

Busy Weeks Ahead

Iowa legislators have a busy two weeks ahead as they debate bills that are facing a big deadline on Friday, March 20th. The House has 120 bills on its regular calendar, and the Senate has 126 on its calendar. To make it through this deadline, these bills must be voted on and then make it through the committee process on the other side. This includes several bills that our advocates have been watching, as we'll note in later in this report.

While the second "funnel" deadline is a big deal at the Capitol, it's not the only thing on the minds of legislators. The one thing that legislators must do every year is pass a budget. Iowa law requires the state to spend only 99% of the money available each year, with the rest going into a "rainy day fund" that can be used when the state has an emergency. Legislators have to predict how much money they will have to spend each year, since budgets are set before taxes are collected. They use a three-person panel of economists called the "Revenue Estimating Conference" or REC for short.

The REC meets four times a year to check up on revenues and see how the state is doing economically, and it is going to meet on Thursday, March 12th. At this time, they predict how much money the state will have to spend. By law, the state has to set its next budget based on the lower of two estimates, December 2019 or March 2020. December's estimates were really good and predicted more money to spend, and legislators think March will be even better. If that's the case, we may be out of the budget-cutting years.

That does not mean the state will have enough money to meet all of its obligations. Legislators just passed a school funding bill that increases per student aid by 2.3% (about \$85.6 million

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in new money for schools). The state's overall K-12 education budget is now almost \$3.4 billion, which is almost half of the state's \$8 billion budget. Medicaid also gobbles up a big chunk of new money; the Governor asked for an additional \$270 million to pay for Medicaid this year.

Combined, education and Medicaid increases total more than \$350 million, which could take up a big portion of new dollars available, leaving little left for other programs and services. Rep. Joel Fry (R-Osceola), who co-chairs the Health and Human Services Budget Subcommittee, has a running total of the requests he has received to date. As of last week, that list was nearly \$600 million for the health and human services budget alone, including increases for direct care worker wages, health care workforce initiatives, waiver waiting lists, and more. Serving on the HHS budget subcommittee is not an easy task for sure, and the decisions they will have to make will be tough.

While legislators are anxiously anticipating revenues, they are also wondering if they will be unlucky on Friday the 13th. On March 13, candidates who want to run for the Iowa Legislature must file their paperwork with the Secretary of State's office. Legislators will find out at the end of this day if they have someone running against them in the June primary. They will also find out if someone is running against them in the November general election, or if they will get lucky and run unopposed. We will also know then which legislators have decided to retire and not run again. Legislators facing primary challenges will want session to end as quickly as possible so they can get out and campaign before voters head to the polls on June 2.

Two big weeks ahead and with all that's going on, bills sometimes get lost in the chaos. If you want to make sure bills you care about aren't forgotten, contact your legislators and let them know!



Senators: (515) 281-3371
Representatives: (515) 281-3221



<http://www.infonetiowa.org/take-action/>

Director Garcia Confirmed by Senate, Presenting on March 11

The Governor gets to pick who she wants to serve as heads of each state agency, but they have to be approved by 2/3 of the Iowa Senate. This confirmation process can be political, since the majority party almost always needs minority party member votes. The Governor needed 34 Senators to confirm her new Department of Human Services Director Kelly Garcia, who moved to Iowa after serving as the Deputy Director for a similar agency in Texas. She's impressed a lot of people at the Capitol, and that's why she was confirmed unanimously two weeks ago. Democratic Senators called her approach "refreshing" and "open and informative." Rep. Annette Sweeney, who chairs the Senate Human Resources Committee, called her "passionate" and "a great asset to the people of Iowa." You can watch her confirmation here.

Director Garcia will present and discuss the state's Medicaid managed care system at a House Government Oversight Committee meeting scheduled for March 11 at 11 a.m. in Room 103 (first floor, State Capitol). This meeting is open to the public.

Capitol Hearing on Glenwood Set for March 16

Iowans were shocked to learn last year that a state-run institution at Glenwood had been experimenting on residents who have medically complex disabilities. The US Department of Justice (DOJ) has been called in to investigate to see if resident rights were violated in these studies on pneumonia and sexual arousal. The DOJ plans to review “harmful and uncontrolled human subject experiments,” “needless and harmful restraint practices,” incidents involving “needless physical injury,” and inadequate medical, nursing, and behavioral health care, and physical and nutritional management.

