

441—25.14(225C) Regional governance agreement. The expectations for regional governance agreements entered into by the counties comprising a mental health and disability services region are defined in Iowa Code sections 28E.1, 225C.55, 225C.57, and 225C.59.

25.14(1) Organizational provisions. The organizational provisions of the regional governance agreement shall include the following:

- a. A statement of purpose, goals, and objective of entering into the agreement.
- b. Identification of the governing board membership and the terms, methods of appointment, and voting procedures, including whether or not voting will be weighted.
- c. The identification of the process for selecting the executive staff, including but not limited to the chief executive officer of the regional administrative entity.
- d. Identification of the counties participating in the agreement.
- e. The time period of the agreement and terms for termination or renewal of the agreement.
- f. Provisions for joining a region. Additional counties may join the region. The agreement shall not prohibit a county from being assigned by the department to a region according to Iowa Code section 225C.56(4)“c.”
- g. Methods for dispute resolution and mediation.
- h. Methods for termination of a county’s participation in the region.
- i. Provision for formation and assigned responsibilities for one or more regional advisory committees for adult mental health and disability services consisting of:
 - (1) Individuals who utilize services or the actively involved relatives of such individuals.
 - (2) Service providers of adult mental health and disability services.
 - (3) Governing board members.
 - (4) Other interests identified in the agreement.
- j. Provision for formation and assigned responsibilities for one or more regional advisory committees for children’s behavioral health services consisting of:
 - (1) A parent of a child who utilizes services or an actively involved relative of such child.
 - (2) A member of the education system.
 - (3) An early childhood advocate.
 - (4) A child welfare advocate.
 - (5) A children’s behavioral health service provider.
 - (6) A member of the juvenile court.
 - (7) A pediatrician.
 - (8) A child care provider.
 - (9) A local law enforcement representative.
 - (10) A regional governing board member.
- k. Methods for reimbursing member counties if county employees are conducting regional work.

25.14(2) Administrative provisions. The administrative provisions of the regional governance agreement shall include all of the following:

- a. Identification of whether the region will either directly implement a system of service management or contract with a private entity to manage the regional service system as defined in Iowa Code section 225C.60(7).
- b. Responsibility of the governing board in appointing and evaluating the performance of the chief executive officer of the regional administrative entity.
- c. A general list of the functions and responsibilities of the regional administrative entity’s chief executive officer and other staff including but not limited to coordinators of mental health and disability services and coordinators of children’s behavioral health services.
- d. Specification of the functions to be carried out by each party to the agreement and by any subcontractor of a party to the agreement.

25.14(3) Financial provisions. The financial provisions of the regional governance agreement shall include all of the following:

- a. Methods for pooling, managing and expending funds under control of the regional administrative entity.

- b.* Methods for allocating administrative funding and resources.
- c.* Methods for allocating a region's cash flow amount in the event a county leaves the region. A region's cash flow amount shall be divided by the percentage of each county's population according to the region's population indicated in the region's annual service and budget plan and shall be allocated to the counties.
- d.* Methods for contributing initial funds to the region.
- e.* Methods for acquiring or disposing of real property.
- f.* The process for how to use savings achieved for reinvestment.
- g.* A process for performance of an annual independent audit of the regional administrator, and methods for submitting the audit to the department upon completion.

[**ARC 1173C**, IAB 11/13/13, effective 1/1/14; **ARC 4896C**, IAB 2/12/20, effective 3/18/20; **ARC 5956C**, IAB 10/6/21, effective 12/1/21; **ARC 6237C**, IAB 3/9/22, effective 5/1/22; **ARC 6613C**, IAB 11/2/22, effective 1/1/23; **ARC 8109C**, IAB 7/10/24, effective 8/14/24]