

CHAPTER 54
UNIFIED STATE MENTAL HEALTH AGENCY

S. F. 451

AN ACT relating to the establishment and the delay in implementation of the establishment of a unified state mental health agency.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section two hundred twenty-five B point two (225B.2), Code 1979, is amended to read as follows:

225B.2 IMPLEMENTATION.

1. A unified state mental health agency having broad responsibility both to plan, co-ordinate and review the delivery of mental health services in this state, and to directly deliver certain mental health services, shall be established effective July 1, ~~1979~~ 1980. The title, administrative structure, and specific powers and duties of the unified state mental health agency shall be as prescribed by the ~~1979~~ 1980 Session of the Sixty-eighth General Assembly.

2. If the governor determines that it would not be in the best interest of the state for subsection 1 of this section to be implemented on July 1, ~~1979~~ 1980, or if legislation prescribing the title, administrative structure, and specific powers and duties of the unified state mental health agency has not been approved prior to that date, the governor may by executive order delay the implementation of that subsection to a date not later than July 1, ~~1980~~ 1981.

Sec. 2. Section two hundred twenty-five B point eight (225B.8), Code 1979, is amended to read as follows:

225B.8 REPEALS. Chapter 225B and sections 217.10, 217.11 and 217.12, Code 1977, are repealed effective July 1, ~~1979~~ 1980. However, if the implementation of subsection 1 of section 225B.2 is delayed pursuant to subsection 2 of that section, the division of mental health resources of the department of social services and the Iowa mental health authority shall continue to be governed by the provisions of the statutes repealed by this section as if they were in full force and effect, until subsection 1 of section 225B.2 is implemented. On that date, in the absence of any prior legislative action to the contrary, the powers and duties assigned the Iowa mental health authority by chapter 225B, Code 1977, and by any other statutes referring to the Iowa mental health authority, and the powers and duties assigned the division of mental health of the department of social services by sections 217.10, 217.11 and 217.12, Code 1977, and by any other statutes referring to that division of the department of social services, shall all be transferred to and imposed upon the unified state mental health agency established by subsection 1 of section 225B.2.

Sec. 3. It is the intent of this Act that the Sixty-eighth General Assembly postpone its establishment of a unified state mental health agency to July 1, 1980 and that the governor be authorized to delay, after the 1980 session of the Sixty-eighth General Assembly convenes and before July 1, 1980, the implementation of the establishment of the unified agency to a date not later than July 1, 1981. It is also the intent of this Act that chapter two hundred twenty-five B (225B), Code 1977, and section two hundred seventeen point ten (217.10), section two hundred seventeen point eleven (217.11), and section two hundred seventeen point twelve (217.12), Code 1979, remain effective until their repeal effective July 1, 1980, unless the governor delays the implementation of the establishment of the unified agency under section one (1) of this Act.

The codification of sections two hundred seventeen point ten (217.10), two hundred seventeen point eleven (217.11), and two hundred seventeen point twelve (217.12) in the 1979 Code of Iowa shall not affect the repeal of those sections in section two (2) of this Act.

Sec. 4. This Act, being deemed of immediate importance, shall take effect from and after its publication in the West Des Moines Express, a newspaper published in West Des Moines, Iowa, and in the Globe-Gazette, a newspaper published in Mason City, Iowa.

Approved May 3, 1979

I hereby certify that the foregoing Act, Senate File 451, was published in the Globe-Gazette, Mason City, Iowa on May 11, 1979, and in the West Des Moines Express, West Des Moines, Iowa on May 17, 1979.

J. HERMAN SCHWEIKER, *Deputy Secretary of State*

CHAPTER 55

MEDICAL ASSISTANCE FOR MENTALLY ILL PERSONS

H. F. 677

An Act to amend the statutes governing support of the mentally ill and the medical assistance programs, to enable certain patients hospitalized for mental illness to receive medical assistance.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section two hundred thirty point twenty (230.20), subsection six (6), Code 1979, is amended to read as follows:

6. All or any reasonable portion of the charges incurred for services rendered to any patient, to the most recent date for which the charges have been computed, may be paid at any time by the patient or by any other person on the patient's behalf. Any payment so made, and any federal financial assistance received pursuant to title XVIII or XIX of the United States Social Security Act for services rendered to a patient, shall be credited