



The Iowa County

December 2015

Preferred Vendor of the Month
County Risk Management Services, Inc.
representing ICAP and IMWCA

The Safe at Home Program

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The Iowa County

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ISAC's Mission:

To promote effective and responsible county government for the people of Iowa.

ISAC's Vision:

To be the principal, authoritative source of representation, information and services for and about county government in Iowa.

CRMS, Inc. representing ICAP and IMWCA

Property Insurance: Five things you need to know

By: Kasi Koehler

ICAP Marketing Coordinator on behalf of CRMS, Inc.

County Risk Management Services, Inc. (CRMS, Inc.) representing ICAP and IMWCA is the exclusive ISAC Endorsed Elite Preferred Vendor and is the preferred vendor of the month in December. They have provided this article for the benefit of the ISAC membership. Please thank CRMS, Inc. for its support of Iowa counties.

Property coverage seems pretty cut and dried to most; if you pay the bill, the insurance carrier will pay the claim when it occurs. Unfortunately, this is not the way it always works. Property coverage is only as good as the time you put into it. If your assets aren't frequently updated with your insurance agent and the carrier, you may not have adequate coverage at the time of a loss. Here are a few tips to help ensure coverage is available when you need it.

1. Counties have a lot of stuff!

Knowing what assets the county has should be easy, right? Nope, it's not. Iowa counties range in size, but all are many hundred square miles, making asset management challenging. More often than not, an asset review will reveal many million dollars in uncovered property, ranging from that secondary roads shed out in the middle of nowhere, to the memorials that adorn the courthouse. Thinking about it can be quite overwhelming, but the good news is that you have several tools available to assist. Read on to learn more.

2. Property coverage is only as good the property schedule.

In nearly every case, if your property isn't listed on the insurance carrier's schedule, it isn't covered. To begin a review of your assets, enlist the help of your local insurance agent, carrier and department heads. Start with a review of your Statement of Values (SOV), the document that outlines each location in which you have property. Consider asking department heads to take a picture of every property they manage and align each building with a SOV location. This process helps you identify properties not currently covered and those that you no longer own. Believe it or not, discovering that you've been paying for coverage on buildings that you sold years ago happens quite often.

3. Building values matter

You may be wondering why your insurance agent keeps mentioning your "blanket" limit. No, it has nothing to do with keeping warm. It does, however, relate to your protection. Most property carriers provide a catastrophic loss limit on your policy that establishes the maximum amount they will pay for any one occurrence. This limit is most often derived by adding all covered

buildings together, meaning that, if you have several buildings undervalued your catastrophic or blanket limit may not be sufficient for a major event. It is important that you and your insurance partners analyze building values annually in an effort to maintain an adequate blanket limit.

Building valuations can be quite simple or extraordinarily complex. For common buildings, your local insurance agent can provide an estimate of a structure's value, utilizing various online valuation tools. For more complex structures, such as historical or ornate buildings, an onsite inspection from a qualified engineer is preferred. Although onsite valuations can be costly, the majority of Iowa counties are members of the Iowa Communities Assurance Pool (ICAP) and have access to a complimentary valuation service providing comprehensive valuations on buildings that are historical or exceed \$200,000 in value.

4. Building values aren't the only things that matter

After making sure your locations and buildings are properly scheduled, focusing in on the property that is inside the buildings you own is the next step to asset risk management. Ask your insurance agent to team up with individual department heads to walk through county buildings while reviewing the limits of coverage on contents such as desks, computers, machinery, tools and stock. Carriers often break non-building property into subcategories, such as personal property, electrical data processing equipment, miscellaneous property (inland marine) and automobiles. An annual review of these schedules is also a good process to adopt.

5. Your insurance professionals can help

Property risk management can be an exhausting process when done alone. Fortunately, many Iowa counties have insurance professionals that are skilled at this large undertaking. Your local insurance agent is your best starting point.

To develop an in-depth property risk management program, ask your agent to get the insurance carrier involved. As mentioned above, most Iowa counties have many valuable services through their carrier, like ICAP, to assist with processes that are often overlooked: building valuations, property coverage reviews, and risk management program development, just to name a few. Take advantage of these services to help ensure your community has coverage for a property loss when it occurs.

Kasi is pleased to answer your questions. Please direct comments to kasi@icapiowa.com or 515.727.1585.

feature - incoming president

Incoming President

By: Joan McCalmant

Linn County Recorder,
Incoming ISAC President



On Friday the 13th of June, 2008, my life was forever altered. The Cedar River crested at a whopping 31 feet (19 feet above flood stage of 12 feet). Like many other county facilities, the Linn County Recorder's office, my home away from home for the previous twenty-plus years, was inundated with contaminated river water. We knew the water was rising when we closed the office on June 11, but no one could have guessed just how bad things could get. I learned very quickly that recovering from a disaster is not an individual feat, but a team event. While supervisors and emergency planners worked out the logistics of when and where county services would resume, my "super hero" staff toiled in the parking lot, in a temporary "triage tent" itemizing the contents that were hauled out of the office in wheel barrows and garbage bags. Had it not been for my team, the recorder's office would not have rebounded for a long, long time. In the words of Joni Mitchell, "Don't it always seem to go that you don't know what you've got 'til it's gone".

With creativity and tenacity, we made it through the "worst of times" together, and learned that teamwork made all the difference. Since that summer, I made a goal to share my experience, talk to new people, and learn as much as possible. If I face another overwhelming situation, I want to have a roster of team members who I can turn to for advice, assistance and support. ISAC is a great way to meet my goal.

ISAC meetings are perfect places to network. Exhibitors are eager to answer questions and offer suggestions for best practices. If it is difficult to decide which sessions to attend, or where specific sessions are, there's a new app for that. Download the app and your conference experience can be personalized on your smart phone. The app includes lists of speakers, attendees, sponsors, vendors, and more. There is even a photo feed that should be fun to watch while the conference goes on. A conference app was offered for the first time at the Fall School and will again be available at the Spring School in March.

