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HUMAN RESOURCES

SENATE FILE 2129

BY RENSINK and FREEMAN

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

A BILL FOR

1 An Act requiring the service needs of persons with traumatic
 2 brain injury to be addressed in county management plans for
 3 mental health, mental retardation, and developmental
 4 disabilities services.

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

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S.F. 2129

1 Section 1. Section 331.438, subsection 1, Code Supplement
2 1997, is amended by adding the following new paragraph:

3 NEW PARAGRAPH. d. "Traumatic brain injury" means
4 clinically evident brain damage resulting directly or
5 indirectly from trauma not primarily related to degenerative
6 or aging processes, which temporarily or permanently impairs a
7 person's physical or cognitive functions.

8 Sec. 2. Section 331.439, Code Supplement 1997, is amended
9 by adding the following new subsection:

10 NEW SUBSECTION. 9. A county's management plans submitted
11 under this section shall address the service needs of persons
12 with traumatic brain injury. Any provider of services to
13 persons with traumatic brain injury included in the plans
14 shall comply with the applicable service standards developed
15 by the council on quality and leadership in supports for
16 people with disabilities or the rehabilitation accreditation
17 commission.

18 Sec. 3. IMPLEMENTATION OF ACT. Section 25B.2, subsection
19 3, shall not apply to this Act.

20 EXPLANATION

21 This bill requires county management plans for mental
22 health, mental retardation, and developmental disabilities
23 services to address the service needs of persons with
24 traumatic brain injury.

25 The bill includes a definition of traumatic brain injury in
26 Code chapter 331, relating to county home rule implementation.
27 The provision requiring inclusion of traumatic brain injury
28 service needs in county plans also requires the service
29 providers to comply with certain national standards.

30 This bill may include a state mandate as defined in Code
31 section 25B.3. This bill makes inapplicable Code section
32 25B.2, subsection 3, which would relieve a political
33 subdivision from complying with a state mandate if funding for
34 the cost of the state mandate is not provided or specified.
35 Therefore, political subdivisions are required to comply with

1 any state mandate included in this bill.

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