

Iowa HHS Omnibus Bill – HF757, SF582, 1459XD

Division I – Administrative Services Organization

- Excludes employees and officers of administrative service organizations from the definition of “employees” for purposes of IPERS.
- Excludes an officer or employee of an ASO from the individuals who may be appointed by a county board of supervisors to act as an advocate representing the interests of patients who are involuntarily hospitalized.

Division II – Child Foster Care

- Differentiates between an individual/agency licensed to provide foster care and a relative/fictive kin approved by Iowa HHS to provide foster care.
- Currently, the assignment of child support to HHS for a child receiving foster care services does not apply when a child is placed with a relative or fictive kin, unless the relative or fictive kin is licensed. The bill adds that child support would be assigned to the state when an individual is approved by the department to provide child foster care.
- Makes conforming changes.

Division III – Child and Dependent Adult Abuse

Child Abuse Prevention Program – Community-based Entities

- Currently, applicants for Iowa’s Child Abuse Prevention Program must be a community-based volunteer coalition or council. The bill removes community-based ‘volunteer coalition or council’ and replaces it with community-based “entity.”

Confidentiality of Child Abuse Information

- Specifies that child abuse information is considered confidential, and that confidentiality of this information is to be maintained except as specifically provided.

Exploitation of a Dependent Adult – Definition

- Redefines exploitation of a dependent adult for purposes of Code chapter 235B (Dependent Adult Abuse Services) to mean the same as defined in the federal Adult Protective Services Act.

Dependent Adult Abuse Reports – Access to Certain Financial Records

- Currently, a court may authorize access to a dependent adult’s financial records if there is probable cause that the dependent adult has been financially exploited. The bill adds language that the department must reasonably believe

the financial records are related to the financial resources of the dependent adult.

Confidentiality of Dependent Adult Abuse Information

- Specifies that dependent adult abuse information is considered confidential, and that confidentiality of this information is to be maintained except as specifically provided.

Authorized Access

- Certain personnel can access dependent adult abuse information. The bill adds and allows authorized access of dependent adult information to instrumentalities of the state.

Data Sharing within HHS

- Directs the Director of HHS under Code chapter 249A (Medical Assistance) to require providers of medical assistance to share all necessary information with the department to identify, prevent, or respond to child or dependent adult abuse.

Division IV – Confidentiality of HHS Internal Audits

- Information received by HHS during an internal audit or examination, including any allegations of misconduct or noncompliance, and all audit or examination workpapers, are confidential records but may be disclosed as necessary to complete the internal audit or examination, and to the extent the department's auditor is required by law to report or provide access to the information or to testify in court.

Division V – Region Incentive Fund

- Authorizes HHS to use region incentive funds to support the establishment of Behavioral Health Administrative Services Organizations (ASO) to ensure continuity of care.

Division VI – Health Maintenance Organization – Applicable Percentage for Premium Tax

- Under current law, an MCO must pay taxes in the amount of 2.5% to the Department of Revenue to deposit in the Medicaid MCO premiums fund. The bill changes the amount to “applicable percent” of the premiums received and taxable pursuant to Iowa Code section 432.1(2) (Insurance Companies Tax).