



State Capitol Report

Issue 3 | February 17, 2017

News From the People's Capitol

This legislative session continues to be one for the history books. Thousands of Iowa workers, union members, and teachers crowded into the Capitol to oppose changes to public employee collective bargaining laws, with lines wrapping around the Capitol for public hearings and debates.



There were more committee hearings on the "defunding Planned Parenthood" bill, flooding the Capitol with pink-clad opponents. Yesterday more than 25,000 Iowans gathered at the steps of the State Capitol for the "Day Without Immigrants Boycott" to oppose anti-immigrant legislation and show support for immigrant communities.

Crowds appear to be the new normal at Iowa's State Capitol. State troopers and cameras are stationed throughout the Capitol common areas and in committee rooms to make sure the crowds remain respectful. The Capitol has never been more chaotic, crowded, or loud. But crowds aren't the only thing different about this session.

The Iowa House and Senate spent three days locked in debate over sweeping changes to Iowa's four-decade old collective bargaining law. The Iowa Senate debated in a marathon 30-hour all-night session before new Senate leaders broke with tradition and set a time to end debate, something legislators say has never been done. The "time certain" deadline ends debate immediately and legislators must then vote (without discussion) on the remaining amendments and the bill. This is a precedent-setting break in Senate decorum and protocol - a Senate courtesy that probably isn't coming back now that its been broken.

This, combined with other changes that have been made to long-held rules, angered Senate Democrats, who then decided to request the rare "Call of the Senate." This move locks the doors of the Senate Chambers, and Senators are not allowed to leave until voting is completed. State troopers are sent out to get any missing Senators (there was only one Senator missing - Sen. Dan Dawson was excused but was required to come back to the Capitol for the final vote). Calls of the Senate are rare, and even rarer this early in the legislative session. The most famous in recent memory was in the 1980s when an early Sunday morning Call of the Senate had State Troopers pulling legislators out of church services to expedite voting. We've not come to that...yet.

So far the Iowa Legislature has:

- Passed a bill cutting \$117 million out of the current state budget.
- Passed 1.1% school funding increase for next year.
- Passed public employee collective bargaining changes.
- Started the process to "defund planned parenthood" and ban "sanctuary cities."

That is both a lot - and not much - at the same time. It is not common to start with the controversial issues, but that is the plan for this year, and we are not entirely sure there will be much time left for anything else. Still in the queue for the coming weeks: Voter ID, medical malpractice reform, changes to Iowa's certificate of need process, local government minimum wage pre-emption, and gun "liberalization" legislation. Add that to medical marijuana expansion (new poll shows 80% of Iowans support), firework legalization, and fantasy sport gambling.

It may seem early in session, but Friday, February 17 marks the end of the sixth week of the now 14-week legislative session. We are nearing the halfway point, and there is only two weeks to go until the first funnel deadline on March 3 (when all bills need to be voted out of their originating committee).

Several legislators have indicated this session is about passing "pent up priorities" - and most other bills will die. Next session will be about passing the rest. It's message over substance, as one minority legislator said privately. We do believe that other issues will likely fall to the wayside as the more controversial issues take up valuable legislative time and attention. One thing is certain: the next two weeks will be interesting. After the first funnel,

legislators will begin to turn their attention to budgets, with the setting of budget targets usually coming out in mid-March.

LEGISLATIVE HIGHLIGHTS

It's hard to come up with much to report in a two-week period like this, since collective bargaining took up the collective energy of legislators during this period. With the approach of the legislative funnel - you might want to take note on a couple of these proposals:

- Two bills have been introduced to allow counties to set their levies for **regional mental health and disability services**, up to the allowed \$47.28 per capita expenditure limit. Right now counties cannot collect more money from property taxes than they did in 1995; this would allow the handful of counties that need to raise taxes to do so, and counties that are currently subsidizing them to lower their rates. More than 75% of the counties are expected to lower rates or keep them at the same level; only three counties (Scott, Johnson, Polk) have said they will definitely need to raise rates. [HF 342](#) is sponsored by several Democrats; [HF 343](#) is sponsored by Republican Rep. Bobby Kaufman, who serves on the House tax committee (Ways & Means).
- [Sf 75](#) passed out of a Senate subcommittee this week - as amended it will clarify in Iowa law that **mental health professionals may disclose mental health information to law enforcement and correctional officers** when consistent with their ethical codes of conduct. Immunity (Tarasoff) language was added to the bill, and is narrow enough that the legal community is okay with it. Originally the bill included disclosure to county attorneys and parole/probation officers, but they are likely to be amended out. The bill should be coming out of Senate Human Resources Committee next week.
- A subcommittee on [HF 259](#) was cancelled and rescheduled twice, and will hopefully meet next week. This bill (sponsored by Rep. Heaton) gives women who give birth to a drug-affected child to choose to enter substance use treatment, and instead of the state declaring the child to be a "child in need of assistance," they would designate them as a **"family in need of assistance."** Rep. Heaton hopes that keeps families together while the parent(s) seek treatment for addiction.
- Likewise, legislators are attempting to reschedule subcommittee meetings for [HSB 99](#), the Iowa Medical Society's bill to automatically register all prescribers with the **Prescription Monitoring Program (PMP)** when they renew or become licensed. This doesn't require prescribers to check the PMP before prescribing a controlled substance, like an Opioid, but IMS says it will help improve awareness. It also does not require pharmacies notify the PMP quicker when filling a prescription (right now it takes about 10 days). The bill also allows a pharmacist to fill a partial prescription for an opioid, if requested by the patient, and requires insurance to pay for **Medication-Assisted Treatment**.
- **Step Therapy** is moving up the legislative ladder (sorry, couldn't help that). [HF 233](#), which allows insurance agencies to use this form of prior authorization or "fail first" policy but gives doctors a process to use to override it when necessary. It passed unanimously out of House Commerce Committee. There is a Senate companion ([SSB 1072](#)) and a broad *Fail First Coalition* has been formed to support these changes. [You can see their fact sheet here.](#)

- Legislators are also working on the **availability of psychiatric beds** this year. There is a yet-to-be-introduced bill to end the Certificate of Need process for hospitals, mainly prompted by the Davenport situation where an existing hospital trumped an out-of-state hospital's plans to build much-needed inpatient psychiatric beds in the community. There is also the perennial psychiatric bed tracking system adjustments to make sure it is current and all facilities with beds use it ([HF 257](#)). In addition, there is a new bill that would address physician shortages to see and report on involuntary and voluntary commitments. [HF 319](#) would allow mental health professionals to diagnose, prescribe, treat, and file reports for commitments (currently only physicians are able to do this). All must be within their scope of practice; Iowa Hospital Association and NAMI support. Iowa Medical Society has not yet weighed in, but in the past they have opposed.
- A new twist on gun rights - [SF 254](#) **prohibits a health professional (including psychologists) from asking about a patient's gun ownership**. There are no exceptions. This is sponsored by Sen. Jake Chapman of Adel, who also sponsored [SF 255](#), which requires health professionals to notify clients when any request for personal information about them (unrelated to treatment) is made.

The **IPA Bill Tracker** tracks all bills of interest to psychologists and the people and communities you serve. It is updated daily with new bills/actions, and you can download IPA-flagged bills for your own board meetings and newsletters. You can check on bills at any time, and know they are up-to-date [Click here for the full list](#).

GOOD TURNOUT FOR IPA LEGISLATIVE BREAKFAST

Thanks to all IPA members and post-doc residents that spent their Valentine's Day morning this year at the Capitol for our annual legislative breakfast! We had 32 legislators stop in this year. Unlike a lot of such breakfasts, nearly all of them stayed and had great conversations about our issues, about the challenges psychologists face, and solutions that can help lowans have better access to mental health services.

Thanks for helping make this another successful event!

[Click here for a copy of our 2017 IPA Legislative Bookmark.](#)

PUBLIC FORUMS

You can also find a list of legislative forums planned throughout the state [here](#). Note that these forums are as packed this year as the Capitol, so get there early to get a seat or introduce yourself personally to your legislators.

Your Advocacy Toolbox

IPA Bill Tracker

Upcoming Local Legislator Forums

- [Find & Contact Your Legislator](#)
- [Legislative Committee Listings](#)
- [Track Legislation \(instantly updated\)](#)
- [Listen or Watch to Debate \(live\)](#)
- [House & Senate Calendars \(Weekly & Daily\)](#)
- [2017 Legislative Session Calendar](#)

STAY CONNECTED:

