

Senate Amendment 3217

Amendment Text

PAG LIN

1 1 Amend [House File 664](#), as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, by inserting before line 1 the
1 4 following:
1 5 "DIVISION I
1 6 ADULT MH/MR/DD SERVICES FUNDING PILOT PROJECT".
1 7 #2. Page 5, by striking line 24 and inserting the
1 8 following: "areas, designated by the governor."
1 9 #3. Page 8, by inserting after line 21 the
1 10 following:
1 11 "DIVISION ____
1 12 MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES
1 13 COMMISSION
1 14 Sec. _____. Section [225C.4](#), subsection 1, paragraph
1 15 p, Code 1999, is amended to read as follows:
1 16 p. Recommend

~~and enforce~~

~~to the commission~~ minimum

1 17 accreditation standards for the maintenance and
1 18 operation of community mental health centers.
1 19 services, and programs under section 230A.16. The
1 20 administrator's review and evaluation of the centers.
1 21 services, and programs for compliance with the adopted
1 22 standards shall be as provided in section 230A.17.
1 23 Sec. _____. Section [225C.4](#), subsection 1, Code 1999,
1 24 is amended by adding the following new paragraph:
1 25 NEW PARAGRAPH. pp. Recommend to the commission
1 26 minimum standards for supported community living
1 27 services. The administrator shall review and evaluate
1 28 the services for compliance with the adopted
1 29 standards.
1 30 Sec. _____. Section [225C.6](#), subsection 1, paragraph
1 31 c, Code 1999, is amended to read as follows:
1 32 c. Adopt standards for community mental health
1 33 centers, services, and programs as recommended under
1 34 section 230A.16. The commission shall determine
1 35 whether to grant, deny, or revoke the accreditation of
1 36 the centers, services, and programs.
1 37 Sec. _____. Section [225C.6](#), subsection 1, paragraph
1 38 l, Code 1999, is amended to read as follows:
1 39 1. Establish standards for the provision under
1 40 medical assistance of individual case management
1 41 services. The commission shall determine whether to
1 42 grant, deny, or revoke the accreditation of the
1 43 services.
1 44 Sec. _____. Section [225C.21](#), subsection 2, Code
1 45 1999, is amended to read as follows:
1 46 2. The

~~department~~

~~commission~~ shall adopt rules

1 47 pursuant to chapter 17A establishing minimum standards
1 48 for

~~the programming of~~

~~supported community living~~

1 49 services. The

~~department~~
- ~~commission~~ shall

~~approve all~~

1 50 determine whether to grant, deny, or revoke approval
2 1 for any supported community living

~~services which meet~~

2 2

~~the minimum standards~~
- ~~service.~~

2 3 DIVISION ____
2 4 STATE-COUNTY MANAGEMENT COMMITTEE
2 5 Sec. _____. Section [331.438](#), subsection 4, paragraph
2 6 b, unnumbered paragraph 1, Code 1999, is amended to
2 7 read as follows:
2 8 The management committee shall consist of

~~not more~~

2 9

~~than twelve~~

- thirteen voting members as follows:
2 10 Sec. _____. Section [331.438](#), subsection 4, paragraph
2 11 b, subparagraph (1), Code 1999, is amended to read as
2 12 follows:
2 13 (1)

~~An equal number of not more than nine~~

- Four
2 14 members shall be appointed by the director of human
2 15 services

~~and~~

- Four members shall be appointed by the
2 16 Iowa state association of counties

~~and one additional~~

2 17

~~member shall be jointly appointed by both entities~~

2 18 Members appointed by the Iowa state association of
2 19 counties shall be selected from a pool nominated by
2 20 the county supervisor affiliate of the association
2 21 with four members from the affiliate. The affiliate
2 22 shall select the nominees through a secret ballot
2 23 process. In addition, two members shall be appointed
2 24 by the community services affiliate of the Iowa state
2 25 association of counties.
2 26 Sec. _____. Section [331.438](#), subsection 4, paragraph
2 27 b, subparagraph (4), Code 1999, is amended to read as
2 28 follows:
2 29 (4) A member who is not a legislator shall have
2 30 expenses and other costs paid by the state or the
2 31 county entity that the member represents. The
2 32 committee shall

~~establish terms for its members,~~

- elect

2 33 officers, adopt operating procedures, and meet as
2 34 deemed necessary by the committee. Terms of office
2 35 for the appointed voting members of the committee are
2 36 three years and shall be staggered. A vacancy on the
2 37 committee shall be filled in the same manner as the
2 38 original appointment.

