

FILED APR 06 1988

Reprinted

SENATE FILE 2330
BY COMMITTEE ON APPROPRIATIONS

Passed Senate, Date 4/1/88 Passed House, Date _____
Vote: Ayes 48 Nays 0 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the provision of certain services to persons
2 with mental retardation, a developmental disability, or mental
3 illness.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
SENATE FILE 2330

S-5867

1 Amend Senate File 2330 as follows:
2 1. Page 4, line 9, by inserting after the word
3 "department." the following: "The county or
4 consortium of counties may subcontract for the
5 provision of case management services so long as the
6 subcontract meets the same standards."

S-5867

Filed April 8, 1988

Adopted 4/1/88

BY COMMITTEE ON HUMAN RESOURCES
BEVERLY A. HANNON

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1 Section 1. Section 225C.6, subsection 1, Code 1987, is
2 amended by adding the following new paragraphs:

3 NEW PARAGRAPH. m. Establish standards for the provision
4 of individual case management services.

5 NEW PARAGRAPH. n. Establish standards for the structure
6 of a service coordination system which ensures a linkage
7 between the service coordination system and individual case
8 management services.

9 Sec. 2. Section 225C.18, subsection 1, Code 1987, is
10 amended to read as follows:

11 1. A county board of supervisors, independently or in
12 conjunction with one or more other county boards of
13 supervisors, shall either establish a county or joint-county
14 multicounty mental health, and mental retardation, and
15 developmental disabilities co-ordinating board or constitute
16 the board or the joint multicounty boards of supervisors as
17 the ex officio county mental health, and mental retardation,
18 and developmental disabilities co-ordinating board. If a
19 separate county mental health, and mental retardation, and
20 developmental disabilities co-ordinating board is established,
21 it shall be composed of persons who have demonstrated a
22 concern for mental health, and mental retardation, and
23 developmental disabilities services and its size shall be
24 determined by the board or joint multicounty boards of
25 supervisors. ~~One~~ Each county board of supervisors shall
26 designate one or more county supervisors ~~may-be-named~~ to serve
27 on a separate county mental health, and mental retardation,
28 and developmental disabilities co-ordinating board. ~~if-the~~
29 ~~board-or-joint-boards-of-supervisors-serve-ex-officio-as-the~~
30 ~~county-mental-health-and-mental-retardation-co-ordinating~~
31 ~~board,-it-shall-establish-an-advisory-board-composed-of~~
32 ~~persons-who-have-demonstrated-a-concern-for-mental-health-and~~
33 ~~mental-retardation-services,-and-who-are-not-governmental~~
34 ~~officials,-to-advise-the-co-ordinating-board-with-respect-to~~
35 ~~the-co-ordinating-board's-functions-under-subsection-2.~~ The

1 chairperson of the county mental health, mental retardation,
2 and developmental disabilities advisory committee established
3 under section 225C.18A shall serve on the county or
4 multicounty coordinating board. The vice chairperson of the
5 county mental health, mental retardation, and developmental
6 disabilities advisory committee shall serve on the county or
7 multicounty coordinating board if ten or more county
8 supervisors are members of the board.

9 Sec. 3. Section 225C.18, subsection 2, unnumbered
10 paragraph 1, Code 1987, is amended to read as follows:

11 A county or ~~joint-county~~ multicounty mental health, and
12 mental retardation, and developmental disabilities co-
13 ordinating board shall:

14 Sec. 4. Section 225C.18, subsection 2, paragraph a, Code
15 1987, is amended to read as follows:

16 a. Develop a plan for the provision of mental health, and
17 mental retardation, and developmental disabilities services in
18 the county or counties represented by the membership of the
19 board, consistent with the state mental health, and mental
20 retardation plans, and developmental disabilities plan;
21 however, the plan shall only be valid if approved by the
22 county board or boards of supervisors.

23 Sec. 5. Section 225C.18, subsection 2, Code 1987, is
24 amended by adding the following new paragraph after paragraph
25 a and relettering the subsequent paragraphs:

26 NEW PARAGRAPH. b. Develop a plan, subject to annual state
27 appropriations, county budgets, and other sources of funding,
28 to provide individual case management services through the
29 county, through a contract with a private provider, or through
30 the department. However, the plan shall only be valid if
31 approved by the county board or boards of supervisors.

