

FEB 19 1998
LOCAL GOVERNMENT

HOUSE FILE **2367**
BY HOUSER

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

A BILL FOR

1 An Act relating to mental health, developmental disability, and
2 substance abuse service provisions involving medical
3 assistance reimbursement and legal settlement for age-related
4 requirements of county management plans, and including an
5 applicability provision and an effective date.

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

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HF 2367

1 Section 1. Section 249A.4, Code Supplement 1997, is
2 amended by adding the following new subsection:

3 NEW SUBSECTION. 15. Establish appropriate cost-related
4 reimbursement amounts for community mental health centers and
5 other community mental health service providers that are
6 accredited by the mental health and developmental disabilities
7 commission.

8 Sec. 2. Section 252.16, subsection 8, Code Supplement
9 1997, is amended to read as follows:

10 8. A person receiving treatment or support services from
11 any provider, whether organized for pecuniary profit or not or
12 whether supported by charitable or public or private funds,
13 that provides treatment or services for mental retardation,
14 developmental disabilities, mental health, brain injury, or
15 substance abuse does not acquire legal settlement in the a
16 county ~~in-which-the-site-of-the-provider-is-located~~ unless the
17 person continuously resides in that county for one year from
18 the date of the last treatment or support service received by
19 the person.

20 Sec. 3. Section 331.439, subsection 8, Code Supplement
21 1997, is amended by striking the subsection.

22 Sec. 4. 1997 Iowa Acts, chapter 169, section 25, is
23 repealed.

24 Sec. 5. EFFECTIVE DATE -- APPLICABILITY. Sections 3 and 4
25 of this Act, amending section 331.439 and repealing a 1997
26 Iowa Acts provision, being deemed of immediate importance,
27 take effect upon enactment. A county's compliance with any
28 amendment to the county's management plan submitted by the
29 county pursuant to 1997 Iowa Acts, chapter 169, sections 24
30 and 25, shall be at the county's option or as required under
31 other applicable law.

32 EXPLANATION

33 This bill relates to mental health, developmental
34 disability, and substance abuse service provisions involving
35 medical assistance reimbursement, legal settlement, and age-

1 related requirements of county management plans.

2 Code section 249A.4, relating to the duties of the director
3 of human services concerning the medical assistance program,
4 is amended to require the director to establish appropriate
5 cost-related reimbursement amounts for community mental health
6 centers and other community mental health providers accredited
7 by the mental health and developmental disabilities
8 commission.

9 Code section 252.16, relating to how legal settlement is
10 acquired, is amended to delete language referring to the site
11 of a service provider in a county.

12 Code section 331.439, which relates to age-related
13 requirements for county management plans for mental health and
14 mental retardation services, is amended to strike subsection
15 8, which requires a county management plan to allow for the
16 service needs of all ages of persons for whom expenditures may
17 be made from the county's services fund. In addition, the
18 bill repeals the 1997 session law provision which directed
19 counties which did not comply with the "all ages" management
20 plan requirement to amend their management plan as necessary
21 for compliance. Finally, these provisions of the bill take
22 effect upon enactment and the bill provides that a county's
23 compliance with any management plan amendment submitted to
24 conform with the requirements of the 1997 law is voluntary for
25 the county unless required by another applicable law.

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