee.

43 c. Based upon the deliberations of the council and  
44 the executive committee, the executive committee shall  
45 make recommendations to the director regarding the  
46 budget, policy, and administration of the medical  
47 assistance program.

48 4. For each council meeting, other than those held  
49 during the time the general assembly is in session,  
50 each legislative member of the council shall be

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Page 4

1 reimbursed for actual travel and other necessary  
2 expenses and shall receive a per diem as specified in  
3 section 7E.6 for each day in attendance, as shall the  
4 members of the council or the executive committee who  
5 are recipients or the family members of recipients of  
6 medical assistance, regardless of whether the general  
7 assembly is in session.

8 5. The department shall provide staff support and  
9 independent technical assistance to the council and  
10 the executive committee.

11 6. The director shall consider the recommendations  
12 offered by the council and the executive committee in  
13 the director's preparation of medical assistance  
14 budget recommendations to the council on human  
15 services pursuant to section 217.3 and in  
16 implementation of medical assistance program policies.

17 Sec. 4. Section 249A.34, subsection 1, paragraph  
18 h, Code 2005, is amended to read as follows:

19 h. A representative of the medical assistance  
20 advisory council executive committee established  
21 pursuant to section ~~249A.4, subsection 8~~ 249A.4B."

22 2. By renumbering as necessary.

**By** TOMENGA of Polk  
HEDDENS of Story  
CARROLL of Poweshiek

**H-1504** FILED APRIL 26, 2005

ADOPTED

**SENATE FILE 272**

**H-1518**

1 Amend the amendment, H-1504, to Senate File 272, as  
2 passed by the Senate, as follows:

3 1. Page 3, by striking lines 19 through 21 and  
4 inserting the following:

5 "(1) Two members of the house of representatives,  
6 one appointed by the speaker of the house and one  
7 appointed by the minority leader of the house of  
8 representatives from their respective parties."

**By** MURPHY of Dubuque

**H-1518** FILED APRIL 26, 2005

ADOPTED

SENATE FILE 272

**H-1490**

1 Amend the amendment, H-1471, to Senate File 272, as  
2 passed by the Senate, as follows:

3 1. Page 3, by striking lines 19 through 21 and  
4 inserting the following:

5 "(1) Two members of the house of representatives,  
6 one appointed by the speaker of the house and one  
7 appointed by the minority leader of the house of  
8 representatives from their respective parties."

By MURPHY of Dubuque

**H-1490** FILED APRIL 26, 2005

OUT OF ORDER

**HOUSE AMENDMENT TO  
SENATE FILE 272**

**S-3183**

1 Amend Senate File 272, as passed by the Senate, as  
2 follows:

3 1. By striking everything after the enacting  
4 clause and inserting the following:

5 "Section 1. Section 217.3, subsection 4, Code  
6 2005, is amended to read as follows:

7 4. Approve the budget of the department of human  
8 services prior to submission to the governor. Prior  
9 to approval of the budget, the council shall publicize  
10 and hold a public hearing to provide explanations and  
11 hear questions, opinions, and suggestions regarding  
12 the budget. Invitations to the hearing shall be  
13 extended to the governor, the governor-elect, the  
14 director of the department of management, and other  
15 persons deemed by the council as integral to the  
16 budget process. The budget materials submitted to the  
17 governor shall include a review of options for  
18 revising the medical assistance program made available  
19 by federal action or by actions implemented by other  
20 states as identified by the department, the medical  
21 assistance advisory council and the executive  
22 committee of the medical assistance advisory council  
23 created in section 249A.4, subsection 8 249A.4B, and  
24 by county representatives. The review shall address  
25 what potential revisions could be made in this state  
26 and how the changes would be beneficial to Iowans.