32 Sec. 6. NEW SECTION. 225C.18A MENTAL HEALTH, MENTAL
33 RETARDATION, AND DEVELOPMENTAL DISABILITIES ADVISORY
34 COMMITTEE.

35 1. The mental health, mental retardation, and

1 developmental disabilities coordinating board shall establish
2 an advisory committee composed of consumers, advocates,
3 funding providers, service providers, program monitors, and
4 other persons who have demonstrated a concern for mental
5 health, mental retardation, or developmental disabilities.
6 The board shall assure a balance of representation in the
7 membership of the committee among the persons listed above and
8 the service populations for whom the board has responsibility.
9 Each county shall appoint to the committee one or more persons
10 who have demonstrated a concern for persons with mental
11 illness, one or more persons who have demonstrated a concern
12 for persons with mental retardation, and one or more persons
13 who have demonstrated a concern for persons with a
14 developmental disability.

15 2. A county or multicounty mental health, mental
16 retardation, and developmental disabilities advisory committee
17 shall do all of the following:

18 a. Advise the mental health, mental retardation, and
19 developmental disabilities coordinating board regarding board
20 functions under section 225C.18, subsection 2.

21 b. Submit an annual plan to the mental health, mental
22 retardation, and developmental disabilities coordinating board
23 which includes recommendations regarding service development,
24 expansion, modifications, and an estimate of the cost of
25 implementing the plan.

26 c. Review and evaluate the appropriateness, effectiveness,
27 and efficiency of services being provided to persons with
28 mental retardation, a developmental disability, or mental
29 illness in the county or multicounty area.

30 d. Perform duties assigned by the mental health, mental
31 retardation, and developmental disabilities coordinating
32 board.

33 e. Study and evaluate the needs of persons with mental
34 retardation, a developmental disability, or mental illness in
35 the county or multicounty area.

1 committee are specified.

2 The department shall establish a process by which the
3 decisions of the coordinating board or the department may be
4 appealed by the coordinating board or an affected party.

5 SUCCESSOR TO LSB 8469SC

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FILED APR 14 1988

STATE OF IOWA

FISCAL NOTE
SENATE FILE 2330

LSB No. 8469s
Staff ID. CAR

In compliance with a written request received April 6, 1988, a fiscal note for SENATE FILE 2330 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2330 is a bill which establishes the procedures for the provision of case management for the chronically mentally ill, mentally retarded, and developmentally disabled. The county board of supervisors shall establish either a county or multi-county mental health, mental retardation, and developmental disability (MH/MR/DD) coordinating board, or establish itself as the ex officio coordinating board. The County MH/MR/DD Coordinating Committee shall develop a plan to provide case management through the county or through a private provider. The plan is valid only if approved by the county board of supervisors. A MH/MR/DD Advisory Committee is also established, and its duties are defined. This bill also states that the Department of Human Services shall be the provider of case management unless a county or consortium of counties opt to be the provider.

Fiscal Effect

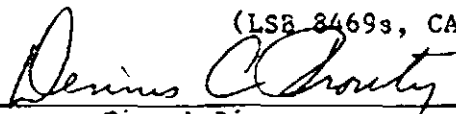
This bill, as it stands has no fiscal effect. No funds are appropriated in this bill, nor are any services mandated through this bill.

A total of \$1.3 million is appropriated in House File 2447 for a variety of services to the Bill of Rights Populations which are eligible for Medicaid. One of these services is case management. That bill specifies that services are to be provided within funds appropriated. Therefore the FY 1989 General Fund effect will be no more than \$1.3 million.

Due to the way the language is drafted, the FY 1990 General Fund effect cannot be determined at this time; it will depend on the funds appropriated in the next fiscal year.

Source: Department of Human Services
Iowa State Association of Counties
Mental Health Association of Iowa
Iowa Association of Retarded Citizens

(LSB 8469s, CAR)


Fiscal Director
Legislative Fiscal Bureau

Date: 4/14/88

See Appropriations Committee Report 4/14/88 (p. 1415)

SENATE FILE 2330

BY COMMITTEE ON APPROPRIATIONS

(AS AMENDED AND PASSED BY THE SENATE APRIL 11, 1988)

_____ - New Language by the Senate

Passed Senate, Date 4/11/88 (p. 1415) Passed House, Date 4/14/88 (p. 1952)

Vote: Ayes 49 Nays 0 Vote: Ayes 90 Nays 0

Approved May 14, 1988

A BILL FOR

1 An Act relating to the provision of certain services to persons
2 with mental retardation, a developmental disability, or mental
3 illness.

