



Paul Ascheman <paulascheman@gmail.com>

## IPA Lobbyist Report #5 (Corrected)

2 messages

**Amy Campbell & Craig Patterson** <amy@ialobby.com>

Sat, Mar 18, 2017 at 5:07 PM

Reply-To: amy@ialobby.com

To: paulascheman@gmail.com

Having trouble viewing this email? [Click here](#)



## State Capitol Report

Issue 5 | March 18, 2017

### LEGISLATURE BEGINS FINAL MONTH OF SESSION

The Legislature has officially been in session for two months, with one month left to go. Monday lawmakers begin their 11th week of work, and will try to keep up the aggressive pace they have set in order to wrap things up by the end of the 15th week (around April 18).

Legislators will continue to narrow their focus over these final four weeks, with the March 31 funnel deadline ending work on many bills. Bills that fail to make it through

one chamber and out of committee in the other chamber by this deadline will no longer be eligible for debate. So House bills need to be voted out of Senate committees, and Senate bills out of House committees. The only exceptions are bills that involve spending, taxes, or government oversight.

After March 31, expect most of the attention to turn to budgets. This year we expect joint budget targets to be announced soon, with a plan of action already in the works to get budgets done quickly.

**Speaking of budgets...it's going to be a much tougher year than expected.** As you know, Iowa legislators are required by law to balance the state's budget each year, and only spend 99% of its revenues. The remaining 1% goes into an "economic emergency fund" to help the state get through tough years. *This year, we need the economic emergency fund!*

The most recent budget estimates came out this week, and they show the state needs to cut another \$105.9 million from current year (FY17) budget. This is on top of the \$88.2 million that was already cut in the Deappropriation Bill ([SF 130](#)) passed earlier in session. That bill also held back \$25.2 million in refundable business tax credits; if that had not been done, the cuts needed to balance this year's budget would have been closer to \$131 million.

Legislators have decided that there is no way to cut further in the final months of the budget year, so they will dip into the economic emergency fund and borrow \$105.9 million to cover the shortfall. The key word is "borrow;" legislators say they will pay the emergency fund back with next year's budget money. Here's a quick rundown of what the budget looks like for next year (FY18):

- \$258.5 million total *new money* to spend.
  - \$105.9 million will pay back to the Economic Emergency Fund.
  - \$40 million already spent on 1.1% school funding increase.
  - \$42 million is needed for Medicaid.
- That leaves \$70.6 million left for the rest of the budget (including salary increases, increased costs of operations, and any other built-in increases).

These numbers come from the non-partisan Legislative Services Bureau - [you can see their review here](#). Legislators may use a different set of numbers, as some will want to be more conservative in budgeting so they don't need a round of election-year cuts.

Whatever numbers are used, there is simply no money for any new programs and every existing program will receive a high level of scrutiny. While the fairest way to address this shortfall is through an across the board cut, legislative leaders have been more interested in cutting out duplicative programming and "wasteful spending." Two things legislators are looking at right now are:

- Eliminating tax credits so they can boost general fund revenue.
- Five-year review of every budget item to look at return on investment.
- Simplifying agency budgets to give more flexibility (fewer line items)

In addition, the Legislature is considering a bill ([SJR9](#)) that would amend the constitution to limit spending to the lessor of 99% of revenue estimates (current law) or 104% of the net revenue estimates for the current fiscal year. Senate Republicans who introduced this bill say it's just constitutionally protecting current practice, but it is not. In fact, the non-partisan Legislative Services Agency wrote, "Based on an analysis of state general fund revenue estimates and appropriation levels over the last ten legislative sessions, if the expenditure limitation requirements in SJR9 had been in place in each of those fiscal years, the appropriations would have been lower than the enacted appropriations in seven out of those ten years."

**So the bottom line** - no money to spend on new programs or priorities, more cuts are likely, no money to reinstate cuts made in Deappropriation Bill, not enough money to help MCOs out of their self-proclaimed \$100 million debt, Medicaid may get short-

changed, and lawmakers may try to constitutionally limit spending for future legislatures. This is on top of decisions being made federally that may have big impacts on Medicaid and other state programs.

The good news is decisions will be made very soon. The bad news is....it's probably going to be bad news.

## ABA COVERAGE PASSES HOUSE

Iowa became the 19th state to enact autism insurance reform in 2010, but the legislation only applied to state employee health insurance plans. Since 2010, state employee insurance plans covered "applied behavior analysis," a service that is proven to benefit children with autism. According to the Department of Human Services, about 3,000 Iowans receive autism services through the state health insurance plan. Experts say applied behavior analysis (ABA) can help children diagnosed with autism modify their behavior and improve their communication skills.

This week, the Iowa House expanded this access beyond state employees by unanimously passing [House File 215](#), which extends ABA coverage to all health insurance plans offered by companies that have 50 or more employees. "This bill is a long-time coming," said Rep. Chris Hall of Sioux City. "It's difficult for the public often to understand that public policy can be a very incremental process. It takes conversation. It takes people from opposing views actually coming to the table and sitting down together and trying to find that common ground."

Advocates for this legislation have been working on this for nearly a decade, and their chief advocate in the House was emotional in his thanks to those working on the bill. "I just wanted to rise and say what a wonderful day this is," said Rep. Dave Heaton of Mt. Pleasant. "It's been a long haul...and today we're going to bring it home and make it all possible."

For others, the passage of this legislation was very personal. "Our oldest daughter is autistic," said Rep. Andy McKean of Anamosa. "I can simply say that my wife and I would have very much wished that this legislation was in effect back so many years ago."