27 Sec. 2. Section 249A.4, subsection 8, Code 2005,  
28 is amended by striking the subsection.

29 Sec. 3. NEW SECTION. 249A.4B MEDICAL ASSISTANCE  
30 ADVISORY COUNCIL.

31 1. A medical assistance advisory council is  
32 created to comply with 42 C.F.R. § 431.12 based on  
33 section 1902(a)(4) of the federal Social Security Act  
34 and to advise the director about health and medical  
35 care services under the medical assistance program.  
36 The council shall meet no more than quarterly. The  
37 director of public health shall serve as chairperson  
38 of the council.

39 2. The council shall include all of the following  
40 members:

41 a. The president, or the president's  
42 representative, of each of the following professional  
43 or business entities, or a member of each of the  
44 following professional or business entities, selected  
45 by the entity:

46 (1) The Iowa medical society.

47 (2) The Iowa osteopathic medical association.

48 (3) The Iowa academy of family physicians.

49 (4) The Iowa chapter of the American academy of  
50 pediatrics.

**S-3183**

- 1 (5) The Iowa physical therapy association.
- 2 (6) The Iowa dental association.
- 3 (7) The Iowa nurses association.
- 4 (8) The Iowa pharmacy association.
- 5 (9) The Iowa podiatric medical society.
- 6 (10) The Iowa optometric association.
- 7 (11) The Iowa association of community providers.
- 8 (12) The Iowa psychological association.
- 9 (13) The Iowa psychiatric society.
- 10 (14) The Iowa chapter of the national association
- 11 of social workers.
- 12 (15) The coalition for family and children's
- 13 services in Iowa.
- 14 (16) The Iowa hospital association.
- 15 (17) The Iowa association of rural health clinics.
- 16 (18) The Iowa/Nebraska primary care association.
- 17 (19) Free clinics of Iowa.
- 18 (20) The opticians' association of Iowa, inc.
- 19 (21) The Iowa association of hearing health
- 20 professionals.
- 21 (22) The Iowa speech and hearing association.
- 22 (23) The Iowa health care association.
- 23 (24) The Iowa association of area agencies on
- 24 aging.
- 25 (25) AARP.
- 26 (26) The Iowa caregivers association.
- 27 (27) The Iowa coalition of home and community-
- 28 based services for seniors.
- 29 (28) The Iowa adult day services association.
- 30 (29) The Iowa association of homes and services
- 31 for the aging.
- 32 (30) The Iowa association for home care.
- 33 (31) The Iowa council of health care centers.
- 34 (32) The Iowa physician assistant society.
- 35 (33) The Iowa association of nurse practitioners.
- 36 (34) The Iowa nurse practitioner society.
- 37 (35) The Iowa occupational therapy association.
- 38 (36) The ARC of Iowa, formerly known as the
- 39 association for retarded citizens of Iowa.
- 40 (37) The alliance for the mentally ill of Iowa.
- 41 (38) The Iowa state association of counties.
- 42 (39) The governor's developmental disabilities
- 43 council.
- 44 (40) The Iowa chiropractic society.
- 45 b. Public representatives which may include
- 46 members of consumer groups, including recipients of
- 47 medical assistance or their families, consumer
- 48 organizations, and others, equal in number to the
- 49 number of representatives of the professional and
- 50 business entities specifically represented under

1 paragraph "a", appointed by the governor for staggered  
2 terms of two years each, none of whom shall be members  
3 of, or practitioners of, or have a pecuniary interest  
4 in any of the professional or business entities  
5 specifically represented under paragraph "a", and a  
6 majority of whom shall be current or former recipients  
7 of medical assistance or members of the families of  
8 current or former recipients.

9 c. The director of public health, or the  
10 director's designee.

11 d. The director of the department of elder  
12 affairs, or the director's designee.

13 e. The dean of Des Moines university --  
14 osteopathic medical center, or the dean's designee.

15 f. The dean of the university of Iowa college of  
16 medicine, or the dean's designee.

17 g. The following members of the general assembly,  
18 each for a term of two years:

19 (1) Two members of the house of representatives,  
20 one appointed by the speaker of the house and one  
21 appointed by the minority leader of the house of  
22 representatives from their respective parties.