In January, ISAC University will be held at the Marriott in West Des Moines. If you have not seen the list of sessions, here are a few: "Focus on the Good Stuff," "It Won't Happen Here is Not a Plan: Preparing for Violent Incidents at Public Facilities and Events," "Memory Power," and "A Different Kind of Career: Under Cover in the CIA." I hope you'll be intrigued by these topics and attend. Pre-registration starts in December. ISAC University is the perfect way to meet a variety of county officials in a smaller group environment. You may be surprised by the ideas that percolate when you are sitting at a table with colleagues at ISAC University.

Get involved on a national level. NACo has educational and personal development programs, research materials and data, webinars on various topics. NACo communicates via blog posts, podcasts, newsletters and the range of social media including Facebook, LinkedIn, Twitter and YouTube. Colleagues from across the country attend meetings and share ideas.

When I look back on June of 2008, the resilience of Linn County government, I am grateful that I've had the opportunity to be active in ISAC. The resources available to me in person, online and at conferences make me more confident to do my job every day. With ISAC and NACo on my team, I am ready to face the future. Join me. Get involved. Learn something new every day. Share your wisdom. Participate.

feature - Safe at Home Program

How the Safe at Home Program Impacts County Officials

By: Paul D. Pate

Iowa Secretary of State

On January 1, 2016, a new statewide program goes into effect, and it is vital that county officials and staffers across the state are aware of how it impacts their duties. It's an address confidentiality program called Safe at Home. The Program provides mail forwarding, confidential voter registration, and absentee voting to survivors of domestic violence, sexual assault, trafficking, stalking and other violent crimes.

The Safe at Home Act was signed into law by Governor Branstad in May 2015. The Program will be administered by my office. The purpose of Safe at Home is to enable participants to become active members of society, while maintaining their safety. Their address will be kept off of new public records, and if it does appear on a public record, it will be a designated Safe at Home address, not their actual residential address.

County officials and staff will play a vital role in the Safe at Home program. We need your guidance and partnership because you are the experts in county processes. Voting procedures, vehicle registrations, and other procedures at the county level will be affected. My office has already met and worked with dozens of county officials on these issues. We look forward to meeting with more of you in the near future.

Application Process

Applications will be available on our Safe at Home website starting in mid-December. If you encounter an individual who is interested in the program, please direct them to SafeAtHome@iowa.gov. The Iowa Coalition Against Domestic Abuse and the Iowa Coalition Against Sexual Assault will have application assistants throughout the state to help with this process.

My office has created a full-time position to administer the program. This staffer will be available via phone and email. However, applicants hoping to participate in Safe at Home **should not** come to the Secretary of State's office for assistance with this process, to pick up their mail, or for other questions. Due to the public nature of my office, I fear it may not be a safe location for participants or applicants. We ask that they call or email our office with any assistance they might need.

Designated Address

Safe at Home provides each participant with a designated address, which will consist of both a street address and a PO Box. The street address will be the same for each participant in the program, except for an apartment number. This will allow staff to identify the participant in case we have multiple participants in the program with the same name. The designated city address

is Des Moines, with the 50319 zip code. That is the zip code for the State Capitol Building complex.

Participants can use the designated address assigned by the Secretary of State's Office beginning January 1, 2016. We anticipate approximately 150 participants in the first six months, and 500 in the first 18 months.

Participants can legally use their Safe at Home address anywhere a mailing or residential address is required, including on their driver's license, library card, school record, employment record and utility bill. It is important for your office to be aware that **it is required by law that you accept the participant's Safe at Home address**.

Participants also have total control over their confidential address. If you need that address to provide a service, such as utilities, they can provide it to you. Otherwise, please do not ask for the confidential address of a Safe at Home participant. The fewer individuals and offices that have their confidential address, the safer the participant will be.

If your service does not require an exact address, but requires an individual to live within a certain area or district, we can confirm they live in the district without providing the physical address. This request cannot be made over the phone. It must be made in writing. We ask that the request is done on official letterhead and mailed or e-mailed to our office. Faxes will not be accepted. Once we have checked to make sure this is a legitimate request, we will call the requester back and confirm whether or not they live in the district.

If you need to verify an individual's participation in the Safe at Home program, this can be done by calling the Safe at Home administrator at 515.725.SAFE (7233). We will need the participant's name and the reason you need verification. The address of the participant is confidential, but the participation of the individual in Safe at Home is not confidential.

Mail-Forwarding

The designated Safe at Home address is where all mail to the participant must be sent. Safe at Home staff will then forward the mail to the participant on the same business day. We are anticipating that mail could be delayed by five to seven business days, since it is going to our office, then to the participant. Therefore, if a mailing is time-sensitive, please take that into consideration, especially during the holiday season.

Continues on page 7.

feature - Safe at Home Program

Continued from page 6.

Our staff will forward all first-class mail, government packages and prescriptions. We will not forward personal packages nor magazines. This is for the safety of the participant, as we cannot intercept packages from offenders. Please, clearly mark packages that your office is sending. That will ensure the mailing is forwarded without delay.

Confidential Voter Registration and Absentee Voting

To maintain the survivor's safety when they vote, a Safe at Home participant's registration will not be maintained in the statewide voter registration system. Their names will not appear on the voter registration lists that are purchased by campaigns, researchers and other entities, nor on county auditors' records. All Safe at Home voter registration data will be maintained and handled by Safe at Home staff and stored in a separate database. This is very important. We do not want more eyes viewing the addresses of participants than absolutely necessary. In fact, I, as Secretary of State will not have access to the database or any of the participants' files.

When an election occurs and a participant wishes to vote, we will request the ballot from their county auditor, then send it to the participant. The county auditor will not know the name, gender or location of the voter. The only information an auditor will receive is that they have a participant who lives within a certain precinct. Once the ballot is returned by the participant, my staff will review the affidavit and ensure it includes necessary requirements, then send the ballot to the county auditor, without any identifying information. Voting at the polling place on Election Day is NOT a safe option for Safe at Home participants.

House File 585 does allow participants to request absentee ballots for up to a year at a time, which will make the process faster.

Other Helpful Information

Participation in Safe at Home spans four-year terms. A participant can apply for another term if necessary. If a participant graduates from the program or gets terminated from the program for any reason, government agencies and private organizations will not be notified. Your indication that the individual is no longer involved is when we return mail to sender or when you call to confirm. The participant may also call to notify you, or may reregister for services within your office under a new address.

The Safe at Home program could be a lifesaver for some participants. It is a vital program. Our office cannot run this program alone. We need your help with educating the public and government officials about Safe at Home. We also need you to help us make sure participants are not ostracized when they try to use their Safe at Home address. Please, when you have questions, contact our office at SafeAtHome@iowa.gov or 515.725.SAFE (7233).

We will have updates throughout the implementation of the program and will release information to those who are interested via our newsletter. To sign-up, please go to our website, www.SafeatHome.iowa.gov and sign up in the newsletter box in the bottom right-hand corner, or SafeAtHome@iowa.gov.

Paul D. Pate
Iowa Secretary of State
Paul.Pate@sos.iowa.gov

Safe at Home Contact Information:
Christy Johnson, Safe at Home Administrator
christy.johnson@sos.iowa.gov

Carol Olson, Elections Deputy
carol.olson@sos.iowa.gov

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legal briefs

ISAC and Friend of the Court Briefs

ISAC has recently filed one amicus curiae (friend of the court) brief and will file another in cases coming before the Iowa Supreme Court.

The first case is a case that has received a fair amount of press, although mostly for reasons other than the issue that could impact counties. The case is *Godfrey v. Branstad*, and relates to if Godfrey was terminated from his position as the Iowa Workers' Compensation Commissioner for improper reasons. One of Godfrey's claims asks for the Court to provide an implied right of action for monetary damages (including punitive damages) under the Iowa Constitution. Typically, if there are monetary damages available to plaintiffs for constitutional claims, such monetary damages are instituted through separate legislation. For example (and the one that covers Godfrey's claims that he was improperly terminated due to his sexual orientation), the Iowa Civil Rights Act provides for monetary damages in the case of violations. Courts do have the ability to create an implied right of action for monetary damages in constitutional claims, under a United States Supreme Court case – *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 US 380 (1971). *Bivens*, however, has been rarely applied outside of this case and even this opinion noted the rare application and caution a court needed to use before creating a right to monetary damages that had not been created by statute.

If the Iowa Supreme Court implies a right to monetary damages for the general constitutional claims of Godfrey, county officials could face great uncertainty about their liability in all sorts of decisions and activities, and counties could spend extensive resources defending lawsuits. The concern to counties is summed up in the friend of the court brief, "[t]he question, then, is whether these negative consequences—the financial stress on local governments, the emotional stress on govern-

By: *Kristi Harshbarger*
ISAC General Counsel



ment officials, the potential chilling of policy making, and the years of legal uncertainty—justify the benefits of a damages action for any perceived violation of the Iowa Constitution. It seems clear, at least on a high-level review, that the answer is no." The brief was prepared by Ryan Koopmans of the Nyemaster law firm. ISAC was joined by the Iowa League of Cities, the Iowa Communities Assurance Pool and the Iowa Association of School Boards in signing onto the brief. The brief was filed September 21, 2015.

The second case is *Griffin v. Pate* and deals with the definition of "infamous crimes." Persons convicted of infamous crimes cannot vote or run for office in Iowa, but the definition of this term is unclear. In a case in 2014, *Chido v. Section 43.24 Panel*, 846 NW2d 845, the Iowa Supreme Court determined that an OWI 2nd, an aggravated misdemeanor, was not an infamous crime. The Court had a majority on the ruling, but did not have a majority on the test to get to that conclusion. The majority was split as to whether all felonies equaled infamous crimes or if some felonies might not be infamous crimes depending upon the particular facts related to the charge. The latter decision would involve a multi-part analysis that must be conducted to determine if something is an infamous crime, and could result in much confusion and ambiguity, particularly for county auditors in their commissioner of elections role. *Griffin v. Pate* will hopefully result in an opinion with a majority of the Iowa Supreme Court agreeing to one test for the determination of what constitutes an infamous crime. ISAC will be filing an amicus curiae brief that is in line with ISAC's legislative policy statement on this issue, which states "ISAC supports legislation that will clarify the terminology used to report felony convictions to the state registrar of voters." The scheduling order for this case's review by the Iowa Supreme Court has not yet been issued.

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Medicaid Modernization: Legislative

By: *Jamie Cashman*

ISAC Government Relations
Manager



Earlier this year, Governor Branstad announced that the state of Iowa would be shifting the management of Iowa's \$4.2 million Medicaid program to private companies. This program provides health insurance to 560,000 disadvantaged and disabled people in Iowa and is financed by both the state and federal governments. The intent of the privatization as presented is to improve quality and access, promote accountability for outcomes, and to create a more predictable and sustainable Medicaid budget.

To move forward with this change, the state of Iowa through the Iowa Department of Human Services (DHS) has asked the federal government through the Centers for Medicare and Medicaid Services (CMS) for approval to a privatized managed care system. These changes have come in the form of waiver requests that are expected to be acted upon in December in order for the system to be turned over to managed care organizations (MCOs) by the scheduled date of January 1, 2016.

In August, DHS announced that four managed care organizations had been awarded contracts to oversee Iowa's Medicaid program of which were Amerigroup, AmeriHealth Caritas, United Healthcare Plan of the River Valley, and Wellcare. These companies have begun enrolling program members in November and signing contracts with care providers. This has been acted upon with the goal of providing a continuity of care for all parties involved.

Needless to say, this historic change has not been without controversy, and to oversee this effort the Iowa Legislature during the 2015 session formed a Health Policy Oversight Committee which consists of bi-partisan members of both the Iowa Senate and the House. On November 3, this Oversight Committee held its first meeting where it heard a program status update from DHS and the four MCOs as well public comment. During this meeting DHS as well as the MCOs testified that they were confident that the new managed care system would be fully functioning by the January 1 deadline.

During the public comment period, many of the provider organizations expressed severe doubt that it would be possible to transition the thousands currently enrolled in the program into the new system by January. There was also frustration raised over the lack of information on what the actual reimbursement rates will be to the providers. Because of these concerns and others, a motion was made to recommend to Governor Branstad to delay implementation to July 1, 2016. This motion was rejected as it failed to achieve a majority of all members of each of the caucuses on the committee according to their governing rules. The next scheduled meeting of the Health Policy Oversight Committee is scheduled for 10:00 am on December 7 in Room 103 (the Old Supreme Court Chambers) of the Iowa State Capitol.

In the meantime, on November 6, the Iowa Hospital Association along with the leaders of 11 private health companies filed a lawsuit in Polk County District Court against DHS and its Director Chuck Palmer. The suit asks the District Judge to place a hold on the January 1 transfer of Medicaid management to the four private MCOs. Reasons cited by the suit for asking for the hold is the belief by the hospitals that they are being intimidated into signing contracts not knowing what the actual provider rates will be and then threatened by DHS that whatever the rate will be, it will be cut by 10% if contracts aren't signed by the January deadline.

Regardless of the outcome of the lawsuit and expected action by the federal government in December, this change will continue to be debated going into the 2016 legislative session. What the final system will look like remains to be seen.

See more on page 12.

meetings

Register Today for ISAC University!

Please join us January 20-21, 2016 for ISAC University, an exciting two-day conference that will give you essential information and training on how to effectively lead and manage. This conference will provide unique content that is packed with powerful success strategies and tactics for improving your leadership skills. The conference will encourage you to examine and evaluate your current leadership practices, launch new initiatives, and share ideas. It's the role of a leader to help drive and direct the accomplishments within your county. The agenda (included on the next page) provides a diverse mix of keynote and seminar presentations that will give you tools that you can immediately use when you return home.

Who should attend: Everyone, but more specifically: supervisors and all department heads, county leaders and anyone interested in discovering leadership practices and learning how to create successful results in county government. This conference is a great networking opportunity for county officials from various backgrounds to come together and learn from one another.

Conference registration: Registration will open at 8:30 am on Tuesday, December 1, 2015. Please register at www.iowacounties.org. Registration will close at 4:30 pm on Tuesday, January 12, 2016. The registration fee for ISAC University is only \$195 if you preregister by January 12. At-the-door registration is \$215. Your registration includes all meals, refreshment breaks and an agenda full of dynamic speakers. Space is limited at this great conference, so please pre-register!

Location: West Des Moines Marriott (Grand Ballroom) 1250 Jordan Creek Parkway, West Des Moines, Iowa 50266

By: *Kelsey Sebern*

ISAC Meeting/Event Administrator



Hotel reservation information: The West Des Moines Marriott is located directly off of Interstate 80 West at Jordan Creek Parkway. Please call 515.267.1500 or 866.202.9771 before Tuesday, January 5, 2016 to reserve your room within the ISAC University room block. The room rate is \$104/night plus tax. The newly renovated West Des Moines Marriott provides complimentary on-site parking and wireless high speed Internet in every room, as well as a smoke-free environment. The hotel features a fitness center and an indoor pool and whirlpool. The hotel also has an on-site restaurant and lounge, Two Rivers Grille and Lounge. Check-in begins at 3:00 pm, and check-out must be completed by 12:00 pm.

Additional hotel rooms: An overflow block will be available near the conference hotel at the newly renovated Hampton Inn West Des Moines, 7060 Lake Drive, West Des Moines. The ISAC rate is \$89/night plus tax. Please call 515.223.4700 before Tuesday, January 5, 2016 to make your reservation. The Hampton Inn West Des Moines provides a complimentary hot breakfast, evening social (Monday-Thursday), business center, on-site parking, and wireless high speed Internet access. The hotel also features a fitness center and an indoor pool and whirlpool. Refrigerators and microwaves are available upon request. The hotel will provide complimentary shuttle service to/from the West Des Moines Marriott. Check-in begins at 3:00 pm, and check-out must be completed by 12:00 pm.

For more information, please contact Kelsey Sebern at ksebern@iowacounties.org or 515.244.7181. We look forward to seeing you at ISAC University in January!

ISAC University January 20-21, 2016 West Des Moines Marriott

Wednesday, January 20, 2016

12:00 pm - 1:00 pm Registration

1:00 pm - 1:15 pm Welcome Remarks

- Bill Peterson, ISAC Executive Director
- Joan McCalmant, Linn County Recorder and ISAC President

1:15 pm - 2:15 pm Opening Keynote: “Focus on the Good Stuff”

Within every department, organization or group there are many “Good Things” taking place every day. So often we spend so much of our time focusing on the bad stuff, the things we don’t like or want to change that we miss so much of the “Good Stuff” that is going on all around us. Mike will help every individual clearly understand how working together as a team will allow you to be more innovative and productive. He will share a few simple but very important techniques needed to help you make a habit of focusing on the good stuff.

- Mike Parker

2:15 pm – 2:30 pm Refreshment Break

2:30 pm - 4:00 pm “It Won’t Happen Here is Not a Plan: Preparing for Violent Incidents at Public Facilities and Events”

Domestic and international terrorist attacks regularly lead the headlines and public facilities and events are common target locations. Each assailant tries to outdo the others in terms of body count, destruction and generated fear. Every responsible citizen should have a plan in the event such an event erupts around them. This informative session will provide an overview of lessons learned during prior attacks on public facilities and events, provide realistic considerations for limiting attacks, review likely injuries and treatment, and suggest simple steps you can take to respond to a violent attack.

- Lt. Eric Dickinson, Vinton Police Department

5:00 pm - 7:00 pm Dinner and Closing Keynote: “From the Bottom Up”

Chad Pregracke is living proof that an average person can make a big difference. He holds the title of 2013 CNN Hero of the Year. He is also the Founder & President of the internationally recognized not-for-profit organization, Living Lands & Waters. His adventures and challenges will translate leaving you inspired to take action. Chad exemplifies how one person can make a difference in the world.

- Chad Pregracke

Thursday, January 21, 2016

8:00 am - 8:30 am Morning Refreshments

8:30 am - 10:00 am Opening Keynote: “Memory Power”

In today’s business world, having the ability to remember names and faces, beat absent-mindedness, and recall facts and figures puts you at the head of the pack. You’ll learn techniques on organizing your thoughts, remembering names and faces, and overcoming absent-mindedness. When you’re skilled in memory all your other skills get better.

- Paul Mellor

10:00 am - 10:15 am Break

10:15 am - 11:15 am Seminar: “The Manners that Move Your Career: Etiquette for the Management Minded”

The higher you go in an organization, the more visible you are and the more expectations people will have of you. Find out some of the etiquette and behavioral rules that set managers apart.

- Callista Gould, Culture & Manners Institute

11:15 am - 12:30 pm Seminar: “Running Effective Meetings”

Understanding parliamentary procedure is one of the keys to running an effective meeting. Learn more about motions, common misconceptions and rules of decorum. Following rules of order will lead to a more civil and productive debate.

- Michael Blaska, Parliamentarian & Chief of Staff, Wisconsin Counties Association

12:30 pm – 2:30 pm Lunch and Closing Keynote: “A Different Kind of Career: Under Cover in the CIA”

Imagine living a lie for 31 years. That’s what James Olson and his wife Meredith did while spying for the CIA. Spying for his country was the furthest thing from his mind when Olson, a farm boy from Iowa, received a mysterious phone call that changed his life forever.

- Jim Olson

Medicaid Modernization: Case Management

The saga, and unknown, continues with the Medicaid Modernization program. Four managed care organizations (MCOs), Amerigroup, AmeriHealth Caritas, United Health Care and WellCare, were the selected vendors to take over the \$4.2 billion Medicaid program in Iowa.

The Medicaid program provides medically necessary healthcare coverage for financially needy children, parents with children, people with disabilities, elderly people, and pregnant women. As you can see, this program provides necessary coverage to some of the most vulnerable of Iowa's population.

This program has left county and regional case management programs with a lot of uncertainty and questions. While members have the choice to remain with current case management agencies through 6.30.16, the plan from there is fuzzy. Two of the companies, AmeriHealth Caritas and WellCare, have indicated that they will be contracting with current case management entities to provide the community-based case management; Amerigroup has informed us that they will be hiring individuals to provide this service; and United Health Care has said that they too will hire to provide the service themselves. Because of the uncertainty regarding continued employment, many agencies are losing their case managers which is leading to increased caseloads on remaining staff and prompting some agencies to make the decision to close their doors because of the unknown.

With this being said, if all things are equal between the MCOs (doctors, specialists, providers, etc.) it is thought that individuals that currently receive targeted case management would choose either AmeriHealth Caritas or WellCare in order to keep their current case managers, but this is not a certainty.

To add to the unknown, CMS has not approved the Iowa plan, and has until December 1, 2015 to provide an answer. There is also litigation going on, as three companies are challenging the state's selection process. The outcome to this is now in the hands of an administrative law judge. There are several possible scenarios: CMS may not approve the plan because of

By: *Deb Eckerman Slack*
CM&MHDS Manager



the ongoing litigation or possibly delay implementation until litigation is settled; the ongoing litigation could delay implementation or possibly put a halt to moving forward with the plan; or if the administrative law judge does not rule in favor of the challenging companies, it could go forward into court by the three challenging companies.

All of these scenarios prove to be problematic for agencies providing targeted case management and for any future planning. With the closing of some agencies, and the loss of employees with current case management agencies, we are reaching a crisis as we will not have the workforce that is necessary to provide the necessary service. How will agencies continue to provide the service to its clients without the required workforce?

These are tough issues facing case management and county boards of supervisors. It may be time to be thinking outside of the box if agencies want to try to remain viable in this changing world. Some agencies have joined into Regional Case Management providers, which has lessened the administrative costs of the service. This may be a solution to some agencies issues, but because of the looming unknown, it could very well be a short term solution. The other issues that agencies need to take into account is their cost of unemployment should they close their doors.

The one thing we cannot forget in this time of the unknown are the members that we serve. These changes affect the most vulnerable of our population, and they need to be at the forefront of our work every day. We owe these individuals the same superior quality of service they have always received from us. If a transition to a MCO is to take place, we need to work to be certain that the transition causes the least amount of disruption to the members. It is the lives of these individuals that bring us to work every day, and that focus needs to remain in this time of uncertainty.

See more on page 9.

2015 ISAC Excellence in Action Awards

The purpose of the ISAC Excellence in Action Award is to recognize projects or individuals whose actions result in improving county services, communications, and cooperation to citizens, partners and other counties. In short, it's about recognizing excellence in action.

This year, we had three very good nominations for the Excellence in Action Award:

- Linn County Sheriff's Office for its outstanding example of community outreach in the implementation of their A.L.I.C.E. program;
- Johnson County for its efforts to better inform and engage its citizen through the Financial Transparency Portal; and
- Iowa Association of County Conservation Boards' (IACCB) MyCountyParks.com website and portal.

All three of these nominations are great examples of our counties applying creative problem solving with a desire to improve services or to deliver information to our citizens. In the end, one project stood out in terms of originality and a commitment a long term vision.

This year the Excellence in Action Award was awarded to the IACCB MyCountyParks.com website and portal.

Starting with a vision from the 1980s and building on the ragtag existence of independent websites and reservation platforms from the 1990s, the IACCB held fast to their vision of providing an easy-to-use, one-stop information and reservation system for users of conservation facilities.

By: *Robin Harlow*

ISAC Innovation and Research Manager



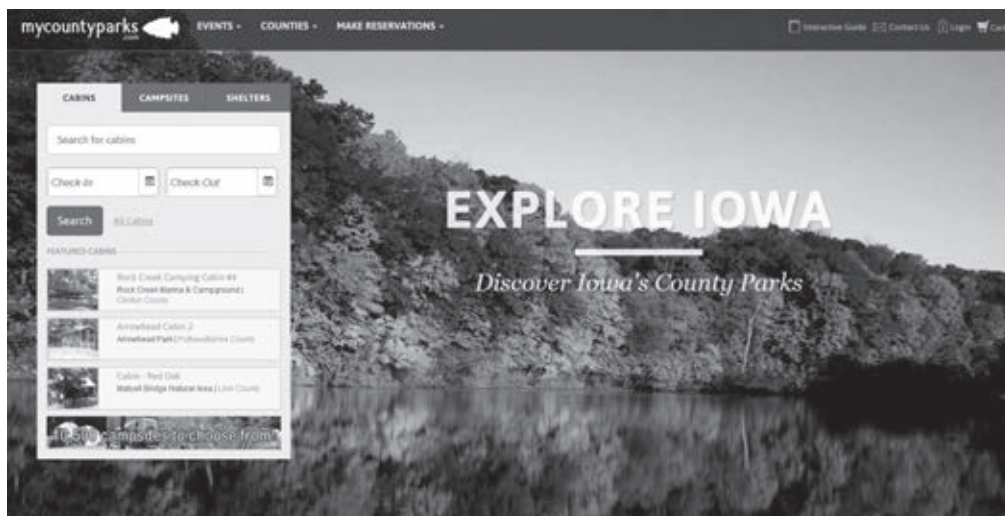
Learning from the initial website, the recently renovated MyCountyParks.com site offers the ability to filter through all cabins, campsites and shelters, or break it down by county. Visitors can locate a facility, choose their dates, and check out without ever leaving the site. Integration with Google Maps also allows visitors to compare locations of county parks.