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

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18 and developmental disabilities co-ordinating board. If a
19 separate county mental health, and mental retardation, and
20 developmental disabilities co-ordinating board is established,
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22 concern for mental health, and mental retardation, and
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29 ~~board-or-joint-boards-of-supervisors-serve-ex-officio-as-the~~
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31 ~~board-it-shall-establish-an-advisory-board-composed-of~~
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17 mental retardation, and developmental disabilities services in
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20 retardation plans, and developmental disabilities plan;
21 however, the plan shall only be valid if approved by the
22 county board or boards of supervisors.

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32 Sec. 6. NEW SECTION. 225C.18A MENTAL HEALTH, MENTAL
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34 COMMITTEE.

35 1. The mental health, mental retardation, and

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2 an advisory committee composed of consumers, advocates,
3 funding providers, service providers, program monitors, and
4 other persons who have demonstrated a concern for mental
5 health, mental retardation, or developmental disabilities.
6 The board shall assure a balance of representation in the
7 membership of the committee among the persons listed above and
8 the service populations for whom the board has responsibility.
9 Each county shall appoint to the committee one or more persons
10 who have demonstrated a concern for persons with mental
11 illness, one or more persons who have demonstrated a concern
12 for persons with mental retardation, and one or more persons
13 who have demonstrated a concern for persons with a
14 developmental disability.

15 2. A county or multicounty mental health, mental
16 retardation, and developmental disabilities advisory committee
17 shall do all of the following:

18 a. Advise the mental health, mental retardation, and
19 developmental disabilities coordinating board regarding board
20 functions under section 225C.18, subsection 2.

21 b. Submit an annual plan to the mental health, mental
22 retardation, and developmental disabilities coordinating board
23 which includes recommendations regarding service development,
24 expansion, modifications, and an estimate of the cost of
25 implementing the plan.

26 c. Review and evaluate the appropriateness, effectiveness,
27 and efficiency of services being provided to persons with
28 mental retardation, a developmental disability, or mental
29 illness in the county or multicounty area.

30 d. Perform duties assigned by the mental health, mental
31 retardation, and developmental disabilities coordinating
32 board.

33 e. Study and evaluate the needs of persons with mental
34 retardation, a developmental disability, or mental illness in
35 the county or multicounty area.

1 Sec. 7. NEW SECTION. 225C.18B RESPONSIBILITIES OF
2 COUNTIES FOR INDIVIDUAL CASE MANAGEMENT SERVICES.

3 Individual case management services shall be provided by
4 the department except when a county or a consortium of
5 counties contracts with the department to provide the
6 services. A county or consortium of counties may contract to
7 be the provider at any time and the department shall agree to
8 the contract so long as the contract meets the standards for
9 case management adopted by the department. The county or
10 consortium of counties may subcontract for the provision of
11 case management services so long as the subcontract meets the
12 same standards. A mental health, mental retardation, and
13 developmental disabilities coordinating board which intends to
14 change the provider of individual case management services
15 shall provide written notification of a proposed change to the
16 department on or before August fifteenth and written
17 notification of an approved change on or before October
18 fifteenth in the fiscal year which precedes the fiscal year in
19 which the change will take effect.

20 Sec. 8. NEW SECTION. 225C.32 PLAN APPEALS PROCESS.

21 The department shall establish an appeals process by which
22 a mental health, mental retardation, and developmental
23 disabilities coordinating board or an affected party may
24 appeal a decision of the department or of the coordinating
25 board.

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SENATE FILE 2330

AN ACT

RELATING TO THE PROVISION OF CERTAIN SERVICES TO PERSONS WITH MENTAL RETARDATION, A DEVELOPMENTAL DISABILITY, OR MENTAL ILLNESS.

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

Section 1. Section 225C.6, subsection 1, Code 1987, is amended by adding the following new paragraphs:

NEW PARAGRAPH. m. Establish standards for the provision of individual case management services.

NEW PARAGRAPH. n. Establish standards for the structure of a service coordination system which ensures a linkage between the service coordination system and individual case management services.