23 (2) One member of the senate from each of the two  
24 major political parties, appointed by the president of  
25 the senate, after consultation with the majority  
26 leader and the minority leader of the senate.

27 3. a. An executive committee of the council is  
28 created and shall consist of the following members of  
29 the council:

30 (1) Five of the professional or business entity  
31 members designated pursuant to subsection 2, paragraph  
32 "a", and selected by the members specified under that  
33 paragraph.

34 (2) Five of the public members appointed pursuant  
35 to subsection 2, paragraph "b", and selected by the  
36 members specified under that paragraph. Of the five  
37 public members, at least one member shall be a  
38 recipient of medical assistance.

39 (3) The director of public health, or the  
40 director's designee.

41 b. The executive committee shall meet on a monthly  
42 basis. The director of public health shall serve as  
43 chairperson of the executive committee.

44 c. Based upon the deliberations of the council and  
45 the executive committee, the executive committee shall  
46 make recommendations to the director regarding the  
47 budget, policy, and administration of the medical  
48 assistance program.

49 4. For each council meeting, other than those held  
50 during the time the general assembly is in session,

1 each legislative member of the council shall be  
2 reimbursed for actual travel and other necessary  
3 expenses and shall receive a per diem as specified in  
4 section 7E.6 for each day in attendance, as shall the  
5 members of the council or the executive committee who  
6 are recipients or the family members of recipients of  
7 medical assistance, regardless of whether the general  
8 assembly is in session.

9 5. The department shall provide staff support and  
10 independent technical assistance to the council and  
11 the executive committee.

12 6. The director shall consider the recommendations  
13 offered by the council and the executive committee in  
14 the director's preparation of medical assistance  
15 budget recommendations to the council on human  
16 services pursuant to section 217.3 and in  
17 implementation of medical assistance program policies.

18 Sec. 4. Section 249A.34, subsection 1, paragraph  
19 h, Code 2005, is amended to read as follows:

20 h. A representative of the medical assistance  
21 advisory council executive committee established  
22 pursuant to section 249A.4, subsection 8 249A.4B."

23 2. By renumbering as necessary.

RECEIVED FROM THE HOUSE

Bolkeom Co-chair  
Boettger Co-chair  
Quirnbach  
Graskill

SSB# 1042

Human Resources  
Succeeded By

SENATE FILE (SF) HF 272  
BY (PROPOSED COMMITTEE ON  
HUMAN RESOURCES BILL  
BY CO-CHAIRPERSON RAGAN)

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

**A BILL FOR**

1 An Act relating to the membership of the council with which the  
2 director of human services consults regarding the medical  
3 assistance program.

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

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1 Section 1. Section 249A.4, subsection 8, unnumbered  
2 paragraph 1, Code 2005, is amended to read as follows:  
3 Shall advise and consult at least semiannually with a  
4 council composed of the presidents or directors of the  
5 following organizations or agencies, or a president's  
6 representative who is a member of the organization represented  
7 by the president, or a director's representative: the Iowa  
8 medical society, the Iowa osteopathic medical association, the  
9 Iowa academy of family physicians, the Iowa chapter of the  
10 American academy of pediatrics, the Iowa physical therapy  
11 association, the Iowa dental association, the Iowa nurses  
12 association, the Iowa pharmacy association, the Iowa podiatric  
13 medical society, the Iowa optometric association, the Iowa  
14 association of community providers, the Iowa psychological  
15 association, the Iowa psychiatric society, the Iowa chapter of  
16 the national association of social workers, the Iowa hospital  
17 association, the Iowa association of rural health clinics, the  
18 opticians' association of Iowa, inc., the Iowa association of  
19 hearing health professionals, the Iowa speech and hearing  
20 association, the Iowa health care association, the Iowa  
21 association of area agencies on aging, AARP, the Iowa  
22 caregivers association, the Iowa coalition of home and  
23 community based services for seniors, the Iowa adult day  
24 services association, the Iowa association for home care, the  
25 Iowa council of health care centers, the Iowa physician  
26 assistant society, the Iowa association of nurse  
27 practitioners, the Iowa occupational therapy association, the  
28 Iowa association of homes and services for the aging, the ARC  
29 of Iowa which was formerly known as the association for  
30 retarded citizens of Iowa, the alliance for the mentally ill  
31 of Iowa, Iowa state association of counties, and the  
32 governor's developmental disabilities council, together with  
33 one person designated by the Iowa chiropractic society; one  
34 state representative from each of the two major political  
35 parties appointed by the speaker of the house, one state

