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LOCAL GOVERNMENT

HOUSE FILE 2430
BY CARROLL

(COMPANION TO LSB 6404SS
BY VEENSTRA)

Passed House, Date ^(p. 718) 3/12/02 Passed Senate, Date ^(p. 971) 4-4-02
Vote: Ayes 94 Nays 0 Vote: Ayes 44 Nays 0

Approved May 2, 2002

^(p. 1224) Re Passed 4-9-02
Vote 97-0

Re passed 4-12-02
Vote 47-0

A BILL FOR

(p. 1153)

1 An Act providing for the mental health and developmental
2 disabilities commission to assume the duties of the state-
3 county management committee and provides new rulemaking
4 authority associated with those duties.

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

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HOUSE FILE 2430

H-8228

1 Amend House File 2430 as follows:
2 1. Page 4, by striking lines 1 through 4 and
3 inserting the following: "department's actions under
4 this subsection. The department shall consult with
5 the ~~state county management committee~~ mental health
6 and developmental disabilities commission in adopting
7 rules for oversight of facilities".

By CARROLL of Poweshiek

H-8228 FILED MARCH 11, 2002

0/0 3/12/02 (p. 718)

HF 2430

1 Section 1. Section 225C.5, subsection 1, Code 2001, is
2 amended to read as follows:

3 1. A mental health and developmental disabilities
4 commission is created as the state policy-making body for the
5 provision of services to persons with mental illness, mental
6 retardation or other developmental disabilities, or brain
7 injury. The commission shall consist of fifteen voting
8 members appointed to three-year staggered terms by the
9 governor and subject to confirmation by the senate.

10 Commission members shall be appointed on the basis of interest
11 and experience in the fields of mental health, mental
12 retardation or other developmental disabilities, and brain
13 injury, in a manner ~~so that, if possible, the composition of~~
14 ~~the commission will comply with the requirements of the~~
15 ~~Community Mental Health Centers Amendments of 1975, 42 U.S.C.~~
16 ~~§ 2689t(a) (1976) relative to a state mental health advisory~~
17 ~~council, and~~ so as to ensure adequate representation from
18 persons with disabilities and individuals knowledgeable
19 concerning disability services. The department shall provide
20 staff support to the commission, and the commission may
21 utilize staff support and other assistance provided to the
22 commission by other persons. Members of the commission shall
23 include the following persons who, at the time of appointment
24 to the commission, are active members of the indicated groups:

25 a. Four members shall be members of a county board of
26 supervisors selected from nominees submitted by the county
27 supervisor affiliate of the Iowa state association of
28 counties.

29 b. Two members shall be members of a mental health and
30 developmental disabilities regional planning council.

31 c. One member shall be either an active board member of a
32 community mental health center or of a statewide association
33 of persons with mental illness or of family members of persons
34 with mental illness.

35 d. One member shall be either an active board member of an

1 agency serving persons with mental retardation or of a
2 statewide association for persons with mental retardation.

3 e. One member shall be an active member of a statewide
4 organization for persons with developmental disabilities other
5 than mental retardation.

6 f. One member shall be an active member of a statewide
7 organization for persons with brain injury.

8 g. Two members shall be administrators of the single entry
9 point process established in accordance with section 331.440
10 selected from nominees submitted by the community services
11 affiliate of the Iowa state association of counties.

12 h. One member shall be selected from nominees submitted by
13 the state's council of the association of federal, state,
14 county, and municipal employees.

15 i. One member shall be a service consumer.

16 j. One member shall be selected from nominees submitted by
17 service advocates.

18 k. In addition to the voting members, the membership shall
19 include four members of the general assembly with one member
20 designated by each of the following: the majority leader of
21 the senate, the minority leader of the senate, the speaker of
22 the house of representatives, and the minority leader of the
23 house of representatives. A legislative member serves in an
24 ex officio, nonvoting capacity and is eligible for per diem
25 and expenses as provided in section 2.10.

