

3/19/98 Referred to approp-

MAR 3 1998

Place On Calendar

HOUSE FILE 2520
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO HF 2367)

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 and payment provisions, providing a
3 penalty, and including an applicability provision and an
4 effective date.

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

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HF 2520

1 DIVISION I

2 COMMUNITY MENTAL HEALTH CENTERS

3 Section 1. Section 230A.1, Code 1997, is amended to read
4 as follows:

5 230A.1 ESTABLISHMENT AND SUPPORT OF COMMUNITY MENTAL
6 HEALTH CENTERS.

7 1. A county or affiliated counties, by action of the board
8 or boards of supervisors prior to July 1, 1996, with approval
9 of the administrator of the division of mental health and
10 developmental disabilities of the department of human
11 services, may establish a community mental health center under
12 this chapter to serve the county or counties. ~~In establishing~~
13 ~~the community mental health center, the board of supervisors~~
14 ~~of each county involved may make a single nonrecurring~~
15 ~~expenditure, in an amount determined by the board.~~ This
16 section does not limit the authority of the board or boards of
17 supervisors of any county or group of counties to continue to
18 expend money to support operation of the center, and to form
19 agreements with the board of supervisors of any additional
20 county for that county to join in supporting and receiving
21 services from or through the center.

22 2. A person shall not use the term "community mental
23 health center" or "mental health center" to describe the
24 person or represent to the public that the person is a
25 community mental health center or mental health center, unless
26 the person is established as a community mental health center
27 under this section and is subject to the standards for
28 community mental health centers adopted by the mental health
29 and mental retardation commission. A person who falsely uses
30 a term or otherwise makes a representation to the public in
31 violation of this subsection commits a simple misdemeanor.
32 Each day of continued violation is a separate offense. In
33 addition, a person may be restrained by temporary or permanent
34 injunction from wrongful use of the term or from other
35 representations to the public in violation of this subsection.

1 Sec. 2. Section 230A.3, Code 1997, is amended to read as
2 follows:

3 230A.3 FORMS OF ORGANIZATION.

4 Each community mental health center established or
5 continued in operation as authorized by section 230A.1 shall
6 be organized and administered in accordance with one of the
7 ~~two~~ three alternative forms prescribed by this chapter. The
8 ~~two~~ three alternative forms are:

9 1. Direct establishment of the center by the county or
10 counties supporting it and administration of the center by an
11 elected board of trustees, pursuant to sections 230A.4 to
12 230A.11.

13 2. Establishment of the center by a nonprofit corporation
14 providing services to the county or counties on the basis of
15 an agreement with the board or boards of supervisors, pursuant
16 to sections 230A.12 and 230A.13.

17 3. Continued operation of a center originally established
18 under subsection 2 without an agreement with the board or
19 boards of supervisors which originally established the center,
20 provided the center is in compliance with the applicable
21 standards adopted by the mental health and mental retardation
22 commission.

23 Sec. 3. Section 230A.12, unnumbered paragraph 1, Code
24 1997, is amended to read as follows:

25 Each community mental health center established or
26 continued in operation pursuant to section 230A.3, subsection
27 2 or 3, shall be organized under the Iowa nonprofit
28 corporation Act appearing as chapter 504A, except that a
29 community mental health center organized under chapter 504
30 prior to July 1, 1974, shall not be required by this chapter
31 to adopt the Iowa nonprofit corporation Act if it is not
32 otherwise required to do so by law. The board of directors of
33 each such community mental health center shall enter into an
34 agreement with the county or affiliated counties which are to
35 be served by the center, which agreement shall include but

1 need not be limited to the period of time for which the
2 agreement is to be in force, what services the center is to
3 provide for residents of the county or counties to be served,
4 standards the center is to follow in determining whether and
5 to what extent persons seeking services from the center shall
6 be considered able to pay the cost of the services received,
7 and policies regarding availability of the center's services
8 to persons who are not residents of the county or counties
9 served by the center. The board of directors, in addition to
10 exercising the powers of the board of directors of a nonprofit
11 corporation may:

12 Sec. 4. Section 249A.4, Code Supplement 1997, is amended
13 by adding the following new subsection:

14 NEW SUBSECTION. 15. Establish appropriate cost-related
15 reimbursement amounts for community mental health centers and
16 other community mental health service providers that are
17 accredited by the mental health and developmental disabilities
18 commission.

19 DIVISION II

20 LEGAL SETTLEMENT

21 Sec. 5. Section 230.1, subsections 1 and 2, Code 1997, are
22 amended to read as follows:

23 1. By the county in which such person has a legal
24 settlement, or if the person is eighteen years of age or
25 older.

26 2. By the state when such person has no legal settlement
27 in this state, or when such the person's legal settlement is
28 unknown, or if the person is under eighteen years of age.

29 Sec. 6. Section 230.12, subsection 1, Code 1997, is
30 amended to read as follows:

31 1. If a dispute arises between different counties or
32 between the administrator and a county as to the legal
33 settlement of a person admitted or committed to a state
34 hospital for persons with mental illness or to a local
35 hospital or other community-based service, the attorney

1 general, at the request of the administrator, shall, without
2 the advancement of fees, cause an action to be brought in the
3 district court of any county where such dispute exists, to
4 determine the person's legal settlement. This action may be
5 brought at any time when it appears that the dispute cannot be
6 amicably settled. All counties which may be the place of the
7 legal settlement, so far as known, shall be made defendants
8 and the allegation of the settlement may be in the
9 alternative. The action shall be tried as in equity.

10 Sec. 7. Section 230.14, Code 1997, is amended to read as
11 follows:

12 230.14 LEGAL SETTLEMENT IN CASES INVOLVING NONRESIDENCE OR
13 UNKNOWN SETTLEMENT.

14 If an alternative dispute resolution of the dispute filed
15 under section 230.12, subsection 2, stipulates or the court
16 finds that the legal settlement of the person with mental
17 illness, at the time of admission or commitment, was in a
18 foreign state or country, or was unknown, an order shall be
19 entered that the person shall be maintained in the state
20 hospital for persons with mental illness or in a local
21 hospital or other community-based service at the expense of
22 the state. In such this case the state shall refund to any
23 county, with interest, all legal costs and expenses arising
24 out of the legal settlement dispute and paid by a county. Any
25 stipulation filed or decision by the court shall be final.

26 Sec. 8. Section 252.16, subsection 8, Code Supplement
27 1997, is amended to read as follows:

28 8. A person receiving treatment or support services from
29 any provider, whether organized for pecuniary profit or not or
30 whether supported by charitable or public or private funds,
31 that provides treatment or services for mental retardation,
32 developmental disabilities, mental health, brain injury, or
33 substance abuse does not acquire legal settlement in the a
34 ~~county in which the site of the provider is located~~ unless the
35 person continuously resides in that county for one year from

1 the date of the last treatment or support service received by
2 the person.

3 DIVISION III

4 SUPPORTED COMMUNITY LIVING SERVICES

5 Sec. 9. Section 135C.6, subsection 1, Code Supplement
6 1997, is amended to read as follows:

7 1. A person or governmental unit acting severally or
8 jointly with any other person or governmental unit shall not
9 establish or operate a health care facility in this state
10 without a license for the facility. A supported community,
11 supervised-apartment living arrangement service, as defined in
12 section 225C.21, is not required to be licensed under this
13 chapter, but is subject to approval under section 225C.21 in
14 order to receive public funding.

15 Sec. 10. Section 225C.21, Code 1997, is amended to read as
16 follows:

17 225C.21 ~~COMMUNITY, SUPERVISED-APARTMENT~~ SUPPORTED
18 COMMUNITY LIVING ARRANGEMENTS SERVICES.

19 1. As used in this section, "supported community,
20 supervised-apartment living arrangement services" means the
21 provision-of-a-residence services provided in a
22 noninstitutional setting to adult persons with mental illness,
23 mental retardation, or developmental disabilities ~~who are~~
24 ~~capable of living semi-independently but require minimal~~
25 supervision to meet the persons' daily living needs.

26 2. The department shall adopt rules pursuant to chapter
27 17A establishing minimum standards for the programming of
28 supported community, supervised-apartment living arrangements
29 services. The department shall approve all supported
30 community, supervised-apartment living arrangements services
31 which meet the minimum standards.

32 3. Approved supported community, supervised-apartment
33 living arrangements services may receive funding from the
34 state, federal and state social services block grant funds,
35 and other appropriate funding sources, consistent with state

1 legislation and federal regulations. The funding may be
2 provided on a per diem, per hour, or grant basis, as
3 appropriate.

4 Sec. 11. Section 235B.3, subsection 2, paragraph e,
5 subparagraph (6), Code 1997, is amended to read as follows:

6 (6) A member of the staff or an employee of a supported
7 ~~community,--supervised-apartment living arrangement service,~~
8 sheltered workshop, or work activity center.

9

DIVISION IV

10

HOME AND COMMUNITY-BASED WAIVER SERVICES

11

12 Sec. 12. Section 135C.6, subsection 8, Code Supplement
13 1997, is amended to read as follows:

14

15 8. The following residential programs to which the
16 department of human services applies accreditation,
17 certification, or standards of review shall not be required to
18 be licensed as a health care facility under this chapter:

19

20 a. A residential program which provides care to not more
21 than ~~three~~ four individuals and receives moneys appropriated
22 to the department of human services under provisions of a
23 federally approved home and community-based services waiver
24 for persons with mental retardation or other medical
25 assistance program under chapter 249A.

26

27 ~~b.--A-residential-program-which-serves-not-more-than-four~~
28 ~~individuals-and-is-operating-under-provisions-of-a-federally~~
29 ~~approved-home-and-community-based-waiver-for-persons-with~~
30 ~~mental-retardation,-if-all-individuals-residing-in-the-program~~
31 ~~receive-on-site-staff-supervision-during-the-entire-time~~
32 ~~period-the-individuals-are-present-in-the-program's-living~~
33 ~~unit.--The-need-for-the-on-site-supervision-shall-be-reflected~~
34 ~~in-each-individual's-program-plan-developed-pursuant-to-the~~
35 ~~department-of-human-services'-rules-relating-to-case~~

36

37 management-for-persons-with-mental-retardation: In approving
38 a residential program under this paragraph, the department of
39 human services shall consider the geographic location of the
40 program so as to avoid an overconcentration of such programs

1 in an area.

2 e- b. A total of twenty residential care facilities for
3 persons with mental retardation which are licensed to serve no
4 more than five individuals may be authorized by the department
5 of human services to convert to operation as a residential
6 program under the provisions of a medical assistance home and
7 community-based services waiver for persons with mental
8 retardation. A converted residential program is subject to
9 the conditions stated in paragraph "b" "a" except that the
10 program shall not serve more than five individuals. The
11 department of human services shall allocate conversion
12 authorizations to provide for four conversions in each of the
13 department's five service regions. If a conversion
14 authorization allocated to a region is not used for conversion
15 by January 1, 1998, the department of human services may
16 reallocate the unused conversion authorization to another
17 region. The department of human services shall study the cost
18 effectiveness of the conversions and provide an initial report
19 to the general assembly no later than January 2, 1998, and a
20 final report no later than December 15, 1998.

21 DIVISION V

22 MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

23 Sec. 13, Section 225C.6, subsection 1, Code 1997, is
24 amended to read as follows:

25 1. To the extent funding is available, the commission
26 shall perform the following duties:

27 a. Advise the administrator on the administration of the
28 overall state ~~plans-for~~ disability services system.

29 b. Adopt necessary rules pursuant to chapter 17A which
30 relate to disability programs and services, including but not
31 limited to definitions of each disability included within the
32 term "disability services" as necessary for purposes of state,
33 county, and regional planning, programs, and services.

34 c. Adopt standards for ~~accreditation-of-community-mental~~
35 ~~health-centers-and-comprehensive-community~~ mental health

1 centers, services, and programs as recommended under section
2 230A.16.

3 d. Adopt standards for the care of and services to persons
4 with mental illness and mental retardation residing in county
5 care facilities recommended under section 227.4.

6 ~~e. Adopt standards for the delivery of disability services~~
7 ~~by the division, and for the maintenance and operation of~~
8 ~~public or private facilities offering services to persons with~~
9 ~~disabilities, which are not subject to licensure by the~~
10 ~~department or the department of inspections and appeals, and~~
11 ~~review the standards employed by the department or the~~
12 ~~department of inspections and appeals for licensing facilities~~
13 ~~which provide services to~~ If no other person sets standards
14 for a service available to persons with disabilities, adopt
15 standards for that service.