Glenwood is one of two state resource centers providing residential care for some of the state’s most vulnerable individuals. There are about 250 individuals with intellectual disabilities living at Glenwood and another 184 children and adults with intellectual disabilities live at the resource center in Woodward. Rep. Mary Ann Hanusa, whose Council Bluffs district borders Glenwood, wants answers and has scheduled a hearing to find out more.

Rep. Hanusa chairs the House Government Oversight Committee, which has the power to investigate incidents like this. She has scheduled a March 16th hearing to update legislators on the investigation and has invited DHS Director Kelly Garcia. More details on the hearing will be available on our social media feeds, so make sure you have friended and liked us! @infonetiowa.

- You can see a short interview with Garcia acknowledging division directors knew about the experiments at <https://bit.ly/2IxUJN0>.

Ending Organ Transplant Discrimination Makes Debate Calendar

The Iowa House of Representatives has signaled it is ready to debate the bill that ends discriminatory policies that could keep Iowans with disabilities from receiving organ transplants. House File 2561 didn’t just appear at the Capitol; it’s the product of a lot of advocacy on behalf of a northwest Iowa family. Rep. Skyler Wheeler (R-Orange City) heard this story and introduced this bill to make sure people with disabilities have equal access to organ transplants. The bill has been called “Ruby’s Law” and is supported by the National Down Syndrome Congress, National Down Syndrome Society, Gigi’s Playhouse, and the National Council on Disability (as well as locally by the Iowa Developmental Disabilities Council and the Family Leader).

If this is important to you, contact your State Representative now. Because the deadline is close, contact your State Senator as well and ask that they move the bill out of committee before the funnel.

Adult Changing Stations Faces an Uphill Battle

Some of the state’s modern interstate rest stops would be more accessible to visitors with disabilities by installing adult changing stations if House File 2097 were to become law. Unfortunately, the bill has yet to make it onto the House Debate Calendar and time is running short. Rep. Ann Meyer (R-Fort Dodge) is the floor manager, and the bill was co-sponsored by her and Rep. Kristin Sunde (D-West Des Moines). Both legislators sponsored the bill at the request of advocates and constituents, but more advocacy may be needed to get it through this next deadline.

If this bill is important to you, contact your State Representative and ask that they request the bill come up for debate. Let your State Senator know as well, so they can talk to their colleagues and make sure it gets out of committee before the March 20th deadline.

Another bill was introduced by Rep. Art Staed (D-Cedar Rapids) this week, but it came out too late for consideration this year. House File 2596 requires adult changing stations to be included in the design of all new buildings that are open to the public beginning in 2022, renovations on buildings open to the public beginning in 2025, and larger retail and entertainment venues by 2021 (shopping malls, entertainment venues, sports arenas, gambling structures, public transportation facilities, galleries, libraries, museums, tourist information centers, parks, playgrounds, recreational centers, zoos, movie theaters, airports, rest areas, hospitals, schools, and universities). While this bill won’t be discussed this year, you might want to start working on it for next year if it’s something important to you. Sometimes change takes time.

House Advances ABLÉ Account Bill: Advocacy Works!

Special needs trusts, supplemental needs trusts, and ABLÉ savings plans are all ways that people with disabilities and their families can save for expenses without losing their eligibility for assistance programs like Medicaid. These savings options allow families to save ahead for their child's future needs, but some options are more flexible than others.



On behalf of a family member, Lisa Yunek looked into these options and found special needs trusts to be difficult to navigate, not easily accessible, and held account holders with disabilities to a higher standard when accessing their money. Small purchases might mean lawyers, trips to court, and DHS approval. ABLÉ savings plans, which are still very new, offered more flexibility and allowed for higher levels of saving. But in Iowa, you cannot move money from a special or supplemental needs trust to an ABLÉ savings plan.

This is what led Lisa to attend the Iowa DD Council's 2019 Iowans with Disabilities in Action - Advocating for Change Day. During the Advocating for Change Day, Lisa

contacted her legislators, which led to important conversations about simplifying access to one's own money by allowing special and supplemental needs trusts to be transferred into an ABLÉ savings account. Rep. Linda Upmeyer, the powerful former Speaker of the Iowa House, took action on her constituent Lisa's behalf and introduced House File 2526. The bill allows money held in these trusts to be transferred into a more flexible ABLÉ savings account.