26 Sec. 2. Section 229.24, subsection 3, unnumbered paragraph
27 1, Code 2001, is amended to read as follows:

28 If all or part of the costs associated with hospitalization
29 of an individual under this chapter are chargeable to a county
30 of legal settlement, the clerk of the district court shall
31 provide to the county of legal settlement and to the county in
32 which the hospitalization order is entered, in a form
33 prescribed by the ~~council-on-human-services-pursuant-to-a~~
34 ~~recommendation-of-the-state-county-management-committee~~
35 ~~established-in-section-331.438~~ mental health and developmental

1 disabilities commission, the following information pertaining
2 to the individual which would be confidential under subsection
3 1:

4 Sec. 3. Section 249A.12, subsection 5, paragraph a,
5 unnumbered paragraph 1, Code Supplement 2001, is amended to
6 read as follows:

7 The ~~state-county-management-committee~~ mental health and
8 developmental disabilities commission shall recommend to the
9 department the actions necessary to assist in the transition
10 of individuals being served in an intermediate care facility
11 for persons with mental retardation, who are appropriate for
12 the transition, to services funded under a medical assistance
13 waiver for home and community-based services for persons with
14 mental retardation in a manner which maximizes the use of
15 existing public and private facilities. The actions may
16 include but are not limited to submitting any of the following
17 or a combination of any of the following as a request for a
18 revision of the medical assistance waiver for home and
19 community-based services for persons with mental retardation
20 in effect as of June 30, 1996:

21 Sec. 4. Section 249A.12, subsection 5, paragraph b,
22 unnumbered paragraph 1, Code Supplement 2001, is amended to
23 read as follows:

24 In implementing the provisions of this subsection, the
25 ~~state-county-management-committee~~ mental health and
26 developmental disabilities commission shall consult with other
27 states. The waiver revision request or other action necessary
28 to assist in the transition of service provision from
29 intermediate care facilities for persons with mental
30 retardation to alternative programs shall be implemented by
31 the department in a manner that can appropriately meet the
32 needs of individuals at an overall lower cost to counties, the
33 federal government, and the state. In addition, the
34 department shall take into consideration significant federal
35 changes to the medical assistance program in formulating the

1 department's actions under this subsection. The department
2 ~~shall consult with the state county management committee in~~
3 ~~adopting rules~~ mental health and developmental disabilities
4 commission shall adopt rules for oversight of facilities
5 converted pursuant to this subsection. A transition approach
6 described in paragraph "a" may be modified as necessary to
7 obtain federal waiver approval. ~~The department shall report~~
8 ~~on or before January 27, 1997, to the general assembly~~
9 ~~regarding its actions under this subsection and any federal~~
10 ~~response, and shall submit an update upon receiving a federal~~
11 ~~response to the waiver request or other action taken which~~
12 ~~requires a federal response. If implementation of any of the~~
13 ~~provisions of this subsection does not require a federal~~
14 ~~waiver, the department shall implement the provisions in the~~
15 ~~fiscal year beginning July 1, 1996.~~

16 Sec. 5. Section 331.424A, subsection 1, Code Supplement
17 2001, is amended to read as follows:

18 1. For the purposes of this chapter, unless the context
19 otherwise requires, "services fund" means the county mental
20 health, mental retardation, and developmental disabilities
21 services fund created in subsection 2. The county finance
22 committee created in section 333A.2 shall consult with the
23 ~~state county management committee~~ mental health and
24 developmental disabilities commission in adopting rules and
25 prescribing forms for administering the services fund.

26 Sec. 6. Section 331.438, subsection 1, paragraph c, Code
27 Supplement 2001, is amended to read as follows:

28 c. "Qualified mental health, mental retardation, and
29 developmental disabilities services" means the services
30 specified on forms issued by the county finance committee
31 following consultation with the ~~state county management~~
32 committee mental health and developmental disabilities
33 commission.

34 Sec. 7. Section 331.438, subsection 4, paragraph a, Code
35 Supplement 2001, is amended to read as follows:

1 a. A The mental health and developmental disabilities
2 commission shall state-county-management-committee-is-created
3 in-the-department-of-human-services-to make recommendations
4 and take actions for joint state and county planning,
5 implementing, and funding of mental health, mental
6 retardation, and developmental disabilities services,
7 including but not limited to developing and implementing
8 fiscal and accountability controls, establishing management
9 plans, and ensuring that eligible persons have access to
10 appropriate and cost-effective services.

11 Sec. 8. Section 331.438, subsection 4, paragraph b, Code
12 Supplement 2001, is amended by striking the paragraph.

13 Sec. 9. Section 331.438, subsection 4, paragraph c, Code
14 Supplement 2001, is amended to read as follows:

15 c. The management-committee mental health and
16 developmental disabilities commission shall do all of the
17 following:

18 (1) Identify characteristics of the service system,
19 including amounts expended, equity of funding among counties,
20 funding sources, provider types, service availability, and
21 equity of service availability among counties and among
22 persons served.

23 (2) Assess the accuracy and uniformity of recordkeeping
24 and reporting in the service system.

25 (3) Identify for each county the factors associated with
26 inflationary growth of the service system.

27 (4) Identify opportunities for containing service system
28 growth.

29 (5) Make-recommendations Consider proposals for revising
30 service system administrative rules.