16 f. Assure that proper appeal procedures are available to
17 persons aggrieved by decisions, actions, or circumstances
18 relating to accreditation.

19 g. Award Adopt necessary rules for awarding grants from
20 the state and federal government as well as other moneys that
21 become available to the division for grant purposes.

22 ~~h. Review and rank applications for federal mental health~~
23 ~~grants prior to submission to the appropriate federal agency.~~

24 ~~i. h.~~ Annually submit to the governor and the general
25 assembly:

26 (1) A report concerning the activities of the commission.

27 (2) Recommendations formulated by the commission for
28 changes in law.

29 ~~j. i.~~ By January 1 of each odd-numbered year, submit to
30 the governor and the general assembly an evaluation of:

31 (1) The extent to which services to persons with
32 disabilities ~~stipulated in the state plans~~ are actually
33 available to persons in each county in the state and the
34 quality of those services.

35 (2) The ~~cost~~ effectiveness of the services being provided

1 by disability service providers in this state and by each of
2 the state mental health institutes established under chapter
3 226 and by each of the state hospital-schools established
4 under chapter 222.

5 ~~(3) -- The cost-effectiveness of programs carried out by~~
6 ~~randomly selected providers receiving money from the state for~~
7 ~~disability services.~~

8 ~~k. j.~~ Advise the administrator, the council on human
9 services, the governor, and the general assembly on budgets
10 and appropriations concerning disability services.

11 ~~l. k.~~ Consult Coordinate activities with the Iowa
12 governor's planning council for developmental disabilities at
13 ~~least twice a year.~~

14 ~~m. l.~~ Establish standards for the provision under medical
15 assistance of individual case management services.

16 ~~n. -- Establish standards for the structure of a service~~
17 ~~coordination system which ensures a linkage between the~~
18 ~~service coordination system and individual case management~~
19 ~~services.~~

20 ~~o. m.~~ Identify model eligibility guidelines for disability
21 services.

22 ~~p. -- Identify model guidelines for purchase of disability~~
23 ~~services and for disability service reimbursement~~
24 ~~methodologies.~~

25 ~~q. -- Prepare, for mental health and developmental~~
26 ~~disabilities regional planning councils, advance estimates of~~
27 ~~state and, to the extent possible, federal funds available to~~
28 ~~counties for purchase of disability services.~~

29 ~~r. n.~~ Identify basic disability services for planning
30 purposes.

31 ~~s. o.~~ Prepare five-year plans based upon the county
32 management plans developed by mental health and developmental
33 disabilities regional planning councils pursuant to section
34 331.439.

35 ~~t. -- Identify disability services which are eligible for~~

~~1 state-payment-under-the-mental-health-and-developmental~~
~~2 disabilities-community-services-fund-created-in-section~~
~~3 225E-7-~~

4 p. Work with other state agencies on coordinating,
5 collaborating, and communicating concerning activities
6 involving persons with disabilities.

7 Sec. 14. Section 331.439, subsection 8, Code Supplement
8 1997, is amended by striking the subsection.

9 Sec. 15. 1997 Iowa Acts, chapter 169, section 25, is
10 repealed.

11 Sec. 16. EFFECTIVE DATE -- APPLICABILITY. Sections 14 and
12 15 of this Act, amending section 331.439 and repealing a 1997
13 Iowa Acts provision, being deemed of immediate importance,
14 take effect upon enactment. A county's compliance with any
15 amendment to the county's management plan submitted by the
16 county pursuant to 1997 Iowa Acts, chapter 169, sections 24
17 and 25, shall be at the county's option or as required under
18 other applicable law.

19 EXPLANATION

20 This bill relates to mental health, developmental
21 disability, and substance abuse service provisions involving
22 medical assistance reimbursement, legal settlement, and age-
23 related requirements of county management plans.

24 Division I relates to establishment and continuance of
25 community mental health centers and to reimbursement amounts
26 for the centers.

27 Code section 230A.1, relating to establishment and
28 continued support of community mental health centers, is
29 amended. The bill provides the action of a board or boards of
30 supervisors to establish a center must have been taken prior
31 to July 1, 1996. Language is stricken which allows the board
32 or boards to make a single nonrecurring expenditure in
33 establishing a center.

