

The Iowa Legislative Session for 2010 Is Over — What Happened & What Does It Mean for Direct Care Workers?

by John Hale, Policy Director

The Iowa Legislature began its 2010 session on January 11th and ended on March 30th. In between those days, the pace was fast (sometimes furious) and lots of things happened that are of interest and importance to direct care workers. What follows is a quick review. If you'd like additional detail, feel free to contact me at hale_johnd@msn.com

Changes in Criminal History Checks

Senate File 2149 requires that a criminal history and a child and dependent adult abuse check be conducted BEFORE a student begins a certified nurse aide training program.

(ICA supported this legislation and worked closely with the Department of Inspections and Appeals staff as the bill worked its way through the legislative process. We felt that if a criminal background check was going to be done, it made sense to do it before the student began a Certified Nurse Aide training program, rather than waiting until the training program was over.)

Improvements for those Accused of Dependent Adult Abuse

Senate File 2333 makes improvements to the rules regarding dependent adult abuse that impact direct care workers in facilities. The bill addresses the rights of a worker accused of dependent adult abuse. Under the law, a worker would receive written notification if they were being investigated, would be advised of their right to be represented and of their right to appeal, and would NOT have their name placed on a central abuse registry until the appeals process was completed.

(ICA put lots of time into this bill to make sure that it was the best that it could be. The bill went through numerous, and very significant, changes during the legislative process. While ICA ended up with some concerns about the details of the bill, we believe that the basic concepts contained in the bill -- that a person being investigated has a right to be fully informed and that "a person is innocent until proven guilty" are concepts important to, and fair to, workers out on the front lines.)

Giving Consumers A Voice in Health Insurance Rate Increases

Senate File 2201 relates to the Insurance Division of the Department of Commerce. Initially it contained no provisions of interest to direct care workers. But as the legislative session went on and the bill was changed, items were included that did impact direct care workers -- particularly those who purchase their or a family members health insurance through an insurance agent. The bill requires that health insurance companies proposing to raise rates give advance notice to their policy holders, hold public hearings before rate increases can be approved, and provide consumers with additional information that explains how their insurance premiums are calculated.

(ICA worked closely with several groups who advocate for consumers to get this bill passed. We felt that direct care workers, and all consumers, benefit when they have more time and more information to assist them in making decisions about their health care benefits. We also felt that it was important for all consumers to have "a voice" in this process and to allow concerned policy holders to have their concerns heard and addressed.)

Expanding Access to Health Care Services

Senate File 2356 represents another step in improving health care access for Iowans. The bill expands the provider network for those eligible for the IowaCare program, allowing services to be obtained at closer-to-home hospitals and providers rather than being required to get services at Broadlawns Hospital in Des Moines (for Polk County residents) or at University Hospitals in Iowa City (for the residents of Iowa's other 98 counties.)

(IowaCare is a health care program of the State of Iowa, and can help many Iowans pay for their health care expenses. It is available for any Iowan age 19 to 64 with a limited income. For those uninsured direct care workers who would like more information about the IowaCare program, please contact your local Department of Human Services Office.)

In addition, the bill calls for the creation of an Iowa Insurance Information Exchange that will serve as a place where Iowans can find out about health care coverage that is available in this state and get comparisons of benefits, premiums and out-of-pocket costs.

(ICA was heavily involved in the movement of this bill and worked closely with numerous other groups and various legislative leaders to get the bill passed. While it did not do all that we would have liked it to do, it DOES expand access to care for Iowans and can be of significant value to uninsured direct care workers. The creation of the Information Exchange will also help direct care workers explore coverage options that they may not be aware of.)

Moving Forward on Professionalizing the Direct Care Workforce

House File 2526 is an appropriations bill of great importance to ICA and direct care workers. The bill appropriates dollars for ICA to help direct care workers participate in conferences, meetings and training opportunities. In addition, the bill stated its intent to have a Board of Direct Care Workers established within the Iowa Department of Public Health by July 1, 2014.

Prior to creating the Board, the legislature directed the Direct Care Worker Advisory Council (established in 2005 via appointments made by Governor Vilsack; two members being direct care workers) to do the following things:

- To document the size of the direct care workforce in Iowa,
- To identify information management systems that will be needed to help with the credentialing of direct care workers
- To report to the legislature on the results of any testing of new approaches to direct care worker training or the content of that training
- To report on the development and delivery of a campaign to inform direct care workers in Iowa of the various ideas that will increase both the stability and the professionalism of the direct care workforce, and
- To make recommendations to the legislature about the role of and the operations of the Board of Direct Care Workers.

(ICA worked very closely with legislative leaders and staff, and the Department of Public Health, as this bill was being drafted and voted on. We see the bill as a big step forward for direct care workers. The call for the creation of a Board of Direct Care Workers sends a clear signal that the legislature wants direct care workers to be viewed as, and treated as, professionals. Much work now needs to be done to meet the intent of the legislature. We've already begun to do so!)

The 2010 version of the Iowa Legislature was a challenging time for legislators and for all of us who work with them. Thanks to all the direct care workers, and their supporters, who helped keep caregiving issues in front of legislators via their phone calls, e-mails, meetings or via their participation in the 2010 Direct Care Worker Day at the Capitol held on a very cold and very snowy February 15th! Your help was very important and very appreciated!!