31 (6) Consider provisions and adopt rules for counties to
32 implement a single point of accountability to plan, budget,
33 and monitor county expenditures for the service system. The
34 provisions shall provide options for counties to implement the
35 single point in collaboration with other counties.

1 (7) Develop criteria for annual county mental health,
2 mental retardation, and developmental disabilities plans.

3 (8) ~~Make recommendations to the council on human services~~
4 ~~for~~ Adopt administrative rules identifying qualified mental
5 health, mental retardation, and developmental disabilities
6 service expenditures for purposes of state payment pursuant to
7 subsection 1.

8 (9) ~~Make recommendations to the council on human services~~
9 ~~for administrative~~ Adopt rules for the county single entry
10 point and clinical assessment processes required under section
11 331.440 and other rules necessary for the implementation of
12 county management plans and expenditure reports required for
13 state payment pursuant to section 331.439.

14 (10) Make Consider recommendations to improve the programs
15 and cost effectiveness of state and county contracting
16 processes and procedures, including strategies for
17 negotiations relating to managed care. The recommendations

18 ~~developed~~ implemented by the commission for the state and
19 county regarding managed care shall include but are not
20 limited to standards for limiting excess costs and profits,
21 and for restricting cost shifting under a managed care system.

22 (11) Provide input, when appropriate, to the director of
23 human services in any decision involving administrative rules
24 which were ~~initially recommended~~ adopted by the management
25 committee department of human services pertaining to the
26 mental illness, mental retardation, and developmental
27 disabilities services administered by counties.

28 (12) Identify the fiscal impact of existing or proposed
29 legislation and administrative rules on state and county
30 expenditures.

31 ~~{13}--No later than January 17, annually, submit a report to~~
32 ~~the governor, the general assembly, and the department of~~
33 ~~human services concerning the management committee's~~
34 ~~activities and findings.~~

35 ~~{14}--On or before December 17, 1994, submit to the governor~~

1 ~~and-general-assembly-a-methodology-for-the-state-and-counties~~
2 ~~to-move-toward-the-goal-of-an-equal-partnership-in-the-funding~~
3 ~~of-mental-health, mental-retardation, and-developmental~~
4 ~~disabilities-services.---The-committee-consideration-of~~
5 ~~methodology-options-shall-include-an-expenditure-per-consumer~~
6 ~~basis.~~

7 ~~{15}--Make-recommendations-to-the-mental-health-and~~
8 ~~developmental-disabilities-commission-for~~

9 (13) Adopt administrative rules providing statewide
10 standards and a monitoring methodology to determine whether
11 cost-effective individualized services are available as
12 required pursuant to section 331.439, subsection 1, paragraph
13 "b".

14 ~~{16}~~ (14) Make Consider recommendations ~~to-the-mental~~
15 ~~health-and-developmental-disabilities-commission~~ for and adopt
16 administrative rules establishing statewide minimum standards
17 for services and other support required to be available to
18 persons covered by a county management plan under section
19 331.439.

20 ~~{17}~~ (15) Make Consider recommendations ~~to-the-mental~~
21 ~~health-and-developmental-disabilities-commission-and-counties~~
22 for measuring and improving the quality of state and county
23 mental health, mental retardation, and developmental
24 disabilities services and other support.

25 Sec. 10. Section 331.439, subsection 1, unnumbered
26 paragraph 1, Code 2001, is amended to read as follows:

27 The state payment to eligible counties under this section
28 shall be made as provided in sections 331.438 and 426B.2. A
29 county is eligible for the state payment, as defined in
30 section 331.438, for the fiscal year beginning July 1, 1996,
31 and for subsequent fiscal years if the director of human
32 services, in consultation with the ~~state-county-management~~
33 committee mental health and developmental disabilities
34 commission, determines for a specific fiscal year that all of
35 the following conditions are met:

1 Sec. 11. Section 331.439, subsection 1, paragraph b,
2 unnumbered paragraph 1, Code 2001, is amended to read as
3 follows:

4 The county developed and implemented a county management
5 plan for the county's mental health, mental retardation, and
6 developmental disabilities services in accordance with the
7 provisions of this paragraph "b". The plan shall comply with
8 the administrative rules adopted for this purpose by the
9 ~~council-on-human-services~~ mental health and developmental
10 disabilities commission and is subject to the approval of the
11 director of human services in consultation with the ~~state-~~
12 ~~county-management-committee-created-in-section-331-438~~
13 commission. The plan shall include a description of the
14 county's service management provision for mental health,
15 mental retardation, and developmental disabilities services.
16 For mental retardation and developmental disabilities service
17 management, the plan shall describe the county's development
18 and implementation of a managed system of cost-effective
19 individualized services and shall comply with the provisions
20 of paragraph "d". The goal of this part of the plan shall be
21 to assist the individuals served to be as independent,
22 productive, and integrated into the community as possible.
23 The service management provisions for mental health shall
24 comply with the provisions of paragraph "c". A county is
25 subject to all of the following provisions in regard to the
26 county's management plan and planning process:

27 Sec. 12. Section 331.439, subsection 1, paragraph b,
28 subparagraph (1), Code 2001, is amended to read as follows:

29 (1) The county shall have in effect an approved policies
30 and procedures manual for the county's services fund. The
31 county management plan shall be defined in the manual. The
32 manual submitted by the county as part of the county's
33 management plan for the fiscal year beginning July 1, 2000, as
34 approved by the director of human services, shall remain in
35 effect, subject to amendment. An amendment to the manual

1 shall be submitted to the department of human services at
2 least forty-five days prior to the date of implementation.
3 Prior to implementation of any amendment to the manual, the
4 amendment must be approved by the director of human services
5 in consultation with the ~~state-county-management-committee~~
6 mental health and developmental disabilities commission.

7 Sec. 13. Section 331.439, subsection 1, paragraph c,
8 subparagraph (2), unnumbered paragraph 1, Code 2001, is
9 amended to read as follows:

10 The basis for determining whether a managed care system for
11 mental health proposed by a county is comparable to a mental
12 health managed care contractor approved by the department of
13 human services shall include but is not limited to all of the
14 following elements which shall be specified in administrative
15 rules adopted by the ~~council-on-human-services-in-consultation~~
16 with-the-state-county-management-committee mental health and
17 developmental disabilities commission:

18 Sec. 14. Section 331.439, subsection 1, paragraph d, Code
19 2001, is amended to read as follows:

20 d. For mental retardation and developmental disabilities
21 services management, the county must either develop and
22 implement a managed system of care which addresses a full
23 array of appropriate services and cost-effective delivery of
24 services or contract with a state-approved managed care
25 contractor or contractors. Any system or contract implemented
26 under this paragraph shall incorporate a single entry point
27 and clinical assessment process developed in accordance with
28 the provisions of section 331.440. The elements of the
29 managed system of care and the state-approved managed care
30 contract or contracts shall be specified in rules developed by
31 the department of human services in consultation with the
32 ~~state-county-management-committee~~ and adopted by the ~~council~~
33 on-human-services mental health and developmental disabilities
34 commission.

35 Sec. 15. Section 331.439, subsection 3, paragraph b, Code

1 2001, is amended to read as follows:

2 b. Based upon information contained in county management
3 plans and budgets and proposals made by representatives of
4 counties, the ~~state-county-management-committee~~ mental health
5 and developmental disabilities commission shall recommend an
6 allowed growth factor adjustment to the governor by November
7 15 for the fiscal year which commences two years from the
8 beginning date of the fiscal year in progress at the time the
9 recommendation is made. The allowed growth factor adjustment
10 shall address costs associated with new consumers of service,
11 service cost inflation, and investments for economy and
12 efficiency. In developing the service cost inflation
13 recommendation, the ~~committee~~ commission shall consider the
14 cost trends indicated by the gross expenditure amount reported
15 in the expenditure reports submitted by counties pursuant to
16 subsection 1, paragraph "a". The governor shall consider the
17 ~~committee's~~ commission's recommendation in developing the
18 governor's recommendation for an allowed growth factor
19 adjustment for such fiscal year. The governor's
20 recommendation shall be submitted at the time the governor's
21 proposed budget for the succeeding fiscal year is submitted in
22 accordance with chapter 8.

23 Sec. 16. Section 331.440, subsection 4, Code 2001, is
24 amended to read as follows:

25 4. The ~~council-on-human-services~~ mental health and
26 developmental disabilities commission shall consider the
27 recommendations of ~~the-state-county-management-committee~~
28 ~~established-in-section-331-438~~ county representatives in
29 adopting rules outlining standards and requirements for
30 implementation of the single entry point and clinical
31 assessment processes on the date required by subsection 2.
32 The rules shall permit counties options in implementing the
33 process based upon a county's consumer population and
34 available service delivery system.

35 Sec. 17. Section 426B.4, Code 2001, is amended to read as

1 follows:

2 426B.4 RULES.

3 The ~~council-on-human-services~~ mental health and
4 developmental disabilities commission shall consult with the
5 ~~state-county-management-committee-created-in-section-331-438~~
6 county representatives and the director of human services in
7 prescribing forms and adopting rules pursuant to chapter 17A
8 to administer this chapter.