34 In addition, the bill prohibits any person from using the
35 term "community mental health center" or "mental health

1 center" to describe the person unless the person is
2 established as a community mental health center and is in
3 compliance with applicable standards. A violator commits a
4 simple misdemeanor and every day of continued violation is a
5 separate offense. In addition, a person may be restrained by
6 injunction.

7 Code section 230A.3, relating to forms of organization of
8 centers, is amended to add a third type of organization. The
9 third type would allow a center established as a not-for-
10 profit corporation under contract with a board or boards of
11 supervisors to continue without an agreement with the county
12 or counties which originally established the center provided
13 the center complies with applicable standards.

14 Code section 230A.12 is amended to make a conforming
15 reference to a provision of the bill.

16 Code section 249A.4, relating to the duties of the director
17 of human services concerning the medical assistance program,
18 is amended to require the director to establish appropriate
19 cost-related reimbursement amounts for community mental health
20 centers and other community mental health providers accredited
21 by the mental health and developmental disabilities
22 commission.

23 Division II relates to legal settlement and payment of
24 mental health and disabilities services costs by the state and
25 counties.

26 Code section 230.1 is amended to provide that liability for
27 the costs and expenses of a person with mental illness
28 admitted or committed to a state hospital are to be paid by
29 the county or state based upon the new criteria of the age of
30 the person. These expenses and costs are to be paid by the
31 county if the person has legal settlement in the county or if
32 the person is 18 years of age or older. These expenses and
33 costs are to be paid by the state if the person has no legal
34 settlement, legal settlement is unknown, or the person is
35 under 18 years of age.

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

4 Division III relates to mental health and developmental
5 disability services provisions involving supported community
6 living services.

7 The division changes the definition of "community
8 supervised apartment living arrangements" (CSALAs) to
9 "supported community living services". The change is
10 reflected in Code section 135C.6, relating to exemptions from
11 health care facility licensing, in Code section 225C.21, which
12 currently authorizes CSALAs, and in Code section 235B.3,
13 relating to dependent adult abuse reports.

14 Division IV amends provisions in the exemption from health
15 care facility licensing requirements for medical assistance
16 home and community-based waiver residential services for
17 persons with mental retardation. Separate exemption
18 categories for programs serving three individuals and for
19 programs serving four individuals are combined to authorize
20 services to up to four individuals. A conforming amendment is
21 applied to provisions involving residential care facilities
22 for persons with mental retardation serving five individuals
23 which convert to a residential program under the waiver.

24 Code sections 230.12 and 230.14 are amended to expand the
25 authority for the state to bring a court action for resolution
26 of a legal settlement dispute to include persons with mental
27 illness committed or admitted to a local hospital or other
28 community-based service. Current law limits this authority to
29 persons with mental illness committed or admitted to a state
30 hospital for persons with mental illness.

31 Division V amends and deletes various duties of the mental
32 health and developmental disabilities commission under Code
33 section 225C.6.

34 Division V also affects county management plans.

35 Code section 331.439, which relates to age-related

1 requirements for county management plans for mental health and
2 mental retardation services, is amended to strike subsection
3 8, which requires a county management plan to allow for the
4 service needs of all ages of persons for whom expenditures may
5 be made from the county's services fund. In addition, the
6 bill repeals the 1997 session law provision which directed
7 counties which did not comply with the "all ages" management
8 plan requirement to amend their management plan as necessary
9 for compliance. Finally, these provisions of the bill take
10 effect upon enactment and the bill provides that a county's
11 compliance with any management plan amendment submitted to
12 conform with the requirements of the 1997 law is voluntary for
13 the county unless required by another applicable law.

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**HOUSE FILE 2520
FISCAL NOTE**

A fiscal note for House File 2520 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 2520 establishes and continues reimbursement for community mental health centers, requires the State to pay for children admitted to a State Mental Health Institute, changes the definition of Community Supervised Apartment Living Arrangements (CSALAs) to Supported Community Living Services, amends provisions in the exemption from health care facility licensing requirements for Medical Assistance Home and Community-Based Waiver residential services for persons with mental retardation, expands the authority for the State to bring a court action for resolution of a legal settlement dispute to include local hospital or community-based admissions, amends and deletes various duties of the Mental Health and Developmental Disabilities Commission, and amends requirements of county management plans concerning age-related provision of services for all ages, and has an effective date.