Not resting with simply providing a website, the IACCB then leveraged its website infrastructure to fulfill a decades-old vision of creating a central repository for best practices, ideas and success stories within county conservation across the state of Iowa.

IACCB recognized not only the need for citizens to have access to online reservations, but to also to have access to each other to share ideas, projects, and information. Ultimately, this sharing enhances the services provided to our county citizens.

Congratulations to IACCB on being named the ISAC Excellence in Action Award winner for 2015.

You can find detailed information on all past and present winners on the ISAC website under the CoSTAR program tab.



ISAC Board Meeting Summary - October 15-16, 2015

ISAC President Melvyn Houser called the meeting to order and led the Board in the Pledge of Allegiance. The meeting minutes from September 17-18 were approved unanimously.

Joni Tonnemacher, McGowen Hurst Clark and Smith, P.C., presented the ISAC audit to the Board. No internal control deficiencies were identified as material weaknesses. Staff was temporarily excused so that the auditors could meet privately with the Board. The FY 2015 audit was accepted unanimously as presented.

Jon Covalt, ISAC Network Administrator, gave an overview of the full proposal for the upgrade of ISAC's server, network and security systems. He highlighted an extended battery back-up life, an upgrade to enterprise level hardware, licensing, Wi-Fi networks, and internal and external hosting. The Board discussed funding, future updates, hosting, space and more at length. The ISAC Network Assessment, Consolidation and Upgrade Proposal dated October 13, 2015 by Jon Covalt was approved unanimously. Funding was also unanimously approved in the amount of \$128,000 out of the depreciation fund and the remaining \$17,500 out of the fund balance. The ICTS portion of the proposal had previously been approved.

Peggy Rice, Legislative Policy Committee (LPC) Chair, gave an overview of the work of the LPC and commended its members for their teamwork and passion in recommending the legislative priorities to the Board. Jamie Cashman, ISAC Government Relations Manager, presented the recommended legislative objectives to the Board. Two additional objectives were presented for inclusion and approved unanimously by the Board after lengthy discussion – Iowa Public Agency Investment Trust and County Courthouse Furniture and Equipment Funding. The Board discussed the entirety of the 2016 ISAC Legislative Priorities at length.

Deb Eckerman Slack, CM&MHDS Manager, gave an update on Medicaid modernization under the managed care organizations (MCOs). She reported on the state of the county case management agencies and regions across Iowa.

President Houser recessed the Board and reconvened it the next morning.

Brad Holtan, ISAC Finance and Administration Manager, reviewed the financial statement dated September 30, 2015. Reminders have been sent out to aid in the collection of outstanding invoices. The Board unanimously accepted the report.

Brad explained and the Board unanimously approved the new payables process through ISAC's Document Locator software.

Kristi Harshbarger gave an update on legal matters.

Beth Manley, ISAC Compliance Officer, reported on progress related to the SOC audit.

Rachel Bennett, ISAC Communications and Marketing Manager, gave an update on ISAC's ongoing video project. The next video will focus on voting and the importance of the county auditors in the elections process.

Kelsey Sebern and Rachel gave updates on the 2015 ISAC Fall School of Instruction. Kelsey shared the schedule and agenda for 2016 ISAC University as well as the full 2016 ISAC board meeting schedule.

President Houser recommended on behalf of the Golden Eagle Committee and the Board unanimously named Sue Vande Kamp, former Story County Recorder, as the 2015 ISAC Golden Eagle.

The Board unanimously approved an increase of \$250 in the ISAC district runner-up scholarships. Approved totals for the 2016 scholarships are: six top district scholarships in the amount of \$2,500 each for a total of \$15,000; six district runner-up scholarships in the amount of \$1,250 each for a total of \$7,500; and the option of one past president scholarship in the amount of \$2,500. The recommended total to be awarded in 2016 is \$25,000.

After discussion of the recommended top priorities as well as several others as possible additions, The Board came to the consensus that Distracted Driving needed to be added as a top priority, and unanimously approved five top priorities for 2016: Delinquent Court Debt, Distracted Driving, E911 Funding, Food Safety, and Mental Health and Disability Services. The 2016 ISAC Legislative Priorities were unanimously recommended to the membership.

Bill Peterson updated the Board on the work being done by the County Strategic Technology Advisory Resource (CoSTAR) including pending grant proposals for software, the Excellence in Action Award, and the COIN network. He also demoed the Tableau software.

The Board unanimously approved the nominating committee recommendation for the following 2016 ISAC Executive Committee: Joan McCalmant, President; Peggy Rice, 1st Vice President; Lonny Pulkrabek, 2nd Vice President; and Eric Stierman, 3rd Vice President.

The meeting was adjourned following board members sharing issues, concerns, ideas, achievements, etc. with other board members.

Lincoln the Lawyer #9: Interesting Stories Part 3

Looking at last month's installment, I'm moved to caution that we should avoid overemphasizing Lincoln the homespun jokester as much as we avoid stressing too strongly Lincoln the corporate advocate. The fact is, the more we know about him, the more complex he becomes for us, and we have a greater appreciation for his wide range of abilities in a courtroom.

But hold on, let's not overemphasize his courtroom abilities, either. Mark Steiner asserts that Lincoln had no intellectual curiosity about the law, and "only read law when he had to." "Lincoln's approach can be seen in the actions that he took after he was mailed a catalogue of law books," says Steiner. "Lincoln kept the catalogue, which listed over 1,100 English and American treatises by subject, but he also wrote 'Too deep for me' on the outside of the envelope." Law partner Herndon confirms this somewhat lackadaisical approach in his descriptions of Lincoln at the office. He would show up at about 9:00 a.m., and "the first thing he did was to pick up a newspaper, spread himself out on an old sofa, one leg on a chair, and read aloud," something that annoyed Herndon intensely.