9 Sec. 18. Section 426B.5, subsection 2, paragraph c, Code
10 Supplement 2001, is amended to read as follows:

11 c. A risk pool board is created. The board shall consist
12 of two county supervisors, two county auditors, a member of
13 the ~~state-county-management-committee-created-in-section~~
14 ~~331-438~~ mental health and developmental disabilities
15 commission ~~who was-not-appointed-by-the-iowa-state-association~~
16 ~~of-counties~~ is not a member of a county board of supervisors
17 or employed by a service provider, a member of the county
18 finance committee created in chapter 333A who is not an
19 elected official, and two single entry point process
20 administrators, all appointed by the governor, and one member
21 appointed by the director of human services. All members
22 appointed by the governor shall be subject to confirmation by
23 the senate. Members shall serve for three-year terms. A
24 vacancy shall be filled in the same manner as the original
25 appointment. Expenses and other costs of the risk pool board
26 members representing counties shall be paid by the county of
27 origin. Expenses and other costs of risk pool board members
28 who do not represent counties shall be paid from a source
29 determined by the governor. Staff assistance to the board
30 shall be provided by the department of human services and
31 counties. Actuarial expenses and other direct administrative
32 costs shall be charged to the pool.

33 Sec. 19. CODE EDITOR DIRECTIVE. The Code editor shall
34 amend the headnote to section 331.438 to remove the reference
35 to "management committee" and instead reference the mental

1 health and developmental disabilities commission or utilize
2 other language as determined to be most appropriate by the
3 Code editor.

4 Sec. 20. ADOPTED RULES. Notwithstanding the transfer in
5 this Act of the authority to adopt rules from the council on
6 human services to the mental health and developmental
7 disabilities commission, a rule adopted by the council on
8 human services prior to July 1, 2002, shall remain in effect
9 unless amended or repealed by the commission or pursuant to
10 other executive or legislative branch action.

11 Sec. 21. COMMISSION MEMBERS. The revision in the
12 membership of the mental health and developmental disabilities
13 commission in accordance with section 225C.5, as amended by
14 this Act, shall be implemented by applying the new membership
15 requirements for voting members as membership terms expire and
16 other vacancies in membership occur. The revision shall be
17 fully complete on or before June 30, 2005.

18 EXPLANATION

19 This bill provides for the mental health and developmental
20 disabilities commission to assume the duties of the state-
21 county management committee, incorporates membership positions
22 from the committee into the commission, and transfers certain
23 rules adoption authority from the council on human services to
24 the commission.

25 Code section 225C.5, relating to the membership of the
26 commission, is amended to make the following revisions in the
27 membership appointed by the governor and confirmed by the
28 senate: the existing positions for county supervisors must be
29 appointed from nominees submitted by the supervisors affiliate
30 of the Iowa state association of counties, two positions are
31 designated for administrators of the county single entry point
32 process for mental health and developmental disabilities
33 services, one member is to be nominated by the state council
34 for the American association of federal, state, county, and
35 municipal employees, one member is to be nominated by service

1 consumers, and one member is to be nominated by service
2 advocates. In addition, four members of the general assembly
3 are to be designated by legislative leaders to serve in an ex
4 officio, nonvoting capacity.

5 The bill includes conforming changes throughout the Code to
6 change references to the state-county management committee to
7 the commission and to transfer rules adoption authority for
8 various county-administered mental health and developmental
9 disabilities services from the council on human services to
10 the commission.

11 Under current law, the primary responsibilities and
12 membership appointment provisions for the state-county
13 management committee are in Code section 331.438 as part of
14 the county home rule Code chapter. The bill transfers the
15 committee's duties to the commission, eliminates references to
16 the committee, and repeals the committee's membership
17 requirements in Code section 331.438.

18 The bill includes a directive to the Code editor to make a
19 conforming change to the headnote for Code section 331.438,
20 provides that the rules adopted by the council on human
21 services prior to the effective date of the Act will remain in
22 effect until amended or repealed by the commission or pursuant
23 to legislative or executive action, and provides that the
24 changes in the membership of the commission are to be
25 implemented by June 30, 2005, at the time there is membership
26 attrition.

