

CHAPTER 61
SUBACUTE CARE FACILITIES
S.F. 401

AN ACT relating to subacute care facilities.

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

Section 1. Section 135G.6, subsection 2, Code 2015, is amended to read as follows:

2. a. The department of human services has submitted written approval of the application based upon the process used by the department of human services to identify the best qualified providers. ~~The process implemented by the department of human services shall utilize a request for proposals process to identify the best qualified providers, limit the number of subacute care facility beds, and ensure the geographic dispersion of subacute mental health services.~~

b. The department of human services shall not give approval to an application which would cause the number of publicly funded subacute care facility beds licensed under [this chapter](#) to exceed ~~fifty~~ [seventy-five](#) beds.

c. ~~The subacute care facility beds identified by the request for proposals process initiated on or after the effective date of this Act shall be existing beds which have been awarded a certificate of need pursuant to [chapter 135](#) new beds located in hospitals and facilities licensed as a subacute care facility under [this chapter](#). Such beds shall not be required to obtain an additional certificate of need upon conversion to licensed subacute care facility beds.~~

Sec. 2. Section 229.13, subsection 1, Code 2015, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. If the court orders evaluation and treatment of the respondent on an inpatient basis under [this section](#), the court may order the respondent placed under the care of an appropriate subacute care facility licensed under [chapter 135G](#).

Sec. 3. Section 229.14, subsection 2, Code 2015, is amended by adding the following new paragraph:

NEW PARAGRAPH. e. If the court orders placement and treatment of the respondent on an inpatient basis under [this section](#), the court may order the respondent placed under the care of an appropriate subacute care facility licensed under [chapter 135G](#).

Sec. 4. DEPARTMENT OF INSPECTIONS AND APPEALS — RULES. The administrative rules adopted by the department of inspections and appeals relating to eligibility requirements for individualized subacute mental health services in subacute care facilities licensed under [chapter 135G](#) shall allow for the treatment of persons involuntarily hospitalized under [chapter 229](#).

Sec. 5. DEPARTMENT OF HUMAN SERVICES — RULES. The department of human services shall adopt rules pursuant to [chapter 17A](#) to administer the section of this Act amending [section 135G.6](#).

Approved April 24, 2015