We can balance out our understanding of Lincoln with the testimony of other associates. One lawyer recalled, "Nothing can be more absurd than to picture Lincoln as a combination of buffoon and drummer. He was frequently the life of our little company, keeping us good-natured, making us see the funny side of things and generally entertaining us; but to create the impression that the circuit was a circus of which Lincoln was the clown is ridiculous." Or, as Lincoln's longtime friend and frequent courtroom adversary Leonard Swett put it, "Any man who took Lincoln for a simple minded man would very soon wake with his back in a ditch."

One courtroom tactic for which Lincoln was very well regarded was lulling opposing counsel into a false sense of security. Attorney James C. Robinson provided a description: Lincoln "had the manner of treating his antagonist with such perfect fairness, as to make the jury and bystanders think that he could not be induced to take advantage of him – a manner which was the hell-firedest lie that was ever acted." As an example, Lincoln would pay close attention to the opening statement for the plaintiff, "—indeed, as if he had never heard of the case before," and then in his opening speech would bow to the erudition of his opponent, and concede point after point that had been made. During this performance Lincoln's client "would frequently writhe in his chair," thinking his attorney had given him up, but somewhere in the praise would be a point that Lincoln allowed "if the facts are as [counsel] stated them." If the plaintiff's attorney "was lulled into inactivity during the

By: Grant Veeder

Black Hawk County Auditor,
ISAC Historian



trial and failed to close every loophole of escape for the defendant," the seemingly insignificant point would grow into the fact upon which the case would turn. The opponent's awakening would come in closing arguments, "after the evidence was closed and too late to retrieve." Meanwhile, "the average juror could never see anything but [Lincoln's] exceeding fairness and innocence in a trial," Robinson said, "—an innocence like that of a coal of fire in a bag of flax." Such reminiscences, as we have noted, were often embellished after Lincoln's presidency and death, but a contemporaneous account exists from an Illinois newspaper editor writing in 1859, who said, "Lincoln tries a suit well. By his genial spirit he keeps the Court, the jury and the opposite counsel in good humor, and sometimes by a comical remark, or a clever joke, upsets the dignity of the court. He never makes a big fight over a small or immaterial point, but frankly admits much, though never enough to damage his case."

Perhaps the best-known case where Lincoln held an ace up his sleeve was the Duff Armstrong murder trial. William "Duff" Armstrong was the son of Jack and Hannah Armstrong, friends of Lincoln's since New Salem days. When a stranger in town, Abe was maneuvered by his boastful employer into a wrestling match with Jack, who was the champion rowdy of a group of hard-drinking toughs called the Clary Grove Boys. Depending on the account, either Abe won, or Jack won, or it was a draw, or Jack cheated, or the Clary Grove Boys attacked Abe when it looked like their hero was losing, but the upshot was that Lincoln earned the respect of the bullies with his strength, wrestling prowess, and imperturbable demeanor, and Jack especially became great friends with him. The unanchored Lincoln often stayed at Jack and Hannah's cabin, helping with chores and rocking baby Duff (born in 1833) in the cradle or dandling him on his knee.

Apparently the acorn didn't fall far from the tree, and come 1857 Duff Armstrong was in big trouble. He was involved in a drunken altercation outside a camp meeting that resulted in the death of a big lug named "Pres" Metzker. Metzker allegedly got belligerent with Armstrong and James Norris, and the two later allegedly attacked Metzker, one with a neck yoke and the other with a slungshot, and Metzker died three days later of head injuries. The killing occurred in September, and in November Jack Armstrong passed away, leaving poor Hannah alone with Duff, whose guilt was popularly assumed. Lincoln was by then one of Illinois' better-known attorneys, and Thomas

Continues on next page.

Lincoln letters

Continued from previous page.

Edwards, one of the old Clary Grove Boys, looked him up and asked him to come to Duff's aid. Lincoln wordlessly stared at the floor for a long moment, until Edwards, trying to divine his silence, assured Abe he would be paid. "You Ed'ards!" Lincoln exclaimed, "You ought to know me better than to think I'd take a fee from any of Jack Armstrong's blood."

Lincoln took great care in selecting the jury, empaneling younger men who might have sympathy for the 24-year-old Duff. He introduced an expert witness, a doctor who testified that both of Metzker's head wounds could have resulted from the blow struck by the Norris, who had already been convicted of manslaughter. Then Lincoln cross-examined the key prosecution eyewitness, Charles Allen, who had testified that said he witnessed the attack at about 11:00 at night from 40 feet away, and could clearly see the identities of the assailants by the light of the full moon. Lincoln had Allen repeat several times how bright the moon was and how easy it was to see the attackers. Allen said the moon was as high as the sun is at 10:00 in the morning. Having tightly bound Allen to this version of events, Lincoln then produced an almanac that showed that the moon, rather than being high in the sky, was close to setting

at 11:00 pm on the night in question. Other almanacs were consulted and found to concur. Allen's credibility was laughed out of court.

Lincoln capped his performance with a closing argument that ended with a review of his personal obligations to the Armstrongs that strongly worked on the jury's emotions. Duff was found not guilty, and when his mother tearfully offered to pay Abe, he said, "Why—Hannah I shan't charge you a cent—ever." Questions have swirled around this trial ever since. Did Duff really kill Metzker? Did Lincoln use a bogus almanac? What the heck is a slungshot? Sometimes, after reading numerous and widely divergent accounts, you're left with your best guess. MY answers would be (A) yes (B) no and (C) it's like a blackjack. But whether Lincoln worked for true justice or for the eternal bonds of friendship, this story helped cement the image of Lincoln as a sharp-minded lawyer with a heart of gold.

By the way, this is usually called The Almanac Trial, but I didn't want to give away the ending. Next time we'll look at the Almanac Trial again, and get all weird.

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affiliate highlights

2015 Assessors Outstanding Member

David S. Kubik, Dubuque County Assessor was nominated and selected to receive the “Outstanding Member” Award at the Iowa State Association of Assessor’s (ISAA) Annual Conference and School of Instruction held September 27-30 in Des Moines. The recipient of this award is selected based on leadership qualities, professionalism and contributions to ISAA.