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HOUSE FILE 2430

H-8238

1 Amend House File 2430 as follows:

2 1. By striking page 1, line 1 through page 2,
3 line 25 and inserting the following:

4 "Section 1. Section 225C.5, subsection 1, Code
5 2001, is amended to read as follows:

6 1. A mental health and developmental disabilities
7 commission is created as the state policy-making body
8 for the provision of services to persons with mental
9 illness, mental retardation or other developmental
10 disabilities, or brain injury. The commission shall
11 consist of ~~fifteen~~ sixteen voting members appointed to
12 three-year staggered terms by the governor and subject
13 to confirmation by the senate. Commission members
14 shall be appointed on the basis of interest and
15 experience in the fields of mental health, mental
16 retardation or other developmental disabilities, and
17 brain injury, in a manner ~~so that, if possible, the~~
18 ~~composition of the commission will comply with the~~
19 ~~requirements of the Community Mental Health Centers~~
20 ~~Amendments of 1975, 42 U.S.C. § 2689t(a) (1976)~~
21 ~~relative to a state mental health advisory council,~~
22 ~~and so as to ensure adequate representation from~~
23 persons with disabilities and individuals
24 knowledgeable concerning disability services. The
25 department shall provide staff support to the
26 commission, and the commission may utilize staff
27 support and other assistance provided to the
28 commission by other persons. Members of the
29 commission shall include the following persons who, at
30 the time of appointment to the commission, are active
31 members of the indicated groups:

32 a. ~~Four~~ Three members shall be members of a county
33 board of supervisors selected from nominees submitted
34 by the county supervisor affiliate of the Iowa state
35 association of counties.

36 b. ~~Two members shall be members of a mental health~~
37 ~~and developmental disabilities regional planning~~
38 ~~council selected from nominees submitted by the~~
39 director.

40 c. One member shall be ~~either~~ an active board
41 member of a community mental health center ~~or of a~~
42 ~~statewide association of persons with mental illness~~
43 ~~or of family members of persons with mental illness.~~

44 d. One member shall be either an active board
45 member of an agency serving persons with mental
46 ~~retardation or of a statewide association for persons~~
47 with mental retardation a developmental disability
48 selected from nominees submitted by the association of
49 community providers.

50 e. One member shall be ~~an active member of a~~

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Page 2

1 ~~statewide organization for persons with a board member~~
2 ~~or employee of a provider of mental health or~~
3 ~~developmental disabilities other than mental~~
4 ~~retardation services to children.~~

5 ~~f. One member shall be an active member of a~~
6 ~~statewide organization for persons with brain injury.~~

7 f. Two members shall be administrators of the
8 single entry point process established in accordance
9 with section 331.440 selected from nominees submitted
10 by the community services affiliate of the Iowa state
11 association of counties.

12 g. One member shall be selected from nominees
13 submitted by the state's council of the association of
14 federal, state, county, and municipal employees.

15 h. Three members shall be service consumers or
16 family members of service consumers with at least one
17 member who is a parent of a child service consumer.

18 i. Two members shall be selected from nominees
19 submitted by service advocates.

20 j. In addition to the voting members, the
21 membership shall include four members of the general
22 assembly with one member designated by each of the
23 following: the majority leader of the senate, the
24 minority leader of the senate, the speaker of the
25 house of representatives, and the minority leader of
26 the house of representatives. A legislative member
27 serves in an ex officio, nonvoting capacity and is
28 eligible for per diem and expenses as provided in
29 section 2.10.

30 Sec. ____. Section 225C.6, subsection 1, Code
31 Supplement 2001, is amended by adding the following
32 new paragraph:

33 NEW PARAGRAPH. g. Perform analyses and other
34 functions associated with a redesign of the mental
35 health and developmental disability services systems
36 for adults and for children."

37 2. Page 4, by striking lines 1 through 4 and
38 inserting the following: "department's actions under
39 this subsection. The department shall consult with
40 the ~~state-county management committee~~ mental health
41 and developmental disabilities commission in adopting
42 rules for oversight of facilities".

43 3. Page 9, line 10, by striking the words "The
44 basis for determining whether a" and inserting the
45 following: "The ~~basis for determining whether a~~ A".

46 4. Page 9, by striking lines 11 through 13 and
47 inserting the following: "mental health proposed by a
48 county ~~is comparable to a mental health managed care~~
49 ~~contractor approved by the department of human~~
50 services shall include but is not limited to all of

H-8238

-2-

H-8238

Page 3

1 the".

2 5. Page 9, by striking lines 29 and 30 and
3 inserting the following: "county managed system of
4 care ~~and the state approved managed care contract or~~
5 ~~contracts~~ shall be specified in rules developed by".

6 6. Page 11, line 17, by striking the words "or
7 employed by a service provider".

8 7. Page 12, line 16, by inserting after the word
9 "occur." the following: "The initial term of one of
10 the members appointed during the fiscal year beginning
11 July 1, 2002, shall be two years."

12 8. By renumbering as necessary.

