



**February 14, 2020**

**Week in Review**

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Both the House and Senate began moving bills on the floor this week. The House and Senate continue to negotiate on K-12 funding, but both moved their bills through their respective chambers. The House number continues to be higher than the Senate; as of this week there is a difference of approximately \$20M.

Subcommittees and committees continued their work while numerous bills continue to be filed. Next week, there will be a heightened focus on committee work as the first funnel deadline approaches. Many committees will have open ended committee blocks in order to move a large quantity of bills through the process.

**Invest in Iowa Act**

Governor Reynolds announced in her Condition of the State address that she was proposing a tax reform proposal called the “Invest in Iowa Act.” This tax proposal has been released in legislation, HSB 657 and SSB 3116. The Governor made mention in her press conference that she is willing to continually update these when hearing from Iowans on the topic and what they’d like to see. Reynolds outlined three main goals of the act including, income taxes, water quality/outdoor recreation funding, and more funding towards mental health. The bill currently sits with subcommittees that have been assigned, but no meetings have been scheduled.

Emphasizing her full attention on this proposal, Governor Reynolds announced a series of town halls across the state. She hopes to speak directly with Iowans about her ideas behind the proposal and continue meaningful conversations. Since this bill puts a strong focus on improving quality of life for all Iowans, the Governor believed this was the best way to gain feedback from citizens about their thoughts. The first town halls for this week were already scheduled and took place on Wednesday in Oskaloosa and Ottumwa. She stated that she plans to visit all 99 counties and drive this.

**Flood Relief**

[Senate File 2144](#), is the supplemental appropriations bill that will be reaching the Governor’s desk this week after unanimously passing the House and Senate. The main focus of this legislation was to increase funding for areas impacted by the 2019 floods and more funds to DHS for Glenwood. The bill passed with an amendment added to increase flood recovery spending from about \$20 million to about \$21 million for the Homeland Security/Emergency Management fund, which was reportedly determined by the Flood Mitigation Board this week. The amendment also introduced monthly reporting requirements so that, if needed, more money could be added to the fund in the future.

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## **Medical Malpractice**

This week HSB 596 and SSB 3085 were introduced in the House and Senate, changing the language of existing laws to prohibit juries from awarding non-economic damages beyond \$250,000 in all cases of medical malpractice.

This bill does not limit caps on economic damages which are, lost wages, future treatments, or anything that has monetary value. The current law states that there is a cap at \$250,000 unless “there is a substantial or permanent loss or impairment of a bodily function, substantial disfigurement, or death, which warrants a finding that imposition of such a limitation would deprive the plaintiff of just compensation for the injuries sustained.” The proposed legislation would cap the non-economic damages awarded at \$250,000 with no exceptions.

Those in opposition to these bills believe that this would create a cap on “quality of life” per se; the Gazette reported that in 2017 and 2019, the state of Iowa awarded around \$63 million in non-economic damages. Supporters of this legislation include those working in healthcare who see issues in their insurance rates and believe these clog the court systems. Doctors and hospital workers pay malpractice insurance, which increases each year with the number of lawsuits created. This high cost of insurance can deter students from joining the medical field, which creates even significant issues down the road in those who wish to practice in Iowa. A Des Moines Register article described that OB/GYN practitioners have the highest malpractice insurance rates, which has attributed to the loss of maternity ward staff across the state of Iowa.

Regardless of the injury or damages caused by malpractice, this legislation believes that this cap would allow all patients to be treated fairly, healthcare costs to lower and rural access to be maintained.

<https://www.desmoinesregister.com/story/opinion/columnists/iowa-view/2020/02/10/iowa-legislature-proposal-cap-medical-malpractice-awards-snake-oil-cure/4713151002/>

<https://www.desmoinesregister.com/story/opinion/columnists/iowa-view/2020/02/11/medical-malpractice-cap-would-increase-iowans-access-health-care/4722595002/>

<https://www.iowapublicradio.org/post/bill-proposes-cap-damages-awarded-medical-malpractice-cases>

<https://www.thegazette.com/subject/opinion/guest-columnist/a-malpractice-cap-can-help-maternity-care-access-20200118>

## **Healthcare @ the Statehouse**

Significant healthcare legislation moved out of the House and Senate Human Resources Committee ahead of the February 21 funnel.

HF 2026, which allows surgeons from surgical centers to have admitting privileges to the closest hospital in cases of emergency, and HF 2066 requires all ambulatory surgical centers are licensed under the DIA and subject to inspections. The third oversight bill was HF 2122; after an emotional testimony at the subcommittee hearing from an Iowa resident whose son died due to an ill-equipped surgery center, the bill requires health care providers who recommend surgical centers to disclose to a patient the differences between hospital services and surgical center services. All three of these bills passed the committee unanimously.



The second focus in the committee this week was medical students in the state of Iowa. The first legislation passed the committee was HF 2115, which requires Regents to mandate that 75% of students accepted to UI Colleges of Medicine and Dentistry be Iowa residents or enrolled in an Iowa school program; there was some hesitation across the committee, and this passed 11-10. The second bill, SSB 3079, allows OB/GYN practitioners to be added as a primary care area to be eligible in the Iowa primary care loan repayment program; this passed unanimously at 14-0.

SSB 3068, regarding SNAP benefits, created an array of oversight and qualifications for citizens wishing to join the program in Iowa. When voted on, there was a separation amongst party lines, but the bill ultimately passed 7-4.

With an emphasis on telehealth services in this session, SF 2100 creates an authorization for behavioral health screenings at schools and AEAs. This also requires insurance or Medicare pay for these services as they would for in-person. This unanimously passed the Senate committee 14-0.

### **Bills on the Move**

Several bills moved out of subcommittee and a handful were voted out of full House or Senate committees this week. Bills of interest that moved were:

- The Public Safety committee voted out [HSB 570](#), a bill that provides for provisional hiring ability to certain employers while they are waiting for the state SING check to be completed.
- [SF 2073](#), a bill dealing with security breaches and creating a defense to protect data, passed the Judiciary committee. Allows showing implementation of an accepted cyber-security defense to protect data as an affirmative defense in data breach cases. Requires the defense to be proven by a preponderance of the evidence. Passed 10-5.
- [HSB 607](#) is the Governor's Future Ready Iowa bill that makes changes to the Future Ready Iowa Act. It deals with apprenticeships, childcare, workforce diplomas, computer science, and Last Dollar Scholarship awards. The bill is now funnel proof.
- A Ways and Means subcommittee passed [HF 2175](#), a bill would create incentives for developers to create a child care facility. This incentive could also apply to the repair of an existing structure to become a child care facility. This will develop formulas that match the funds based on the size of the city and create incentives for these developers; the maximum credit would be \$200,000, with a maximum of \$3 million all together.

### **In the News**

Below are articles of interest from the week. Please reach out to us with any questions or concerns.

- [\*Iowa Panel Advances Medical Marijuana Bill\*](#)
- [\*Former Glenwood Employees Bring Lawsuit Against DHS\*](#)
- [\*Grassley Hopes to Meet with Pelosi About RX Bill\*](#)
- [\*Higher Speed Limit Idea Stalls in Senate\*](#)
- [\*Reynolds Plans Road Tour to Promote Invest In Iowa Act\*](#)
- [\*Iowa Democratic Party Chair Resigns After Caucus Mess\*](#)



### Presidential Race Updates

As primaries and caucuses continue across the nation, our team at Cornerstone Government Affairs continues to monitor and track the state races as well as delegate counts. If you have an interest in being included in this email newsletter, please email David Adelman and he will add you to the distribution list. A sample from the most recent email newsletter is included below.

The last time a Democratic field remained this large this late, four candidates won states on Super Tuesday and we didn't get to a 1-on-1 contest until April. This is Marching to Milwaukee.

<b>What's now</b>	Nevada Caucus (Saturday, Feb. 22 – 36 delegates)
<b>What's next</b>	South Carolina Primary (Saturday, Feb. 29 – 54 delegates)
<b>What's on the horizon</b>	Super Tuesday (Tuesday, March 3 – 1,344 delegates)

Delegate Count	Buttigieg	Sanders	Warren	Klobuchar	Biden
Through NH	23	21	8	7	6

Popular Vote Count	Sanders	Buttigieg	Klobuchar	Warren	Biden
Through NH	120,023	110,053	81,270	59,998	51,243

Adding a permanent reminder to these updates that the Democratic nominating contests are not “winner take all.” Per [270toWin](#): “Pledged delegates are allocated in a proportional manner based on the vote share received by each candidate. This is at both the statewide and congressional district level. There is a 15% minimum threshold to receive any delegates. Those not receiving the minimum are excluded, with the delegate pool divided proportionately among those candidates receiving 15% or more.”

The rules of the Democratic nominating process means [unless a candidate catches fire early, we may be in for a protracted fight](#). Super Tuesday accounts for about 34 percent of the delegate total, and after March 17's contests, 62 percent of delegates will have been allocated. If no candidate is en route to reaching 1,990 delegates by the end of March, it will be difficult to avoid a contested convention. On the flip side, a candidate with a significant early delegate lead will be hard to catch. As a veteran operative told Axios post-NH, “Obama showed in '08 and Clinton showed in '16 [that] once you get a lead in the Democratic primary, it is very hard to lose it. Because we don't have winner-take-all states, the front-runner is always accumulating delegates.”

### Next Week Capitol Schedule



**IOWA SENATE - Schedule for Week 6, February 17-21, 2020**

\*\*\*Subject to Change\*\*\*

**House of Representatives Schedule for Week 6, February 17 - 21, 2020**

Prepared in the Office of House Speaker Pat Grassley

Monday, February 17	Tuesday, February 18	Wednesday, February 19	Thursday, February 20
	9:00 SESSION	9:00 SESSION	9:00 SESSION
	9:30 Hmn. Res. RM 22 Transportation RM 24	9:30 Agriculture RM 22 11:00 Education RM 22 Labor/Bus. RM 24	9:30 Ntl. Resources RM 22 Veterans Affairs RM 24 11:00 State Govt. RM 22 Local Govt. RM 24
	11:00 Ntl. Resources RM 22 Veterans Affairs RM 24		
Noon	Noon	Noon	Noon
12:00 International Relations RM 22	1:00 State Govt. RM 22 Local Govt. RM 24	1:00 Commerce RM 22	1:00 Commerce RM 22
1:00 SESSION	2:30 Commerce RM 22	2:30 Hmn. Res. RM 22 Transportation RM 24	2:00 Judiciary RM 22
1:30 Education RM 22 Labor/Bus. RM 24	4:00 Judiciary RM 22	4:00 Judiciary RM 22	
3:00 Judiciary RM 22			

Monday, February 17	Tuesday, February 18	Wednesday, February 19	Thursday, February 20	Friday, February 21
	8:30 SESSION	8:30 SESSION	8:30 SESSION	
	9:30 Public Safety RM 19 Economic Growth RM 102, Sup. Ct. Consult State Government RM 103, Sup. Ct. Chamber	9:30 Education RM 102, Sup. Ct. Consult Commerce RM 103, Sup. Ct. Chamber	9:30 Veterans Affairs RM 19 Environmental Protection RM 102, Sup. Ct. Consult Transportation RM 103, Sup. Ct. Chamber	
Noon	Noon	Noon	Noon	Noon
1:00 SESSION	1:00 Veterans Affairs RM 19 Environmental Protection RM 102, Sup. Ct. Consult Transportation RM 103, Sup. Ct. Chamber	1:00 Public Safety RM 19 State Government RM 102, Sup. Ct. Consult Chamber	1:00 Local Government RM 19 Agriculture RM 102, Sup. Ct. Consult Human Resources RM 103, Sup. Ct. Chamber	On Call All Committees
2:00 Natural Resources RM 19 Judiciary RM 102, Sup. Ct. Consult Labor RM 103, Sup. Ct. Chamber	2:00 Local Government RM 19 Agriculture RM 102, Sup. Ct. Consult Human Resources RM 103, Sup. Ct. Chamber	3:00 Natural Resources RM 19 Judiciary RM 19 Economic Growth RM 102, Sup. Ct. Consult State Government RM 103, Sup. Ct. Chamber	3:00 Public Safety RM 19 Economic Growth RM 102, Sup. Ct. Consult State Government RM 103, Sup. Ct. Chamber	
4:00 Education RM 102, Sup. Ct. Consult Commerce RM 103, Sup. Ct. Chamber				

Prepared in the Office of Senate Majority Leader Jack Whitver  
Last updated on February 12, 2020

The Legislative Information Office provides a complete list of committee meetings on the web at <https://www.legis.iowa.gov>  
\*\*\*Subject to Change\*\*\*

**Key Dates for 2020 Session**

The new Iowa Legislative Session Timetable has been published. Here is the [link](#) and included below is important dates as we approach the 2020 Iowa legislative session.

<b>January 13</b>	First Day of Legislative Session
<b>January 14</b>	Governor's Budget Released Governor gives her Condition of the State Address to Joint Session
<b>January 24</b>	Final day for individual Senator/Representative Bill Requests
<b>February 21</b>	First Funnel. All Senate and House bills must be out of one full committee
<b>March 20</b>	Second Legislative Funnel. Corresponding chamber must vote bills out of a full committee to remain "alive"
<b>April 6</b>	Amendments need not be filed on the day preceding floor debate
<b>April 21</b>	100 <sup>th</sup> Day of the session. Per diem expenses for legislators end.



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