This week, the Iowa House of Representatives passed the bill with unanimous support (97-0). It is currently in the Senate Human Resources Committee and has been assigned to a subcommittee chaired by Senator Jim Carlin (R-Sioux City), Sen. Julian Garrett (R-Indianola), and Lisa's other legislator, Sen. Amanda Ragan (D-Mason City).

If this bill is important to you, let your State Senator know and ask them to talk to their friends on the Senate Human Resources Committee. The committee must pass the bill out by Friday, March 20 for the bill to stay alive.

- Go to <https://www.iabile.gov> to learn more about Iowa ABLÉ Savings Plans.
- Go to <https://bit.ly/2TUAzSG> to read more about the bill.

More Changes to Guardianships Ahead (Maybe...)

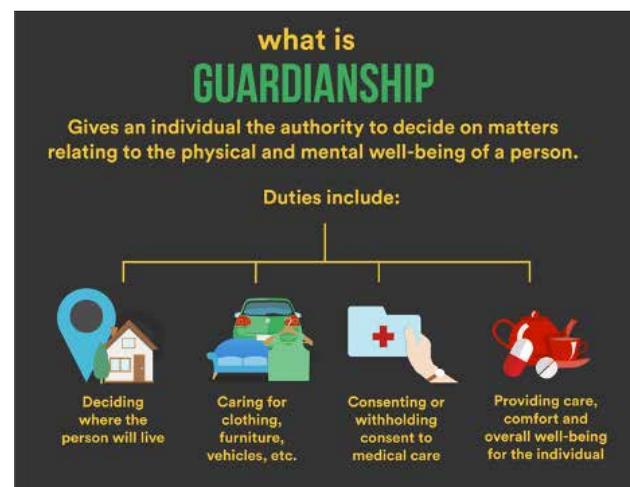
Lots of changes were made in 2019 to Iowa's guardianship and conservatorship laws. The Iowa DD Council's guardianship guide has been updated with these changes and is a great resource for Iowans with disabilities and their guardians. You can find this guide [here](#).

House File 2564 changes some of the laws passed last year. There are still a lot of changes being made to this bill, so we will hold off on explaining them until some of those details are worked out.

Some of the changes include:

- Calls the person that is subject to the guardianship a "protected person" instead of a "ward."
- Requires requests for guardianship include an explanation of the protected person's functional limitations and why these limitations impact care and safety.
- Allows a guardian's background check to be shared with the protected person and requires a court-ordered professional evaluation to be done before finalizing the guardianship request.
- Allows a court to extend a temporary guardianship for 60 days "for good cause."
- Requires court approval before any significant change in the initial care plan, effective back to January 1, 2020.

The Senate takes a different approach to this in Senate File 2321. One of these bills needs to be debated and passed before the March 20th deadline.



House Passes Bills for Advocates who are Deaf or Hard of Hearing

The Iowa House unanimously approved a bill (House File 2585) last week, updating the state's law books by removing references hearing impaired and speech impaired, and instead using the terms hard of hearing, hearing disorders, speech disorders, communication disorders, or deaf and hard of hearing. This bill is in the Senate State Government Committee now, where it must be voted on before the March 20th deadline.

Another bill (House File 2539) also passed the Iowa House unanimously and is now in the Senate Education Committee. The bill requires the Department of Education to hire an early language development coordinator to develop tools that teachers can use to assess language and literacy development in children who are deaf or hard of hearing and set milestones for children age birth to eight. The bill requires the development of a resource packet for parents and requires a student's IEP or IFSP to be modified as needed to address these missed milestones. This bill must also get out of committee before March 20.

Medicaid Work Requirement Bill Passes Senate, Future Uncertain

After a contentious debate, Senators passed a bill (Senate File 2366) that requires Iowans receiving some forms of public assistance to work or volunteer at least 20 hours a week (or be in an approved training program). The bill passed on party lines, with Democrats voting against and Republicans supporting. As passed by the Senate, the bill:

- Does not allow the state to waive work requirements for people receiving food assistance (SNAP).
- Work/community engagement requirements only apply to Iowa Health and Wellness Plan members, not all of Medicaid.
- Those exempt from the IHWP requirements include the medically exempt, pregnant, caretakers of a child under the age of six or a dependent child of any age with a disability, full-time students, home-schooling parents, caregivers to elderly adults or adults with disabilities, those in drug and alcohol treatment programs, and those complying with unemployment compensation work requirements.
- Failure to comply in the first six months results in 30-day notice of termination of benefits, but the person can comply within that 30-day period and ask for benefits to be reinstated.

