

*Substituted for
by R.F. 505*

FILED MAR 20 1995

WITHDRAWN

*5/3/95
(p. 1599)*

SENATE FILE **441**
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 337)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

WITHDRAWN

A BILL FOR

1 An Act relating to payment of expenses for persons with mental
2 retardation.

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

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SENATE FILE 441

S-3249

1 Amend Senate File 441 as follows:
2 1. Page 1, line 30, by striking the word
3 "licensed".

By ELAINE SZYMONIAK

S-3249 FILED MARCH 27, 1995

WITHDRAWN (p. 1447) 4/26/95

S.F. 441

1 Section 1. Section 222.60, Code 1995, is amended by adding
2 the following new unnumbered paragraphs:

3 NEW UNNUMBERED PARAGRAPH. Prior to a county of legal
4 settlement approving the payment of expenses for a person
5 under this section, the county may require that the person be
6 diagnosed to determine if the person has mental retardation or
7 that the person be evaluated to determine the appropriate
8 level of services required to meet the person's needs relating
9 to mental retardation. The diagnosis and the evaluation may
10 be performed concurrently and shall be performed by an
11 individual or individuals approved by the county who are
12 qualified to perform the diagnosis or the evaluation.
13 Following the initial approval for payment of expenses, the
14 county of legal settlement may require that an evaluation be
15 performed at reasonable time periods. The cost of a county-
16 required diagnosis and an evaluation is at the county's
17 expense. In the case of a person without legal settlement or
18 whose legal settlement is unknown, the state may apply the
19 diagnosis and evaluation provisions of this paragraph at the
20 state's expense. A diagnosis or an evaluation under this
21 section may be part of a county's single entry point process
22 under section 331.440, provided that a diagnosis is performed
23 only by an individual qualified as provided in this section.

24 NEW UNNUMBERED PARAGRAPH. A diagnosis of mental
25 retardation under this section shall be made only when the
26 onset of the person's condition was prior to the age of
27 eighteen years and shall be based on an assessment of the
28 person's intellectual functioning and level of adaptive
29 skills. The diagnosis shall be made by an individual who is a
30 licensed psychologist or psychiatrist who is professionally
31 trained to administer the tests required to assess
32 intellectual functioning and to evaluate a person's adaptive
33 skills.

34 NEW UNNUMBERED PARAGRAPH. A diagnosis of mental
35 retardation shall be made in accordance with the criteria

1 provided in the diagnostic and statistical manual of mental
2 disorders, fourth edition, published by the American
3 psychiatric association.

4 EXPLANATION

5 This bill relates to payment of expenses for persons with
6 mental retardation. The bill amends section 222.60, relating
7 to costs paid by a county of legal settlement or the state for
8 expenses associated with admission or commitment, treatment,
9 training, instruction, care, habilitation, support, and
10 transportation of persons with mental retardation in state,
11 public, or private facilities within or without the state.
12 The amendment authorizes a county to require a diagnosis to
13 determine if a person has mental retardation or an evaluation
14 of a person's mental retardation service needs prior to
15 approving the payment of the expenses. In addition, following
16 the initial approval for paying the expenses, the county may
17 require an evaluation to be performed at reasonable time
18 periods. If a person is without legal settlement or the
19 settlement is unknown the state may apply the same diagnosis
20 and evaluation provisions. The cost of an evaluation is to be
21 paid by the county of legal settlement or the state.

22 The bill also requires that a diagnosis of mental
23 retardation is made only when the onset of the person's
24 condition is prior to age 18 and is based on an assessment of
25 the persons' intellectual functioning and level of adaptive
26 skills. The individual performing the diagnosis must be a
27 licensed psychologist or psychiatrist who is professionally
28 trained to administer the tests and evaluate skills. In
29 addition, the diagnosis must be made in accordance with the
30 criteria provided in the diagnosis and statistical manual of
31 mental disorders, fourth edition, published by the American
32 psychiatric association (commonly referred to as the DSM-IV).

33 The bill specifies that a diagnosis or an evaluation can be
34 performed as part of a county's single entry point process
35 under section 331.440 provided that a diagnosis is performed

1 by an individual qualified as provided in the bill. The
2 single entry point process under section 331.440 authorizes a
3 clinical assessment to be performed by using a qualified
4 mental retardation professional.

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SENATE FILE 441
FISCAL NOTE

10 A fiscal note for Senate File 441 is hereby submitted pursuant to Joint Rule
11 17. Data used in developing this fiscal note is available from the Legislative
12 Fiscal Bureau to members of the Legislature upon request.

13 Senate File 441 permits a county to require a diagnosis to determine if a
14 person has mental retardation or an evaluation of a person's mental retardation
15 service needs prior to approving payment of the expenses. The bill also
16 permits a county to require an evaluation of service needs to be performed at
17 reasonable time periods. The State may require the same diagnosis or
18 evaluation for persons without a county of legal settlement. The county or
19 State is made responsible for the cost of the diagnosis or evaluation.

20 The bill requires that the individual performing the diagnosis be a licensed
21 psychologist or psychiatrist who is professionally trained to administer the
22 test and evaluate skills. The diagnosis or evaluation may be performed as part
23 of a county's Single Entry Point Process under Section 331.440, Code of Iowa.

24 Fiscal Effect

25 It is estimated that between 250 and 350 initial evaluations will be done each
26 year, and that between 300 and 400 follow up evaluations will be done starting
27 in FY 1997. The State will not incur additional costs because they will use
28 the five licensed psychologists who are on staff at the two State Hospital
29 Schools. The counties will have to use private psychologists or psychiatrists;
30 the additional cost to counties is estimated to be approximately \$135,000 in FY
31 1996 and approximately \$235,000 in each subsequent year.

32 Source: Department of Human Services (LSB 2538sv, JMN)

33 FILED APRIL 10, 1995 BY DENNIS PROUTY, FISCAL DIRECTOR

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Szymoniak
Tinsman
Hansen

SSB 337
Human Resources ^{Succeeded By}

SENATE FILE 441
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON SZYMONIAK)

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Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
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25 retardation under this section shall be made only when the
26 onset of the person's condition was prior to the age of
27 eighteen years and shall be based on an assessment of the
28 person's intellectual functioning, level of adaptive skills,
29 and service needs. The diagnosis shall be made by an
30 individual who is a licensed psychologist or psychiatrist who
31 is professionally trained to administer the tests required to
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33 adaptive skills.

34 EXPLANATION

35 This bill relates to payment of expenses for persons with

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