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Joel Wulf, DEA
Legislative Liaison
joel.wulf@iowa.gov

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Department of Elder
Affairs online at
[www.state.ia.us/elder
affairs](http://www.state.ia.us/elderaffairs)

Iowa's 81st General Assembly: 2006 Session Final Wrap Up

The Department of Elder Affairs monitored, supported or opposed 200 different bills during the 2006 legislative session. To that end, 23 of the bills were actually signed by the Governor. Most become law as of July 1, 2006.

House File 2734: Health and Human Services Appropriations

Much of the Department's focus in 2006 was on the Case Management Program for Frail Elders (CMPFE) and the need to provide reimbursement for the service of case management under the Title XIX HCBS Elderly Wavier. We agreed to disagree with the legislature on the actual cost of the program and the level of funding per person per month. However, it should be noted that the new dollars added to this program (matched nearly 2 to 1 by federal dollars) are a significant step forward for frail and vulnerable seniors wishing to remain in their own homes and communities. No doubt, there will be bumps in the road and unanticipated consequences are possible as the CMPFE program is redesigned. Legislators will be back in January of 2007 and if necessary, we will ask them to give consideration to resolving specific issues at that time. All in all, adding case management as a reimbursable

service under the Elderly Waiver is of enormous benefit to older Iowans.

A number of key legislators, caucus staff and folks from legislative service agency helped in this public policy change. Contact them and let them know you appreciate their efforts and support of older adults.

Our thanks to:



Legislators

Representative Ro Foege
Representative Dave Heaton
Representative Robb Hogg
Representative Mark Smith
Representative Linda Upmeyer
Senator Joe Bolkom
Senator Jeff Danielson
Senator Jack Hatch
Senator Amanda Ragan
Senator James Seymour
Senator Maggie Tinsman

Caucus Staff

Brad Trow
Ed Conlow
Peter Matthes
Dick Oshlo

Legislative Service Agency

Lisa Burk
Sue Lerdal
Patty Funaro

Bills of Major Significance to Older Iowans 2006

[HF 2002 Senior Living Trust Fund](#)

This act increases the standing amount required to be appropriated, reverted or transferred to the Senior Living Trust Fund from the estimated General Fund surplus before funds are transferred to the Cash Reserve Fund from \$118 to \$300 million. In FY 07, the Cash Reserve Fund and Senior Living Trust Fund will each receive half of the FY 2006 surplus of approximately \$42.2 million after \$159.9 million of the ending balance is deposited into the Property Tax Credit Fund. An estimated \$21.1 million will be deposited into the Senior Living Trust Fund.

[HF 2319 Personal Needs Allowance](#)

Increases the Medicaid personal needs allowance for facility based Elders from \$30.00 monthly to \$50.00 monthly.

[HF 2780 MH/MR/DD/BI Services](#)

This bill creates a number of changes related to MI/MR/DD/BI services. The bill establishes a new Division of Mental Health & Developmental Disabilities within the Department of Human Services; Begins the transfer of state cases to the counties and begins to remove barriers to eliminate issues related to a persons "county of legal settlement"; Establishes a review committee to make recommendations regarding the states funding of MI/MR/DD/BI services. The recommendations are due to the General Assembly by January 1, 2007.

[SF 2408 Senior Tax Cut](#)

This tax cut will be phased in over 8 years. The plan will phase out remaining taxes on social security income and will increase the state exemption on all income for Iowa taxpayers age 65 and over to \$15,000 for singles and \$20,000 for couples in FY 2007 and 2008. Beginning in FTY 2009, this exemption moves to \$18,000 for singles and \$24,000 for couples

Other successfully passed Legislation Impacting Older Iowans in 2006

- [HF 590](#) Senior Crossbow Hunting
- [HF 2147](#) Temporary Conservators
- [HF 2171](#) Elder Fishers
- [HF 2347](#) Health Care Transformation Act
- [HF 2363](#) Veterans at Health Care Facilities
- [HF 2464](#) Nursing Student Background Checks
- [HF 2492](#) MR Case Payment
- [HF 2506](#) Identity Theft Passports
- [HF 2540](#) Food Policy Council
- [HF 2588](#) Health Facility Employee Check
- [HF 2562](#) No Contact Orders
- [HF 2706](#) Private Donor Records
- [HF 2716](#) Malpractice
- [HF 2742](#) Probate Trust Codes
- [HF 2772](#) Brain Injury Services
- [HF 2797](#) MH/MR/DD/BI Allowed Growth Funding
- [SF 2124](#) Nutrition and Grant Exercise
- [SF 2327](#) Arrest Warrant Information
- [SF 2410](#) Government Accountability