By CARROLL of Poweshiek**H-8238** FILED MARCH 11, 2002*adapted**3-12-02**(p. 718)*

S-7/12/02 Local Gov
S-3/18/02 Amended/Do Pass
W/55173

HOUSE FILE 2430
BY CARROLL

(COMPANION TO LSB 6404SS
BY VEENSTRA)

(As Amended and Passed by the House March 12, 2002)

Passed House, ^(p.1224) Date 4-8-02 Passed Senate, ^(p.97) Date 4-4-02
Vote: Ayes 97 Nays 0 Vote: Ayes 44 Nays 0
Approved 5/2/02

Repassed 4-12-02
Vote 47-0
(p.1153)

A BILL FOR

1 An Act providing for the mental health and developmental
2 disabilities commission to assume the duties of the state-
3 county management committee and provides new rulemaking
4 authority associated with those duties.

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

6
7 House Amendments _____
8 Deleted Language *

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1 Section 1. Section 225C.5, subsection 1, Code 2001, is
2 amended to read as follows:

3 1. A mental health and developmental disabilities
4 commission is created as the state policy-making body for the
5 provision of services to persons with mental illness, mental
6 retardation or other developmental disabilities, or brain
7 injury. The commission shall consist of ~~fifteen~~ sixteen
8 voting members appointed to three-year staggered terms by the
9 governor and subject to confirmation by the senate.

10 Commission members shall be appointed on the basis of interest
11 and experience in the fields of mental health, mental
12 retardation or other developmental disabilities, and brain
13 injury, in a manner ~~so that, if possible, the composition of~~
14 ~~the commission will comply with the requirements of the~~
15 ~~Community Mental Health Centers Amendments of 1975, 42 U.S.C.~~
16 ~~§-2689t(a)-(1976) relative to a state mental health advisory~~
17 ~~council, and so as to ensure adequate representation from~~
18 ~~persons with disabilities and individuals knowledgeable~~
19 ~~concerning disability services. The department shall provide~~
20 ~~staff support to the commission, and the commission may~~
21 ~~utilize staff support and other assistance provided to the~~
22 ~~commission by other persons. Members of the commission shall~~
23 ~~include the following persons who, at the time of appointment~~
24 ~~to the commission, are active members of the indicated groups:~~

25 a. ~~Four~~ Three members shall be members of a county board
26 of supervisors selected from nominees submitted by the county
27 supervisor affiliate of the Iowa state association of
28 counties.

29 b. ~~Two~~ members shall be members of a mental health and
30 developmental disabilities regional planning council selected
31 from nominees submitted by the director.

32 c. One member shall be either an active board member of a
33 community mental health center or of a statewide association
34 of persons with mental illness or of family members of persons
35 with mental illness.

1 d. One member shall be either an active board member of an
2 agency serving persons with mental-retardation-or-of-a
3 statewide-association-for-persons-with-mental-retardation a
4 developmental disability selected from nominees submitted by
5 the association of community providers.

6 e. One member shall be an-active-member-of-a-statewide
7 organization-for-persons-with a board member or employee of a
8 provider of mental health or developmental disabilities other
9 than-mental-retardation services to children.

10 f.--One-member-shall-be-an-active-member-of-a-statewide
11 organization-for-persons-with-brain-injury.

12 f. Two members shall be administrators of the single entry
13 point process established in accordance with section 331.440
14 selected from nominees submitted by the community services
15 affiliate of the Iowa state association of counties.

16 g. One member shall be selected from nominees submitted by
17 the state's council of the association of federal, state,
18 county, and municipal employees.

19 h. Three members shall be service consumers or family
20 members of service consumers with at least one member who is a
21 parent of a child service consumer.

22 i. Two members shall be selected from nominees submitted
23 by service advocates.

24 j. In addition to the voting members, the membership shall
25 include four members of the general assembly with one member
26 designated by each of the following: the majority leader of
27 the senate, the minority leader of the senate, the speaker of
28 the house of representatives, and the minority leader of the
29 house of representatives. A legislative member serves in an
30 ex officio, nonvoting capacity and is eligible for per diem
31 and expenses as provided in section 2.10.

32 Sec. 2. Section 225C.6, subsection 1, Code Supplement
33 2001, is amended by adding the following new paragraph:

34 NEW PARAGRAPH. q. Perform analyses and other functions
35 associated with a redesign of the mental health and

1 developmental disability services systems for adults and for
2 children.