Dave started his assessment career in 1980 when he began working for Vanguard Appraisals. In 1982 he was appointed Clinton City Deputy Assessor. He was then appointed Dubuque County Deputy Assessor in 1986 and held that position until 2005 when he was then appointed Dubuque County Assessor. He is a member of ISAA and International Association of Assessing Officers.

Dave has served ISAA in several capacities over the years, most recently serving as the Chair of the Adhoc Quarry Committee, and member of the ISAA Executive Board and AdHoc Ag Land Use Adjustment Committee. Dave has also served ISAA as President in 2009.

Dave resides in Asbury, and is very involved in his community serving on several boards and committees for the city, as well as being an active member of St. Luke’s Methodist Church.

Special surprise guests attending the award presentation on



September 29 included wife Rhonda; daughter Amanda; son Rob and girlfriend Heather Breiner; parents Stan and Kay Kubik; sister Kathy Ezell; uncle Harlan Baskerville; long-time friend Steve Schade; and former bosses and their wives, Paul and Linda Thomsen and Bob and Kathy Kocer. Dave’s office staff Deb Miller, Deb Houy, Deb Nicks, Jayne McCarthy and Lori Roling were also there to help him celebrate.

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2015/2016 calendar

December 2015

- 7-9 ISSDA Winter School
(Embassy Suites Des Moines Downtown)
- 8-10 ICEA Annual Conference
(Ames)
- 16 ISAC Board of Directors Meeting
(ISAC Office)

January 2016

- 20-21 ISAC University
(West Des Moines Marriott)
- 22 ISAC Board of Directors Meeting
(ISAC Office)

February 2016

- 11 Supervisors Statewide Meeting
(Embassy Suites Des Moines Downtown)
- 12 ISAC Board of Directors Meeting
(ISAC Office)
- 20-24 NACo Legislative Conference
(Washington, D.C.)

March 2016

- 9 County Day at the Capitol
(Iowa State Capitol, Des Moines)
- 10-11 ISAC Spring School of Instruction
(Des Moines Marriott Downtown)

April 2016

- 14 ISAC HIPAA Program Training
(Courtyard by Marriott - Ankeny)
- 17-20 ISSDA Civil School
(Holiday Inn Airport)
- 28 Smart Connection Conference
(Airport Holiday Inn, Des Moines)
- 29 ISAC Board of Directors Meeting
(ISAC Office)

June 2016

- 15-14 ICIT Midyear Conference
(West Des Moines Marriott)
- 21-23 Recorders Summer School
(Honey Creek Resort, Moravia)

July 2016

- 7 ISAC Board of Directors Meeting
(ISAC Office)
- 13-15 ISACA Summer School Conference
(West Des Moines Sheraton)
- 22-25 NACo Annual Conference
(Long Beach, CA)

August 2016

- 31 ISAC Scholarship Golf Fundraiser
(Toad Valley Golf Course, Pleasant Hill)

September 2016

- 18-21 ISSDA Jail School
(Holiday Inn Airport)
- 21-23 ISAC Board of Directors Retreat
(Linn County)
- 29 ISAC LPC Meeting
(ISAC Office)

October 2016

- 27-28 ISAC Board of Directors Meeting
(ISAC Office)

November 2016

- 30-2 ISAC Fall School of Instruction
(Veteran's Memorial Community Choice
Credit Union Convention Center, Des
Moines)

December 2016

- 4-7 ISSDA Winter School
(Holiday Inn Airport)
- 6-8 ICEA Annual Conference
(Scheman Building, Ames)
- 14 ISAC Board of Directors Meeting
(ISAC Office)

If you have any questions about the meetings listed above or would like to add an affiliate meeting to the ISAC calendar, please contact Kelsey Sebern at ksebern@iowacounties.org.

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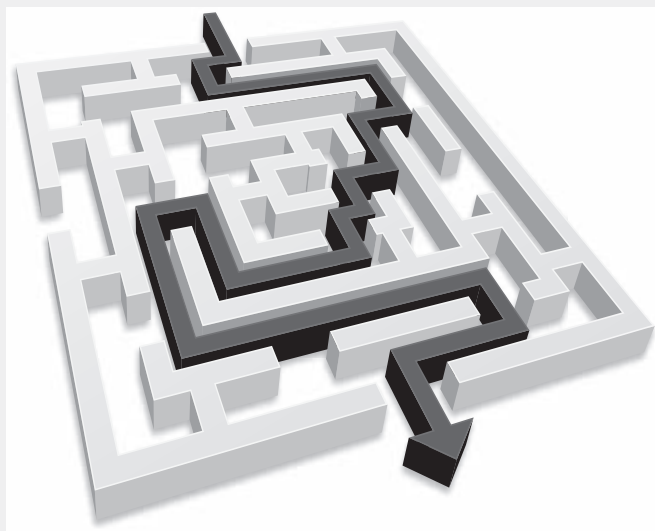
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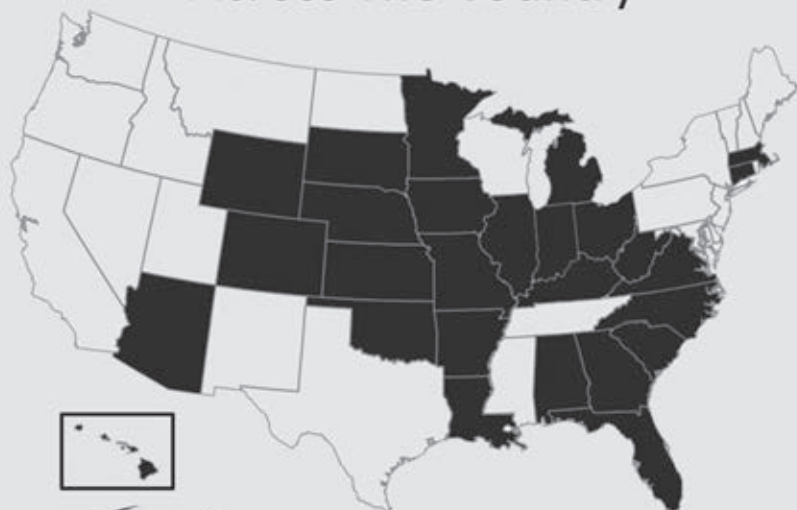
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