

**441—25.65(426B) Repayment provisions.**

**25.65(1) *Required repayment.*** Counties shall be required to repay risk pool funds if the county's actual need for risk pool assistance was less than the amount of risk pool assistance granted to the county. The county shall refund the lesser of:

- a.* The amount of assistance awarded; or
- b.* An amount such that the fund balance after refund will not exceed 5 percent of the year-end balance. Fund balances shall be determined on a modified accrual basis.

**25.65(2) *Year-end report.*** Each county granted risk pool funds shall complete a year-end financial report. The division shall review the accrual information and notify the mental health risk pool board if any county that was granted assistance in the prior year received more than the county's actual need based on the submitted financial report.

**25.65(3) *Notification to county.*** The chairperson of the mental health risk pool board shall notify each county by January 1 of each fiscal year of the amount to be reimbursed. The county shall reimburse the risk pool within 30 days of receipt of notification by the chairperson of the mental health risk pool board. If a county fails to reimburse the mental health risk pool, the board may request a revenue offset through the department of revenue. Copies of the overpayment and request for reimbursement shall be sent to the county auditor and the central point of coordination administrator of the county.