1 senator from each of the two major political parties appointed  
2 by the president of the senate, after consultation with the  
3 majority leader and the minority leader of the senate, each  
4 for a term of two years; four public representatives,  
5 appointed by the governor for staggered terms of two years  
6 each, none of whom shall be members of, or practitioners of,  
7 or have a pecuniary interest in any of the professions or  
8 businesses represented by any of the several professional  
9 groups and associations specifically represented on the  
10 council under this subsection, and at least one of whom shall  
11 be a recipient of medical assistance; the director of public  
12 health, or a representative designated by the director; the  
13 director of the department of elder affairs, or a  
14 representative designated by the director; the dean of Des  
15 Moines university -- osteopathic medical center, or a  
16 representative designated by the dean; and the dean of the  
17 university of Iowa college of medicine, or a representative  
18 designated by the dean.

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## EXPLANATION

20 This bill adds to the membership of the council with which  
21 the director of the department of human services is required  
22 to consult regarding the medical assistance program (known as  
23 the medical assistance advisory council, or MAAC) the  
24 president, director, or the representative of the president or  
25 director of the department of elder affairs, the Iowa  
26 association of area agencies on aging, AARP, the Iowa  
27 caregivers association, the Iowa coalition of home and  
28 community based services for seniors, and the Iowa adult day  
29 services association.

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SENATE FILE 272

AN ACT

RELATING TO THE COUNCIL WITH WHICH THE DIRECTOR OF HUMAN SERVICES CONSULTS REGARDING THE MEDICAL ASSISTANCE PROGRAM.

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

Section 1. Section 217.3, subsection 4, Code 2005, is amended to read as follows:

4. Approve the budget of the department of human services prior to submission to the governor. Prior to approval of the budget, the council shall publicize and hold a public hearing to provide explanations and hear questions, opinions, and suggestions regarding the budget. Invitations to the hearing shall be extended to the governor, the governor-elect, the director of the department of management, and other persons deemed by the council as integral to the budget process. The budget materials submitted to the governor shall include a

review of options for revising the medical assistance program made available by federal action or by actions implemented by other states as identified by the department, the medical assistance advisory council and the executive committee of the medical assistance advisory council created in section 249A.4, subsection-8 249A.4B, and by county representatives. The review shall address what potential revisions could be made in this state and how the changes would be beneficial to Iowans.

Sec. 2. Section 249A.4, subsection 8, Code 2005, is amended by striking the subsection.

Sec. 3. NEW SECTION. 249A.4B MEDICAL ASSISTANCE ADVISORY COUNCIL.

1. A medical assistance advisory council is created to comply with 42 C.F.R. § 431.12 based on section 1902(a)(4) of the federal Social Security Act and to advise the director about health and medical care services under the medical assistance program. The council shall meet no more than quarterly. The director of public health shall serve as chairperson of the council.

2. The council shall include all of the following members:

a. The president, or the president's representative, of each of the following professional or business entities, or a member of each of the following professional or business entities, selected by the entity:

- (1) The Iowa medical society.
- (2) The Iowa osteopathic medical association.
- (3) The Iowa academy of family physicians.
- (4) The Iowa chapter of the American academy of pediatrics.
- (5) The Iowa physical therapy association.
- (6) The Iowa dental association.
- (7) The Iowa nurses association.
- (8) The Iowa pharmacy association.
- (9) The Iowa podiatric medical society.