ASSUMPTIONS

1. State Mental Health Institutes serving children will receive total operating budgets as a General Fund appropriation in FY 1999 and FY 2000.
2. The FY 1997 caseloads for children served in State Mental Health Institutes will remain constant through FY 2000. County, federal, and other payments for services are deposited directly in the General Fund.
3. State billings to counties for children through the age of 18 served in State Mental Health Institutes in FY 1997 totaled \$1.3 million. It is unknown if these bills were paid in total.
4. Changes in reimbursement to community mental health centers are to be phased in over a three-year period. It is unknown if there is a State fiscal impact to the requirement that appropriate cost-related reimbursement amounts be established for community mental health centers. An unknown fiscal impact may also exist for counties concerning community mental health center reimbursement.

FISCAL IMPACT

The fiscal impact of HF 2520 in FY 1999 and FY 2000 is a maximum \$1.3 million annual reduction in revenues to the General Fund due to State payment responsibility for children served in the Mental Health Institutes.

There is an equal savings to counties no longer responsible for children in Mental Health Institutes as a directed by HF 2520.

SOURCE

Department of Human Services

(LSB 3622hv, MMB)

FILED MARCH 17, 1998

BY DENNIS PROUTY, FISCAL DIRECTOR

H-8329

1 Amend House File 2520 as follows:

2 1. Page 7, by inserting after line 20 the
3 following:

4 "c. If approved by the federal government, adult
5 residential environments licensed as an intermediate
6 care facility for persons with mental retardation
7 using a campus or village setting approach in not more
8 than three counties may convert to a residential
9 program under the provisions of a medical assistance
10 home and community-based services waiver for persons
11 with mental retardation provided the adult residential
12 environments meet all of the following requirements:

13 (1) The intermediate care facility for persons
14 with mental retardation license is surrendered.

15 (2) The environment's bed capacity is reduced by
16 at least twenty-five percent to a maximum capacity of
17 no more than twelve beds.

18 (3) The environment submits a five-year plan for
19 further bed capacity reduction to the department of
20 human services and the plan is acceptable to the
21 department of human services.

22 The director of human services may authorize
23 reimbursement of the costs of environments converted
24 in accordance with this lettered paragraph from moneys
25 appropriated for state supplementary assistance at a
26 rate which does not exceed the maximum allowed for a
27 residential program under the medical assistance home
28 and community-based services waiver. The departments
29 of human services and inspections and appeals shall
30 develop standards and a monitoring process for
31 environments converted under this lettered paragraph."

By BLODGETT of Cerro Gordo

H-8329 FILED MARCH 11, 1998

HOUSE FILE 2520

H-8328

- 1 Amend House File 2520 as follows:
2 1. Page 1, line 7, by striking the figure "1."
3 2. Page 1, line 8, by striking the words and
4 figures "prior to July 1, 1996".
5 3. Page 1, by striking lines 22 through 35.
6 4. Page 2, by striking lines 7 and 8 and
7 inserting the following: "~~two-alternative-forms~~
8 ~~prescribed-by-this-chapter.--The-two-alternative-forms~~
9 are following alternative forms:"
10 5. Page 2, line 17, by inserting after the word
11 "established" the following: "prior to July 1,
12 1998,".
13 6. Page 2, lines 26 and 27, by striking the words
14 and figures "subsection 2 or 3," and inserting the
15 following: "subsection-27".
16 7. Page 3, by striking lines 14 through 18 and
17 inserting the following:
18 "NEW SUBSECTION. 15. Establish appropriate
19 reimbursement rates for community mental health
20 centers that are accredited by the mental health and
21 mental retardation commission. The reimbursement
22 rates shall be phased-in over the three-year period
23 beginning July 1, 1998, and ending June 30, 2001.
24 Sec. . Section 230A.3, subsection 3, as enacted
25 by this Act, is repealed on July 1, 2001."
26 8. By striking page 3, line 29, through page 4,
27 line 25.
28 9. Page 10, line 8, by inserting after the word
29 "subsection" the following: "and inserting in lieu
30 thereof the following:
31 8. A county's management plans submitted under
32 this section shall provide for services to children
33 from community mental health centers and other mental
34 health service providers accredited under chapter
35 225C."