2 39 Sec. _____. SERVICE SYSTEM ISSUES. The state-county
2 40 management committee shall create a task force to
2 41 consider issues and options regarding statewide
2 42 eligibility standards, identification of core or basic
2 43 services to be made reasonably available statewide,
2 44 statewide equity and other considerations associated
2 45 with distributing state funding, implementation of
2 46 funding decategorization, changes in the membership
2 47 composition of the committee, legal settlement issues,
2 48 improved utilization of available funding streams, and
2 49 the allowed growth recommendation process. In
2 50 considering the allowed growth recommendation process,
3 1 the task force shall review the divergence between
3 2 unmet needs in the service delivery system and county
3 3 expenditure trends and shall make specific
3 4 recommendations as to how allowed growth funding can
3 5 best be distributed to address services that are not
3 6 adequately funded and population groups that are not
3 7 served or are underserved. The committee shall
3 8 consider the task force report and incorporate the
3 9 committee's findings and recommendations on these
3 10 topics in the committee's annual report to the
3 11 governor and general assembly on January 1, 2000.

3 12 Sec. _____. STAGGERED TERMS. Effective July 1,
3 13 1999, the appointing authorities for the state-county
3 14 management committee shall provide by mutual agreement
3 15 for the staggering of the terms of voting members of
3 16 the committee so that the terms of at least four
3 17 members expire each year. Based on this mutual
3 18 agreement, the terms of individuals who are voting
3 19 members of the committee as of June 30, 1999, shall
3 20 either expire June 30, 1999, or be for one, two, or
3 21 three years beginning on July 1, 1999. The terms of
3 22 the two members appointed by the community services
3 23 affiliate of the Iowa state association of counties
3 24 shall commence July 1, 1999. This section takes
3 25 effect June 30, 1999.

3 26 DIVISION ____
3 27 COUNTY MANAGEMENT PLAN PROVISIONS

3 28 Sec. _____. Section [331.439](#), subsection 1, paragraph
3 29 b, Code 1999, is amended to read as follows:

3 30 b. The county developed and implemented a county
3 31 management plan for the county's mental health, mental
3 32 retardation, and developmental disabilities services
3 33 in accordance with the provisions of this paragraph
3 34 "b". The plan shall comply with the administrative
3 35 rules adopted for this purpose by the council on human
3 36 services and is subject to the approval of the
3 37 director of human services in consultation with the
3 38 state-county management committee created in section
3 39 331.438. The plan shall include a description of the
3 40 county's service management provision for mental
3 41 health, mental retardation, and developmental
3 42 disabilities services. For mental retardation and
3 43 developmental disabilities service management, the
3 44 plan shall describe the county's development and
3 45 implementation of a managed system of cost-effective
3 46 individualized services and shall comply with the
3 47 provisions of paragraph "d". The goal of this part of
3 48 the plan shall be to assist the individuals served to
3 49 be as independent, productive, and integrated into the

3 50 community as possible. The service management
4 1 provisions for mental health shall comply with the
4 2 provisions of paragraph "c". A county is subject to
4 3 all of the following provisions in regard to the
4 4 county's management plan and planning process:
4 5 (1) The county shall have in effect an approved
4 6 policies and procedures manual for the county's
4 7 services fund. The county management plan shall be
4 8 defined in the manual. The manual submitted by the
4 9 county as part of the county's management plan for the
4 10 fiscal year beginning July 1, 2000, as approved by the
4 11 director of human services, shall remain in effect,
4 12 subject to amendment. An amendment to the manual
4 13 shall be submitted to the department of human services
4 14 at least forty-five days prior to the date of
4 15 implementation. Prior to implementation of any
4 16 amendment to the manual, the amendment must be
4 17 approved by the director of human services in
4 18 consultation with the state-county management
4 19 committee.

4 20 (2) For informational purposes, the county shall
4 21 submit a management plan review to the department of
4 22 human services by April 1 of each year. The annual
4 23 review shall incorporate an analysis of the data
4 24 associated with the services managed during the
4 25 preceding fiscal year by the county or by a managed
4 26 care entity on behalf of the county.

4 27 (3) For informational purposes, every three years
4 28 the county shall submit to the department of human
4 29 services a three-year strategic plan. The strategic
4 30 plan shall describe how the county will proceed to
4 31 attain the goals and objectives contained in the
4 32 strategic plan for the duration of the plan. The
4 33 three-year strategic plan shall be submitted by April
4 34 1, 2000, and by April 1 of every third year
4 35 thereafter.