- (10) The Iowa optometric association.
- (11) The Iowa association of community providers.
- (12) The Iowa psychological association.
- (13) The Iowa psychiatric society.
- (14) The Iowa chapter of the national association of social workers.
- (15) The coalition for family and children's services in Iowa.
- (16) The Iowa hospital association.
- (17) The Iowa association of rural health clinics.
- (18) The Iowa/Nebraska primary care association.
- (19) Free clinics of Iowa.
- (20) The opticians' association of Iowa, inc.
- (21) The Iowa association of hearing health professionals.
- (22) The Iowa speech and hearing association.
- (23) The Iowa health care association.
- (24) The Iowa association of area agencies on aging.
- (25) AARP.
- (26) The Iowa caregivers association.
- (27) The Iowa coalition of home and community-based services for seniors.
- (28) The Iowa adult day services association.
- (29) The Iowa association of homes and services for the aging.
- (30) The Iowa association for home care.
- (31) The Iowa council of health care centers.
- (32) The Iowa physician assistant society.
- (33) The Iowa association of nurse practitioners.
- (34) The Iowa nurse practitioner society.
- (35) The Iowa occupational therapy association.
- (36) The ARC of Iowa, formerly known as the association for retarded citizens of Iowa.
- (37) The alliance for the mentally ill of Iowa.
- (38) The Iowa state association of counties.

- (39) The governor's developmental disabilities council.
- (40) The Iowa chiropractic society.
- b. Public representatives which may include members of consumer groups, including recipients of medical assistance or their families, consumer organizations, and others, equal in number to the number of representatives of the professional and business entities specifically represented under paragraph "a", 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 professional or business entities specifically represented under paragraph "a", and a majority of whom shall be current or former recipients of medical assistance or members of the families of current or former recipients.
- c. The director of public health, or the director's designee.
- d. The director of the department of elder affairs, or the director's designee.
- e. The dean of Des Moines university -- osteopathic medical center, or the dean's designee.
- f. The dean of the university of Iowa college of medicine, or the dean's designee.
- g. The following members of the general assembly, each for a term of two years:
  - (1) Two members of the house of representatives, one appointed by the speaker of the house and one appointed by the minority leader of the house of representatives from their respective parties.
  - (2) One member of the senate 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.
- 3. a. An executive committee of the council is created and shall consist of the following members of the council:

(1) Five of the professional or business entity members designated pursuant to subsection 2, paragraph "a", and selected by the members specified under that paragraph.

(2) Five of the public members appointed pursuant to subsection 2, paragraph "b", and selected by the members specified under that paragraph. Of the five public members, at least one member shall be a recipient of medical assistance.

(3) The director of public health, or the director's designee.

b. The executive committee shall meet on a monthly basis. The director of public health shall serve as chairperson of the executive committee.

c. Based upon the deliberations of the council and the executive committee, the executive committee shall make recommendations to the director regarding the budget, policy, and administration of the medical assistance program.

4. For each council meeting, other than those held during the time the general assembly is in session, each legislative member of the council shall be reimbursed for actual travel and other necessary expenses and shall receive a per diem as specified in section 7E.6 for each day in attendance, as shall the members of the council or the executive committee who are recipients or the family members of recipients of medical assistance, regardless of whether the general assembly is in session.

5. The department shall provide staff support and independent technical assistance to the council and the executive committee.

6. The director shall consider the recommendations offered by the council and the executive committee in the director's preparation of medical assistance budget recommendations to the council on human services pursuant to section 217.3 and in implementation of medical assistance program policies.

Sec. 4. Section 249A.34, subsection 1, paragraph h, Code 2005, is amended to read as follows:

h. A representative of the medical assistance advisory council executive committee established pursuant to section ~~249A.47-subsection-8~~ 249A.4B.

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JOHN P. KIBBIE  
President of the Senate

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CHRISTOPHER C. RANTS  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 272, Eighty-first General Assembly.

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MICHAEL E. MARSHALL  
Secretary of the Senate

Approved 5/12, 2005

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THOMAS J. VILSACK  
Governor