The bill faces an uncertain future in the House Human Resources Committee, which has killed other similar bills over the past two years.

Will Legislators Invest in Iowa?

It's safe to say that all budgeting in Iowa will be on hold until a decision is made on raising the state sales tax as proposed by Governor Kim Reynolds' Invest in Iowa Plan. The plan (SSB 3116, HSB 657) uses funds raised by a one-cent increase in the state's sales tax to pay for water quality improvements, investments in outdoor recreation, cuts in income taxes, expansion of the child care and dependent tax credits to more families, and a partial state buy-out of the regional mental health and disability services (MH/DS) system.

The Senate Ways & Means Committee held a public hearing on the Governor's plan but did not say whether they would consider advancing it. Rumor has it that the Senate will have its own tax plan soon and may even be announced as early as next week. House Ways & Means Committee Chair Rep. Lee Hein (R-Monticello) was asked if he had plans to hold a subcommittee on the Governor's plan, to which he replied "no" and adjourned the meeting.

While MH/DS regions have said the Invest in Iowa plan is a good start, they have continued to work with the Governor's staff to change it in a way that gets closer to meeting the goal of sustainable and adequate funding. The biggest issues are:

- \$2.9 million in new funds is not enough to maintain current service levels.

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Will Legislators Invest in Iowa? *(continued from page 5)*

- \$15 million in additional funds over two years is probably not enough to cover the costs of adding 27 new complex needs and children's services. For instance, the recent statewide estimate for one of those service lines (intensive rehabilitative services homes) is \$25-30 million.
- Property taxes are currently the most reliable source of revenue, and counties collect between \$47.28 and \$25 per capita now. The plan would only allow counties to collect \$12.50 per capita and be reliant on legislative actions for the rest. The Iowa State Association of Counties is quick to point out that the Legislature has not been dependable for these appropriations in the past, so relying on them even more in this plan is a lot to ask of local elected officials. Counties are currently trying to come up with a process that would give regions more confidence that funds would be reliable.

There is a lot of politics in these bills. Tax increases are not popular with Republicans, and sales taxes are considered by Democrats to be unfair to those with lower incomes. Legislators want to support mental health and disability services regions, but each legislator has their own solution to the problem of funding. How does everyone get on the same page in this final month of the legislative session? Good question!

Mark Your Calendars! April Advocacy Call



Friday, April 10 @ Noon

To join by phone: (646) 558-8656 or (669) 900-9128

When asked, enter the following webinar ID:

911 690 911

To join by computer, tablet or iPhone/Android device:

<https://capture.zoom.us/j/911690911>

Advocacy Resources

The Iowa Developmental Disabilities Council and Iowans with Disabilities in Action have many resources to help with your advocacy.

- Check out the status of disability-related bills anytime in our Bill Tracker at <https://bit.ly/2TSVWDA>.
- Attend a local legislative town hall meeting (find the list at <https://bit.ly/2PW1V9u>).
- Use our Grassroots Action Center to email your elected officials at <https://bit.ly/330mg2U>.
- Find our Advocacy Toolkit at <https://bit.ly/2xgLSg4>.
- Find our 2020 Guide to the Iowa Legislature at <https://bit.ly/32ZR9Ew>.

Iowa DD Council State Plan Survey

Every five years the Iowa DD Council writes a State Plan. We want to hear from you!

If you are a person with a disability, a family member of a person with a disability or an advocate for people with disabilities please answer a few questions for us.

Go to www.idaction.org to complete the survey.



Share Your Story and Win Prizes!

Has your life been positively impacted by the DD Act and/or the work of the Iowa DD Council? Do you have a story that you'd like to share? Tell us all about it at www.idaction.org! #50People50Years

In 2020, the Iowa DD Council is celebrating the 50th anniversary of the Developmental Disabilities Assistance and Bill of Rights Act (DD Act). The purpose of the DD Act is to assure that individuals with developmental disabilities and their families participate in the design of, and have access to, needed community services, individualized supports, and other forms of assistance that promote self-determination, independence, productivity, and integration and inclusion in all facets of community life, through culturally competent programs authorized under the law.

During this year-long celebration, the Iowa DD Council will share stories of those positively impacted by the DD Act and/or the work of the Iowa DD Council.





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c/o Iowans with Disabilities in Action

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