

**331.438 County mental health, mental retardation, and developmental disabilities services expenditures — joint state-county planning, implementing, and funding.**

1. For the purposes of section 331.424A, this section, section 331.439, and chapter 426B, unless the context otherwise requires:

a. “*Base year expenditures*” means the amount selected by a county and reported to the county finance committee pursuant to this paragraph. The amount selected shall be equal to the amount of net expenditures made by the county for qualified mental health, mental retardation, and developmental disabilities services provided in one of the following:

(1) The actual amount reported to the state on October 15, 1994, for the fiscal year beginning July 1, 1993.

(2) The net expenditure amount contained in the county’s final budget certified in accordance with chapter 24 for the fiscal year beginning July 1, 1995, and reported to the county finance committee.

b. “*Qualified mental health, mental retardation, and developmental disabilities services*” means the services specified in the rules adopted by the state commission for administering the services fund, pursuant to section 331.424A.

c. “*State commission*” means the mental health and disability services commission created in section 225C.5.

d. “*State payment*” means the payment made by the state to a county determined to be eligible for the payment in accordance with section 331.439.

2. A state payment to a county for a fiscal year shall consist of the sum of the state funding the county is eligible to receive from the property tax relief fund in accordance with section 426B.2 plus the county’s portion of state funds appropriated for the allowed growth factor adjustment established by the general assembly under section 331.439, subsection 3, and paid from the allowed growth funding pool in accordance with section 426B.5.

3. The state payment shall not include any expenditures for services that were provided but not reported in the county’s base year expenditures or for any expenditures which were not included in the county management plan submitted by the county in accordance with section 331.439. A county’s eligibility for state payment is subject to the provisions of section 331.439.

4. a. The state commission shall make recommendations and take actions for joint state and county planning, implementing, and funding of mental health, mental retardation or other developmental disabilities, and brain injury services, including but not limited to developing and implementing fiscal and accountability controls, establishing management plans, and ensuring that eligible persons have access to appropriate and cost-effective services.

b. The state commission shall do all of the following:

(1) Receive and review reports from the department of human services identifying characteristics of the county services system, including amounts expended, equity of funding among counties, funding sources, provider types, service availability, and equity of service availability among counties and among persons served.

(2) Consider proposals for revising county services system administrative rules.

(3) Adopt administrative rules relating to county management plans.

(4) Provide input, when appropriate, to the director of human services in any decision involving administrative rules which were adopted by the department of human services pertaining to the services system administered by counties.

(5) Consider recommendations for and adopt administrative rules establishing statewide minimum standards for services and other support required to be available to persons covered by a county management plan under section 331.439.

(6) Consider recommendations for measuring and improving the quality of state and county mental health, mental retardation, and developmental disabilities services and other support.

5. This section is repealed July 1, 2013.

90 Acts, ch 1250, §2; 92 Acts, ch 1241, §75; 94 Acts, ch 1163, §2; 95 Acts, ch 120, §5, 7; 95 Acts, ch 206, §14; 96 Acts, ch 1183, §34 – 37; 96 Acts, ch 1205, §2; 97 Acts, ch 23, §36; 97 Acts, ch 198, §3; 98 Acts, ch 1213, §4, 5, 9 – 11; 99 Acts, ch 160, §7 – 10; 2000 Acts, ch 1090, §3, 6;

2001 Acts, ch 155, §3, 9 – 11; 2002 Acts, ch 1146, §8 – 11; 2004 Acts, ch 1090, §19 – 23; 2004 Acts, ch 1175, §174; 2005 Acts, ch 3, §65; 2006 Acts, ch 1093, §1, 3; 2007 Acts, ch 218, §78, 79; 2010 Acts, ch 1031, §365, 366, 389; 2011 Acts, ch 123, §23, 27

[T] NEW subsection 5