

Senate Amendment to
House File 2445

H-8353

1 Amend House File 2445, as passed by the House, as follows:

2 1. Page 1, before line 1 by inserting:

3 <DIVISION I>

4 2. Page 13, after line 1 by inserting:

5 <DIVISION II

6 Sec. _____. Section 35D.9, Code 2018, is amended to read as
7 follows:

8 **35D.9 County of settlement residence upon discharge.**

9 A member of the home does not acquire ~~legal settlement~~
10 residency in the county in which the home is located unless
11 the member is voluntarily or involuntarily discharged from the
12 home, ~~continuously resides in the county for a period of one~~
13 ~~year subsequent to the discharge, and during that year is not~~
14 ~~readmitted to the home or does not receive any services from~~
15 ~~the home~~ and the member meets county of residence requirements.
16 For purposes of this section, "county of residence" means the
17 same as defined in section 331.394.

18 Sec. _____. Section 125.2, Code 2018, is amended by adding the
19 following new subsection:

20 NEW SUBSECTION. 4A. "*County of residence*" means the same
21 as defined in section 331.394.

22 Sec. _____. Section 125.2, subsection 13, Code 2018, is
23 amended by striking the subsection.

24 Sec. _____. Section 139A.12, Code 2018, is amended to read as
25 follows:

26 **139A.12 County liability for care, provisions, and medical**
27 **attendance.**

28 The local board shall provide proper care, provisions, and
29 medical attendance for any person removed and isolated or
30 quarantined in a separate house or hospital for detention and
31 treatment, and the care, provisions, and medical attendance
32 shall be paid for by the county in which the infected person
33 has a ~~legal settlement~~ residence, if the patient or legal
34 guardian is unable to pay.

35 Sec. _____. Section 139A.18, Code 2018, is amended to read as

1 follows:

2 **139A.18 Reimbursement from county.**

3 If any person receives services or supplies under this
4 chapter who does not have a ~~legal settlement~~ residence in the
5 county in which the bills were incurred and paid, the amount
6 paid shall be certified to the board of supervisors of the
7 county in which the person claims settlement or owns property,
8 and the board of supervisors of that county shall reimburse the
9 county from which the claim is certified, in the full amount
10 originally paid.

11 Sec. _____. Section 232.141, subsections 7 and 8, Code 2018,
12 are amended to read as follows:

13 7. A county charged with the costs and expenses under
14 subsections 2 and 3 may recover the costs and expenses from the
15 ~~county where the child has legal settlement~~ child's custodial
16 parent's county of residence, as defined in section 331.394,
17 by filing verified claims which are payable as are other
18 claims against the county. A detailed statement of the facts
19 upon which a claim is based shall accompany the claim. Any
20 ~~dispute involving the legal settlement of a child for which the~~
21 ~~court has ordered payment under this section~~ shall be settled
22 pursuant to ~~sections 252.22 and 252.23.~~

23 8. ~~This subsection~~ applies only to placements in a juvenile
24 shelter care home which is publicly owned, operated as a county
25 or multicounty shelter care home, organized under a ~~chapter 28E~~
26 agreement, or operated by a private juvenile shelter care home.
27 If the actual and allowable costs of a child's shelter care
28 placement exceed the amount the department is authorized to
29 pay in accordance with law and administrative rule, the unpaid
30 costs may be recovered from the child's custodial parent's
31 county of ~~legal settlement~~ residence. However, the maximum
32 amount of the unpaid costs which may be recovered under this
33 subsection is limited to the difference between the amount
34 the department is authorized to pay and the statewide average
35 of the actual and allowable rates in effect in May of the

1 preceding fiscal year for reimbursement of juvenile shelter
2 care homes. In no case shall the home be reimbursed for more
3 than the home's actual and allowable costs. The unpaid costs
4 are payable pursuant to filing of verified claims against
5 the child's custodial parent's county of legal settlement
6 residence. A detailed statement of the facts upon which a
7 claim is based shall accompany the claim. Any dispute between
8 counties arising from filings of claims pursuant to this
9 subsection shall be settled in the manner provided to determine
10 residency in [section 331.394](#).

11 Sec. _____. Section 252.24, Code 2018, is amended to read as
12 follows:

13 **252.24 County of settlement residence liable — exception.**

14 1. The county ~~where the settlement is~~ of residence, as
15 defined in section 331.394, shall be liable to the county
16 granting assistance for all reasonable charges and expenses
17 incurred in the assistance and care of a poor person.

18 2. When assistance is furnished by any governmental agency
19 of the county, township, or city, the assistance shall be
20 deemed to have been furnished by the county in which the
21 agency is located and the agency furnishing the assistance
22 shall certify the correctness of the costs of the assistance
23 to the board of supervisors of that county and that county
24 shall collect from the ~~county of the person's settlement~~ county
25 of residence. The amounts collected by the county where the
26 agency is located shall be paid to the agency furnishing the
27 assistance. This statute applies to services and supplies
28 furnished as provided in [section 139A.18](#).

29 3. ~~Notwithstanding subsection 2, if~~ This section shall
30 apply to assistance or maintenance ~~is~~ provided by a county
31 through the county's mental health and disability services
32 system implemented under [chapter 331](#), ~~liability for the~~
33 ~~assistance and maintenance is the responsibility of the~~
34 ~~person's county of residence~~.

35 Sec. _____. Section 331.502, subsection 14, Code 2018, is

1 amended by striking the subsection.

2 Sec. _____. Section 331.653, subsection 25, Code 2018, is
3 amended by striking the subsection.

4 Sec. _____. Section 347.16, subsection 3, Code 2018, is
5 amended to read as follows:

6 3. Care and treatment may be furnished in a county public
7 hospital to any sick or injured person who has ~~legal settlement~~
8 residence outside the county which maintains the hospital,
9 subject to such policies and rules as the board of hospital
10 trustees may adopt. If care and treatment is provided under
11 this subsection to a person who is indigent, the ~~county in~~
12 ~~which that person has legal settlement~~ person's county of
13 residence, as defined in section 331.394, shall pay to the
14 board of hospital trustees the fair and reasonable cost of
15 the care and treatment provided by the county public hospital
16 unless the cost of the indigent person's care and treatment is
17 otherwise provided for. If care and treatment is provided to
18 an indigent person under **this subsection**, the county public
19 hospital furnishing the care and treatment shall immediately
20 notify, by regular mail, the auditor of the county of ~~legal~~
21 ~~settlement~~ residence of the indigent person of the provision
22 of care and treatment to the indigent person. ~~However, if the~~
23 including care and treatment ~~is~~ provided by a county through
24 the county's mental health and disability services system
25 implemented under **chapter 331**, ~~liability for the assistance~~
26 ~~and maintenance is the responsibility of the person's county~~
27 ~~of residence.~~

28 Sec. _____. REPEAL. Sections 252.16, 252.17, 252.18, 252.22,
29 and 252.23, Code 2018, are repealed.>

30 3. Title page, by striking line 3 and inserting <and the
31 responsibility for other health-related services.>

32 4. By renumbering as necessary.