By HOUSER of Pottawattamie

H-8328 FILED MARCH 11, 1998

HOUSE FILE 2520

H-8403

1 Amend House File 2520 as follows:

2 1. Page 7, by inserting after line 20 the
3 following:

4 "c. If approved by the federal government, adult
5 residential environments licensed as intermediate or
6 residential care facilities for persons with mental
7 retardation using a campus or village setting approach
8 in not more than three counties may convert to a
9 residential program under the provisions of a medical
10 assistance home and community-based services waiver
11 for persons with mental retardation provided the adult
12 residential environments meet all of the following
13 requirements:

14 (1) The intermediate or residential care facility
15 for persons with mental retardation license is
16 surrendered.

17 (2) The environment's bed capacity is reduced by
18 at least twenty-five percent to a maximum capacity of
19 no more than twelve beds.

20 (3) The environment submits a five-year plan for
21 further bed capacity reduction to the department of
22 human services and the plan is acceptable to the
23 department of human services.

24 The director of human services may authorize
25 reimbursement of the costs of environments converted
26 in accordance with this lettered paragraph from moneys
27 appropriated for state supplementary assistance at a
28 rate which does not exceed the maximum allowed for a
29 residential program under the medical assistance home
30 and community-based services waiver. The departments
31 of human services and inspections and appeals shall
32 develop standards and a monitoring process for
33 environments converted under this lettered paragraph."

By BLODGETT of Cerro Gordo

H-8403 FILED MARCH 13, 1998

HOUSE FILE 2520

H-8434

1 Amend the amendment, H-8398, to House File 2520, as
2 follows:

3 1. Page 1, by inserting after line 37 the
4 following:

5 "____. Title page, lines 2 and 3, by striking the
6 words "providing a penalty,"."

By HOUSER of Pottawattamie

H-8434 FILED MARCH 16, 1998

HOUSE FILE 2520

H-8398

- 1 Amend House File 2520 as follows:
- 2 1. Page 1, line 7, by striking the figure "1."
- 3 2. Page 1, line 8, by striking the words and
- 4 figures "prior to July 1, 1996".
- 5 3. Page 1, by striking lines 22 through 35.
- 6 4. Page 2, by striking lines 7 and 8 and
- 7 inserting the following: "~~two-alternative-forms~~
- 8 ~~prescribed-by-this-chapter.--The-two-alternative-forms~~
- 9 are following alternative forms:"
- 10 5. Page 2, line 17, by inserting after the word
- 11 "established" the following: "prior to July 1,
- 12 1998,".
- 13 6. Page 2, lines 26 and 27, by striking the words
- 14 and figures "subsection 2 or 3," and inserting the
- 15 following: "subsection-27".
- 16 7. Page 3, by striking lines 14 through 18 and
- 17 inserting the following:
- 18 "NEW SUBSECTION. 15. Establish appropriate
- 19 reimbursement rates for community mental health
- 20 centers that are accredited by the mental health and
- 21 mental retardation commission. The reimbursement
- 22 rates shall be phased-in over the three-year period
- 23 beginning July 1, 1998, and ending June 30, 2001.
- 24 Sec. . Section 230A.3, subsection 3, as enacted
- 25 by this Act, is repealed on July 1, 2001."
- 26 8. Page 3, line 24, by striking the word "7 or"
- 27 and inserting the following: ", or".
- 28 9. By striking page 3, line 29, through page 4,
- 29 line 25.
- 30 10. Page 10, line 8, by inserting after the word
- 31 "subsection" the following: "and inserting in lieu
- 32 thereof the following:
- 33 8. A county's management plans submitted under
- 34 this section shall provide for services to children
- 35 from community mental health centers and other mental
- 36 health service providers accredited under chapter
- 37 225C."

By HOUSER of Pottawattamie

H-8398 FILED MARCH 12, 1998

HOUSE FILE 2520

H-8431

- 1 Amend the amendment, H-8403, to House File 2520, as
- 2 follows:
- 3 1. Page 1, by striking lines 29 and 30 and
- 4 inserting the following: "residential program under
- 5 state supplementary assistance requirements. The
- 6 departments".

By BLODGETT of Cerro Gordo

H-8431 FILED MARCH 16, 1998