Sec. 2. Section 225C.18, subsection 1, Code 1987, is amended to read as follows:

1. A county board of supervisors, independently or in conjunction with one or more other county boards of supervisors, shall either establish a county or joint-county multicounty mental health, and mental retardation, and developmental disabilities co-ordinating board or constitute the board or the joint multicounty boards of supervisors as the ex officio county mental health, and mental retardation, and developmental disabilities co-ordinating board. If a separate county mental health, and mental retardation, and developmental disabilities co-ordinating board is established, it shall be composed of persons who have demonstrated a

~~concern for mental health, and mental retardation, and developmental disabilities services and its size shall be determined by the board or joint multicounty boards of supervisors. One Each county board of supervisors shall designate one or more county supervisors may be named to serve on a separate county mental health, and mental retardation, and developmental disabilities co-ordinating board. If the board or joint boards of supervisors serve ex officio as the county mental health and mental retardation co-ordinating board, it shall establish an advisory board composed of persons who have demonstrated a concern for mental health and mental retardation services, and who are not governmental officials, to advise the co-ordinating board with respect to the co-ordinating board's functions under subsection 2. The chairperson of the county mental health, mental retardation, and developmental disabilities advisory committee established under section 225C.18A shall serve on the county or multicounty coordinating board. The vice chairperson of the county mental health, mental retardation, and developmental disabilities advisory committee shall serve on the county or multicounty coordinating board if ten or more county supervisors are members of the board.~~

Sec. 3. Section 225C.18, subsection 2, unnumbered paragraph 1, Code 1987, is amended to read as follows:

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SF 2330

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NEW PARAGRAPH. b. Develop a plan, subject to annual state appropriations, county budgets, and other sources of funding, to provide individual case management services through the county, through a contract with a private provider, or through the department. However, the plan shall only be valid if approved by the county board or boards of supervisors.

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1. The mental health, mental retardation, and developmental disabilities coordinating board shall establish an advisory committee composed of consumers, advocates, funding providers, service providers, program monitors, and other persons who have demonstrated a concern for mental health, mental retardation, or developmental disabilities. The board shall assure a balance of representation in the membership of the committee among the persons listed above and the service populations for whom the board has responsibility. Each county shall appoint to the committee one or more persons who have demonstrated a concern for persons with mental illness, one or more persons who have demonstrated a concern for persons with mental retardation, and one or more persons who have demonstrated a concern for persons with a developmental disability.

2. A county or multicounty mental health, mental retardation, and developmental disabilities advisory committee shall do all of the following:

a. Advise the mental health, mental retardation, and developmental disabilities coordinating board regarding board functions under section 225C.18, subsection 2.

b. Submit an annual plan to the mental health, mental retardation, and developmental disabilities coordinating board

which includes recommendations regarding service development, expansion, modifications, and an estimate of the cost of implementing the plan.

c. Review and evaluate the appropriateness, effectiveness, and efficiency of services being provided to persons with mental retardation, a developmental disability, or mental illness in the county or multicounty area.

d. Perform duties assigned by the mental health, mental retardation, and developmental disabilities coordinating board.

e. Study and evaluate the needs of persons with mental retardation, a developmental disability, or mental illness in the county or multicounty area.

Sec. 7. NEW SECTION. 225C.18B RESPONSIBILITIES OF COUNTIES FOR INDIVIDUAL CASE MANAGEMENT SERVICES.

Individual case management services shall be provided by the department except when a county or a consortium of counties contracts with the department to provide the services. A county or consortium of counties may contract to be the provider at any time and the department shall agree to the contract so long as the contract meets the standards for case management adopted by the department. The county or consortium of counties may subcontract for the provision of case management services so long as the subcontract meets the same standards. A mental health, mental retardation, and developmental disabilities coordinating board which intends to change the provider of individual case management services shall provide written notification of a proposed change to the department on or before August fifteenth and written notification of an approved change on or before October fifteenth in the fiscal year which precedes the fiscal year in which the change will take effect.

Sec. 8. NEW SECTION. 225C.32 PLAN APPEALS PROCESS.

The department shall establish an appeals process by which a mental health, mental retardation, and developmental

disabilities coordinating board or an affected party may appeal a decision of the department or of the coordinating board.

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2330, Seventy-second General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved _____, 1988

TERRY E. BRANSTAD
Governor

SF 2330