In the Interim

The department will be distributing information during the interim related to the CMPFE program and other issues. You may access these on our web-site at

www.state.ia.us/elderaffairs. If you are on our mailing list, these will automatically be sent to you. If you would like to be added to our mailing list, please contact Erin Haafke at erin.haafke@iowa.gov.

Farewell to Josh

Josh Mandelbaum, a Senior Policy Advisor in the office of Governor Vilsack and Lt. Governor Pederson will be leaving at the end of July to enter law school. Josh has worked closely with the department for a number of years and we wish him our best and much success in the future.

The Latest information on CMPFE

Significant activity has taken place at both the state and local level to move towards inclusion of case management as a Medicaid elderly waiver-covered service. CMS approved the elderly waiver application in early June which removed the final hurdle preventing rule development at the state level and implementation of possible changes at the local agency level. The Department of Elder Affairs rules governing the Case Management Program for Frail Elders becomes effective July 1, thereby establishing the regulatory foundation for

statewide programmatic standards. The Department of Human Services will be promulgating rules encompassing all waiver programs including the elderly waiver. During the month of July, DEA staff and DHS staff will be providing training to case management providers to assist agencies to enroll as Medicaid providers and deliver case management services consistent with CMPFE and Medicaid rules.

Implementing the Substitute Decision Makers Act

The Department of Elder Affairs, through a grant from the Administration on Aging, is working to build a foundation from which an Office of Substitute Decision Maker program and office can grow. The Office of Substitute Decision Maker, which is authorized under Iowa Code §231E, will be available for the vulnerable, at-risk, incapacitated adults in Iowa who have no willing, able, appropriate or available decision maker. The program is being developed based on the philosophy of maximizing each individual person's potential for autonomy and independence by providing only the degree of personal or financial assistance truly needed.

To establish this statewide system, a uniform and strong foundation must first be created from which to build. To implement this system, the objectives of the grant are: 1) Create a structure which allows for a quality program of decision making; 2) Train

Iowa Department of Elder Affairs

Jessie Parker Building
510 East 12th St, Ste 2
Des Moines, IA 50319

PHONE:

515-725-3333
800-532-3213

FAX:

515-725-3300

staff and decision makers on their duties and responsibilities; 3) Evaluate the impact of the project and ensure that recipients of the services are being helped; and 4) Utilize the existing resources and develop linkages within communities. Currently, the department and members of the Substitute Decision Making Task Force are working to ensure that the objectives are met.

The Administration on Aging grant expires on February 27, 2007. At that time, the processes, forms, training materials and evaluation components will be complete so that the Office of Substitute Decision Maker can become a reality once state funding is appropriated.



Issues Likely to Appear (or reappear) in 2007

There are issues that will likely be subjects for consideration as Iowa's 82nd General Assembly convenes. We don't make any promises and all things are subject to change:

- ✿ Case Management Program for Frail Elders
- ✿ Substitute Decision Makers Act
- ✿ The need for additional Long-Term Care Ombudsman
- ✿ Older Worker issues

Upcoming Events and other Opportunities!

Mark Your Calendars...

Elder Rights Conference

October 9 and 10, 2006

www.state.ia.us/elderaffairs/living/conferences.html#ERC

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The Legislative Update is distributed electronically during the legislative session by the Iowa Department of Elder Affairs for informational purposes only. Recipients of this update are encouraged to share it with others.

The current issue can also be found on the department's webpage, www.state.ia.us/elderaffairs/, under the "What's New at DEA" heading. Past issues are archived in the "Publications/Information" section.

If you are interested in receiving or discontinuing the legislative updates, contact Erin Haafke by email at erin.haafke@iowa.gov.

Our Mission:

To provide advocacy, educational, and prevention services to older Iowans so they can find Iowa a healthy, safe, productive, and enjoyable place to live and work.