

AN ACT  
RELATING TO SUBACUTE CARE FACILITIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 135G.6, subsection 2, Code 2015, is amended to read as follows:

2. *a.* The department of human services has submitted written approval of the application based upon the process used by the department of human services to identify the best qualified providers. The process implemented by the department of human services shall utilize a request for proposals process to identify the best qualified providers, limit the number of subacute care facility beds, and ensure the geographic dispersion of subacute mental health services.

*b.* The department of human services shall not give approval to an application which would cause the number of publicly funded subacute care facility beds licensed under this chapter to exceed ~~fifty~~ seventy-five beds.

*c.* The subacute care facility beds identified by the ~~request for proposals process~~ initiated on or after the effective date of this Act shall be ~~existing beds which have been awarded a certificate of need pursuant to chapter 135~~ new beds located in hospitals and facilities licensed as a subacute care facility under this chapter. ~~Such beds shall not be required to obtain an additional certificate of need upon conversion to licensed subacute care facility beds.~~

Sec. 2. Section 229.13, subsection 1, Code 2015, is amended by adding the following new paragraph:

NEW PARAGRAPH. *c.* If the court orders evaluation and treatment of the respondent on an inpatient basis under this section, the court may order the respondent placed under the

care of an appropriate subacute care facility licensed under chapter 135G.

Sec. 3. Section 229.14, subsection 2, Code 2015, is amended by adding the following new paragraph:

NEW PARAGRAPH. *e.* If the court orders placement and treatment of the respondent on an inpatient basis under this section, the court may order the respondent placed under the care of an appropriate subacute care facility licensed under chapter 135G.

Sec. 4. DEPARTMENT OF INSPECTIONS AND APPEALS — RULES. The administrative rules adopted by the department of inspections and appeals relating to eligibility requirements for individualized subacute mental health services in subacute care facilities licensed under chapter 135G shall allow for the treatment of persons involuntarily hospitalized under chapter 229.

Sec. 5. DEPARTMENT OF HUMAN SERVICES — RULES. The department of human services shall adopt rules pursuant to chapter 17A to administer the section of this Act amending section 135G.6.

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PAM JOCHUM  
President of the Senate

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KRAIG PAULSEN  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 401, Eighty-sixth General Assembly.

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MICHAEL E. MARSHALL  
Secretary of the Senate

Approved \_\_\_\_\_, 2015

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TERRY E. BRANSTAD  
Governor