While the bill passed 96-0, it was not without its controversy. Iowa's insurance industry and business organizations opposed it. A representative from the Iowa Association of Business and Industry said the legislation would require coverage for a small number of people but would be paid for by all employees. The Iowa Federation of Insurers said they were opposed to the bill because ABA is "not a proven therapy."

The bill's floor manager, Rep. Brian Best of Carroll, said that the cost to add this to insurance is the amount of one postage stamp per year, and cited studies that have shown that 87% of children receiving applied behavior analysis see improvement (and 40% see "significant improvement").

The bill, which IPA supports, now moves to the Senate, where it does not need to go through the committee process because it has a companion bill ([Senate File 400](#)) already on the Senate Calendar. That means it has passed the second funnel hurdle, and is ready for Senate debate.

## LEGISLATIVE HIGHLIGHTS

Legislators have worked hard into the evening hours - even on Thursday nights - to get bills done. They will continue to do this in order to move bills into position for the March 31 deadline, but here are some highlights on bills we've been watching.

- The House passed and amended the **Department of Public Health's simplification** bill ([HF393](#)). It allows excess substance abuse funding to be used for substance-related disorder prevention initiatives, revises the duties of the Patient Centered Health Advisory Council (takes out language requiring them to manage a medical home system, defines "dental home," and adds a palliative care physician), revises definition of medical home and primary medical provider in Iowa Health and Wellness Plan, changes the name of PRIMECARRE grants and aligns the awards with department strategic priorities, no longer requires the department to develop strategies to address long-term care workforce needs, and prohibits the state from releasing a social security number along with public health data. The bill is now in the Senate Human Resources Committee, assigned to Senators Costello, Shipley, and Jochum.
- The Governor's office has been quiet since its bill to **eliminate several licensing boards**, including the ones overseeing mental health counselors, social workers, and massage therapists. However, there is a rumor that this may again surface late in session, or the Governor's office may pursue ways to end these boards administratively (without legislative action). Stay tuned.
- Similarly, the Governor's **Certificate of Need** bill has died, as have amendments that would have exempted psychiatric beds from the process. However, work has gone underground at this point; there may be a late resurgence in this issue. For sure, the Governor's office hasn't given up.
- Legislators cannot get consensus on **medical marijuana**. There is a sense of urgency since Iowa's limited medical cannabidiol legislation that allows Iowans with intractable epilepsy to possess and use the cannabis oil expires on July 1, 2017. Right now Iowans cannot get the substance locally, and must break other state and federal laws to access the low-THC oil. The FDA is currently reviewing this, and is expected to clear the way for it to be prescribed and rescheduled. [Senate File 470](#) & [House File 520](#) end the sunset of Iowa's program (allowing it to go on indefinitely) and authorize the Pharmacy Board to immediately reschedule cannabidiol upon FDA approval (rather than waiting until the Legislature comes back into session).
- There has been no movement on a funding fix for **regional mental health and disability services**. Only one bill ([SF 365](#)) survives, and it's sponsored by Independent Sen. David Johnson. Rumor is that Sen. Randy Feenstra will be coming out with an alternative plan to fix funding for regions, while addressing some of Farm Bureau's concerns. Early versions of it still had the two counties in the biggest trouble (Scott & Polk) still in trouble. This will need to be addressed this year - because election years are not great for raising property taxes
- Speaking of regions, [House File 546](#) directs regions to develop **plans to address the needs of individuals with complex mental health, disability, and substance use disorder needs**, then directs a DHS-led statewide stakeholder group to make recommendations based on these plans. That bill is still awaiting House debate, but it also requires mental health institutes (MHIs) and hospitals to use the **psychiatric bed tracking system**. If this doesn't move, it's ripe for placement in the Health/Human Services Budget.
- The bill ([Senate File 453](#)) that allows **mental health professionals to disclose mental health information to law enforcement, correctional officers, probation or parole officers, and county attorneys** when consistent with their ethical codes of conduct. Immunity language for failing to disclose is also

included. The bill was on the fast track, but has now slowed down after drafting errors cast doubt on its consistency with federal laws and the inclusion of county attorneys.

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.](#)

## 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:



Campbell/Patterson Consulting, PO Box 1403, DES MOINES, IA 50131

SafeUnsubscribe™ paulascherman@gmail.com



Try it free today

**Amy Campbell** <amy@ialobby.com>  
To: IPA Google Group <ipamemberlist@googlegroups.com>

Sat, Mar 18, 2017 at 5:35 PM

Sorry for the second email - here is the corrected version! If you are having trouble viewing this, just go to <http://conta.cc/2mHngTG>.

And speaking of URLs, we have a new shorter, easier URL for the IPA Bill Tracker. Bookmark this for the most current updates on bills: <http://www.ialobby.com/billtracker/ipa/>.

[Quoted text hidden]

Campbell/Patterson Consulting, PO Box 1403, DES MOINES, IA 50131

SafeUnsubscribe™ amy@ialobby.com



Try it free today

--  
You received this message because you are subscribed to the Google Groups "IPA Members Listserve" group. To unsubscribe from this group and stop receiving emails from it, send an email to [ipamemberlist+unsubscribe@googlegroups.com](mailto:ipamemberlist+unsubscribe@googlegroups.com).

To post to this group, send email to [ipamemberlist@googlegroups.com](mailto:ipamemberlist@googlegroups.com).

To view this discussion on the web visit <https://groups.google.com/d/msgid/ipamemberlist/A9CF5082-5EE2-4B3A-AA2E-DEF5172BFF7A%40ialobby.com>.

For more options, visit <https://groups.google.com/d/optout>.