

CHAPTER 1245

SERVICES FOR PERSONS WITH MENTAL RETARDATION, DEVELOPMENTAL DISABILITIES, AND MENTAL ILLNESS

S.F. 2330

AN ACT relating to the provision of certain services to persons with mental retardation, a developmental disability, or mental illness.

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

Section 1. Section 225C.6, subsection 1, Code 1987, is amended by adding the following new paragraphs:

NEW PARAGRAPH. m. Establish standards for the provision of individual case management services.

NEW PARAGRAPH. n. Establish standards for the structure of a service coordination system which ensures a linkage between the service coordination system and individual case management services.

Sec. 2. Section 225C.18, subsection 1, Code 1987, is amended to read as follows:

1. A county board of supervisors, independently or in conjunction with one or more other county boards of supervisors, shall either establish a county or ~~joint county~~ multicounty mental health, ~~and mental retardation, and developmental disabilities co-ordinating board~~ or constitute the board or the ~~joint multicounty~~ boards of supervisors as the ex officio county mental health, ~~and mental retardation, and developmental disabilities co-ordinating board~~. If a separate county mental health, ~~and mental retardation, and developmental disabilities co-ordinating board~~ is established, it shall be composed of persons who have demonstrated a concern for mental health, ~~and mental retardation, and developmental disabilities services~~ and its size shall be determined by the board or ~~joint multicounty~~ boards of supervisors. ~~One Each county board of supervisors shall designate one or more county supervisors may be named to serve on a separate county mental health, and mental retardation, and developmental disabilities co-ordinating board. If the board or joint boards of supervisors serve ex officio as the county mental health and mental retardation co-ordinating board, it shall establish an advisory board composed of persons who have demonstrated a concern for mental health and mental retardation services, and who are not governmental officials, to advise the co-ordinating board with respect to the co-ordinating board's functions under subsection 2. The chairperson of the county mental health, mental retardation, and developmental disabilities advisory committee established under section 225C.18A shall serve on the county or multicounty co-ordinating board. The vice chairperson of the county mental health, mental retardation, and developmental disabilities advisory committee shall serve on the county or multicounty co-ordinating board if ten or more county supervisors are members of the board.~~

Sec. 3. Section 225C.18, subsection 2, unnumbered paragraph 1, Code 1987, is amended to read as follows:

A county or ~~joint county~~ multicounty mental health, ~~and mental retardation, and developmental disabilities co-ordinating board~~ shall:

Sec. 4. Section 225C.18, subsection 2, paragraph a, Code 1987, is amended to read as follows:

a. Develop a plan for the provision of mental health, ~~and mental retardation, and developmental disabilities services~~ in the county or counties represented by the membership of the board, consistent with the state mental health, ~~and mental retardation plans, and developmental disabilities plan~~; however, the plan shall only be valid if approved by the county board or boards of supervisors.

Sec. 5. Section 225C.18, subsection 2, Code 1987, is amended by adding the following new paragraph after paragraph a and relettering the subsequent paragraphs:

NEW PARAGRAPH. b. Develop a plan, subject to annual state appropriations, county budgets, and other sources of funding, to provide individual case management services through the county, through a contract with a private provider, or through the department. However, the plan shall only be valid if approved by the county board or boards of supervisors.

Sec. 6. NEW SECTION. 225C.18A MENTAL HEALTH, MENTAL RETARDATION, AND DEVELOPMENTAL DISABILITIES ADVISORY COMMITTEE.

1. The mental health, mental retardation, and developmental disabilities coordinating board shall establish an advisory committee composed of consumers, advocates, funding providers, service providers, program monitors, and other persons who have demonstrated a concern for mental health, mental retardation, or developmental disabilities. The board shall assure a balance of representation in the membership of the committee among the persons listed above and the service populations for whom the board has responsibility. Each county shall appoint to the committee one or more persons who have demonstrated a concern for persons with mental illness, one or more persons who have demonstrated a concern for persons with mental retardation, and one or more persons who have demonstrated a concern for persons with a developmental disability.

2. A county or multicounty mental health, mental retardation, and developmental disabilities advisory committee shall do all of the following:

a. Advise the mental health, mental retardation, and developmental disabilities coordinating board regarding board functions under section 225C.18, subsection 2.

b. Submit an annual plan to the mental health, mental retardation, and developmental disabilities coordinating board which includes recommendations regarding service development, expansion, modifications, and an estimate of the cost of implementing the plan.

c. Review and evaluate the appropriateness, effectiveness, and efficiency of services being provided to persons with mental retardation, a developmental disability, or mental illness in the county or multicounty area.

d. Perform duties assigned by the mental health, mental retardation, and developmental disabilities coordinating board.

e. Study and evaluate the needs of persons with mental retardation, a developmental disability, or mental illness in the county or multicounty area.

Sec. 7. NEW SECTION. 225C.18B RESPONSIBILITIES OF COUNTIES FOR INDIVIDUAL CASE MANAGEMENT SERVICES.

Individual case management services shall be provided by the department except when a county or a consortium of counties contracts with the department to provide the services. A county or consortium of counties may contract to be the provider at any time and the department shall agree to the contract so long as the contract meets the standards for case management adopted by the department. The county or consortium of counties may subcontract for the provision of case management services so long as the subcontract meets the same standards. A mental health, mental retardation, and developmental disabilities coordinating board which intends to change the provider of individual case management services shall provide written notification of a proposed change to the department on or before August fifteenth and written notification of an approved change on or before October fifteenth in the fiscal year which precedes the fiscal year in which the change will take effect.

Sec. 8. NEW SECTION. 225C.32 PLAN APPEALS PROCESS.

The department shall establish an appeals process by which a mental health, mental retardation, and developmental disabilities coordinating board or an affected party may appeal a decision of the department or of the coordinating board.

Approved May 14, 1988