4 36 Sec. _____. Section 331.439, subsection 1, paragraph
4 37 c, subparagraph (1), Code 1999, is amended to read as
4 38 follows:

4 39 (1) For mental health service management, the
4 40 county may either directly implement a system of
4 41 service management and contract with service
4 42 providers, or contract with a private entity to manage
4 43 the system, provided all requirements of this lettered
4 44 paragraph are met by the private entity. The mental
4 45 health service management shall incorporate a single
4 46 entry point and clinical assessment process developed
4 47 in accordance with the provisions of section 331.440.
4 48

~~The county shall submit this part of the plan to the~~

~~4 49~~

~~department of human services for approval by April 1~~

~~4 50~~

~~for the succeeding year. Initially, this part of the~~

~~5 1~~

~~plan shall be submitted to the department by April 1,~~

~~5 2~~

~~1996, and the county shall implement the approved plan~~

5 3

~~by July 1, 1996.~~

5 4 Sec. ____ Section [331.439](#), subsection 1,
5 5 paragraphs d and e, Code 1999, are amended to read as
5 6 follows:

5 7 d. For mental retardation and developmental
5 8 disabilities services management, the county must
5 9 either develop and implement a managed system of care
5 10 which addresses a full array of appropriate services
5 11 and cost-effective delivery of services or contract
5 12 with a state-approved managed care contractor or
5 13 contractors. Any system or contract implemented under
5 14 this paragraph shall incorporate a single entry point
5 15 and clinical assessment process developed in
5 16 accordance with the provisions of section 331.440.
5 17 The elements of the managed system of care and the
5 18 state-approved managed care contract or contracts
5 19 shall be specified in rules developed by the
5 20 department of human services in consultation with the
5 21 state-county management committee and adopted by the
5 22 council on human services.

~~Initially, this part of~~

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~~the plan shall be submitted to the department for~~

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~~approval on or before October 1, 1996, and shall be~~

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~~implemented on or before January 1, 1997. In fiscal~~

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~~years succeeding the fiscal year of initial~~

5 27

~~implementation, this part of the plan shall be~~

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~~submitted to the department of human services for~~

5 29

~~approval by April 1 for the succeeding fiscal year.~~

5 30

~~e. Changes to the approved plan are submitted at~~

5 31

~~least sixty days prior to the proposed change and are~~

5 32

~~not to be implemented prior to the director of human~~

~~services' approval.~~

5 34 Sec. ____ EFFECTIVE DATE APPLICABILITY. This
5 35 division of this Act takes effect July 1, 2000, except
5 36 that the management plan and planning process
5 37 provisions under section 331.439, as amended by this
5 38 division of this Act, take effect upon enactment and
5 39 are applicable for purposes of preparation and
5 40 submission of the management plan by April 1, 2000,
5 41 for the fiscal year beginning July 1, 2000.

5 42 DIVISION ____
5 43 RESIDENTIAL CARE FACILITIES FOR PERSONS WITH MENTAL
5 44 RETARDATION

5 45 Sec. ____ Section 135C.6, subsection 8, paragraphs
5 46 a and b, Code 1999, are amended to read as follows:

5 47 a. A residential program which provides care to
5 48 not more than four individuals and receives moneys
5 49 appropriated to the department of human services under
5 50 provisions of a federally approved home and community-
6 1 based services waiver for persons with mental
6 2 retardation or other medical assistance program under
6 3 chapter 249A. In approving a residential program
6 4 under this paragraph, the department of human services
6 5 shall consider the geographic location of the program
6 6 so as to avoid an overconcentration of such programs
6 7 in an area. In order to be approved under this
6 8 paragraph, a residential program shall not be required
6 9 to involve the conversion of a licensed residential
6 10 care facility for persons with mental retardation.

6 11 b. A total of

~~twenty~~

~~forty~~ residential care
6 12 facilities for persons with mental retardation which
6 13 are licensed to serve no more than five individuals
6 14 may be authorized by the department of human services
6 15 to convert to operation as a residential program under
6 16 the provisions of a medical assistance home and
6 17 community-based services waiver for persons with
6 18 mental retardation. A converted residential program
6 19 is subject to the conditions stated in paragraph "a"
6 20 except that the program shall not serve more than five
6 21 individuals.

~~The department of human services shall~~

6 22

~~allocate conversion authorizations to provide for four~~

6 23

~~conversions in each of the department's five service~~

6 24

~~regions. If a conversion authorization allocated to a~~

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~~region is not used for conversion by January 1, 1998,~~

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~~the department of human services may reallocate the~~

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~~unused conversion authorization to another region.~~

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~~The department of human services shall study the cost~~

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~~effectiveness of the conversions and provide an~~

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~~initial report to the general assembly no later than~~

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6 31

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~~January 2, 1998, and a final report no later than~~

-
6 32

.
~~December 15, 1998.~~

-"
6 33 #4. Title page, by striking lines 1 through 3 and
6 34 inserting the following: "An Act relating to mental
6 35 health, mental retardation, and other developmental
6 36 disabilities and including effective date and
6 37 applicability provisions."

6 38

6 39

6 40

6 41 COMMITTEE ON HUMAN RESOURCES

6 42 NANCY BOETTGER, Chairperson

6 43 HF 664.302 78

6 44 jp/cf