

SENATE FILE 2062
BY MILLER

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to county management plans for mental health,
2 mental retardation, and developmental disabilities services by
3 limiting financial responsibility under certain circumstances
4 for an individual's county of legal settlement for services
5 authorized by the individual's county of residence and
6 providing an applicability date.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2062
HUMAN RESOURCES

1 Section 1. Section 331.439, Code 2003, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 9. a. A county's management plan shall
4 provide that when the county is an individual's county of
5 residence but not the individual's county of legal settlement,
6 unless the individual's county of legal settlement approves of
7 the services authorized to be provided to the individual by
8 the county of residence, the county financial liability for
9 services provided to the individual in excess of one thousand
10 dollars shall be the responsibility of the individual's county
11 of residence. The county of legal settlement must approve of
12 services authorized to be provided to the individual that are
13 part of the county of legal settlement's management plan and
14 would be authorized for the individual if the county of legal
15 settlement was also the county of residence.

16 b. If a dispute arises regarding financial responsibility
17 under this subsection, the dispute shall be resolved in the
18 same manner as provided for resolution of a legal settlement
19 dispute under section 222.70 or 230.12, as applicable.

20 Sec. 2. APPLICABILITY. This Act applies to county
21 financial responsibility for those services provided on behalf
22 of individuals whose service costs first become a county
23 liability on or after July 1, 2004.

24 EXPLANATION

25 This bill relates to county management plans for mental
26 health, mental retardation, and developmental disabilities
27 (MH/MR/DD) services by limiting financial responsibility under
28 certain circumstances for an individual's county of legal
29 settlement for services authorized by the individual's county
30 of residence.

31 The bill amends Code section 331.439, relating to county
32 eligibility for state funding for MH/MR/DD services. Among
33 other requirements, current law requires a county to have an
34 approved management plan for the county's provision of
35 MH/MR/DD services.

1 The bill requires a county management plan to provide that
2 when the county is an individual's county of residence but not
3 the county of legal settlement, unless the individual's county
4 of legal settlement approves of the services provided to the
5 individual by the county of residence, the county financial
6 liability for services authorized to be provided to the
7 individual in excess of one thousand dollars shall be the
8 responsibility of the individual's county of residence. A
9 county of legal settlement must approve of services authorized
10 to be provided to the individual that are part of the county
11 of legal settlement's management plan and would be authorized
12 for the individual if the individual's county of legal
13 settlement was also the individual's county of residence.

14 The bill provides that if a dispute arises regarding
15 financial responsibility under the bill's provisions, the
16 dispute shall be resolved in the same manner as provided for
17 resolution of a legal settlement dispute under Code section
18 222.70 or 230.12, as applicable. Code section 222.70 provides
19 for resolution by the district court of disputes regarding the
20 legal settlement of a person admitted or committed to a state
21 resource center, a special unit, or a community-based service.
22 Code section 230.12 relates to resolution by the district
23 court of disputes regarding the legal settlement of a person
24 committed to a state mental health institute. Both provisions
25 allow for counties to utilize an alternative dispute
26 resolution process in lieu of the district court.

27 The bill is applicable to county financial responsibility
28 for those services provided on behalf of individuals whose
29 service costs first become a county liability on or after July
30 1, 2004.

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