3 Sec. 3. Section 229.24, subsection 3, unnumbered paragraph
4 1, Code 2001, is amended to read as follows:

5 If all or part of the costs associated with hospitalization
6 of an individual under this chapter are chargeable to a county
7 of legal settlement, the clerk of the district court shall
8 provide to the county of legal settlement and to the county in
9 which the hospitalization order is entered, in a form
10 prescribed by the ~~council-on-human-services-pursuant-to-a~~
11 ~~recommendation-of-the-state-county-management-committee~~
12 ~~established-in-section-331-438~~ mental health and developmental
13 disabilities commission, the following information pertaining
14 to the individual which would be confidential under subsection
15 1:

16 Sec. 4. Section 249A.12, subsection 5, paragraph a,
17 unnumbered paragraph 1, Code Supplement 2001, is amended to
18 read as follows:

19 The ~~state-county-management-committee~~ mental health and
20 developmental disabilities commission shall recommend to the
21 department the actions necessary to assist in the transition
22 of individuals being served in an intermediate care facility
23 for persons with mental retardation, who are appropriate for
24 the transition, to services funded under a medical assistance
25 waiver for home and community-based services for persons with
26 mental retardation in a manner which maximizes the use of
27 existing public and private facilities. The actions may
28 include but are not limited to submitting any of the following
29 or a combination of any of the following as a request for a
30 revision of the medical assistance waiver for home and
31 community-based services for persons with mental retardation
32 in effect as of June 30, 1996:

33 Sec. 5. Section 249A.12, subsection 5, paragraph b,
34 unnumbered paragraph 1, Code Supplement 2001, is amended to
35 read as follows:

1 In implementing the provisions of this subsection, the
2 ~~state-county-management-committee~~ mental health and
3 developmental disabilities commission shall consult with other
4 states. The waiver revision request or other action necessary
5 to assist in the transition of service provision from
6 intermediate care facilities for persons with mental
7 retardation to alternative programs shall be implemented by
8 the department in a manner that can appropriately meet the
9 needs of individuals at an overall lower cost to counties, the
10 federal government, and the state. In addition, the
11 department shall take into consideration significant federal
12 changes to the medical assistance program in formulating the
13 department's actions under this subsection. The department
14 shall consult with the ~~state-county-management-committee~~
15 mental health and developmental disabilities commission in
16 adopting rules for oversight of facilities converted pursuant
17 to this subsection. A transition approach described in
18 paragraph "a" may be modified as necessary to obtain federal
19 waiver approval. ~~The department shall report on or before~~
20 ~~January 27, 1997, to the general assembly regarding its actions~~
21 ~~under this subsection and any federal response, and shall~~
22 ~~submit an update upon receiving a federal response to the~~
23 ~~waiver request or other action taken which requires a federal~~
24 ~~response. If implementation of any of the provisions of this~~
25 ~~subsection does not require a federal waiver, the department~~
26 ~~shall implement the provisions in the fiscal year beginning~~
27 ~~July 1, 1996.~~

28 Sec. 6. Section 331.424A, subsection 1, Code Supplement
29 2001, is amended to read as follows:

30 1. For the purposes of this chapter, unless the context
31 otherwise requires, "services fund" means the county mental
32 health, mental retardation, and developmental disabilities
33 services fund created in subsection 2. The county finance
34 committee created in section 333A.2 shall consult with the
35 ~~state-county-management-committee~~ mental health and

1 developmental disabilities commission in adopting rules and
2 prescribing forms for administering the services fund.

3 Sec. 7. Section 331.438, subsection 1, paragraph c, Code
4 Supplement 2001, is amended to read as follows:

5 c. "Qualified mental health, mental retardation, and
6 developmental disabilities services" means the services
7 specified on forms issued by the county finance committee
8 following consultation with the ~~state-county-management~~
9 committee mental health and developmental disabilities
10 commission.

11 Sec. 8. Section 331.438, subsection 4, paragraph a, Code
12 Supplement 2001, is amended to read as follows:

13 a. A The mental health and developmental disabilities
14 commission shall state-county-management-committee-is-created
15 in-the-department-of-human-services-to make recommendations
16 and take actions for joint state and county planning,
17 implementing, and funding of mental health, mental
18 retardation, and developmental disabilities services,
19 including but not limited to developing and implementing
20 fiscal and accountability controls, establishing management
21 plans, and ensuring that eligible persons have access to
22 appropriate and cost-effective services.

23 Sec. 9. Section 331.438, subsection 4, paragraph b, Code
24 Supplement 2001, is amended by striking the paragraph.

25 Sec. 10. Section 331.438, subsection 4, paragraph c, Code
26 Supplement 2001, is amended to read as follows:

27 c. The ~~management-committee~~ mental health and
28 developmental disabilities commission shall do all of the
29 following:

30 (1) Identify characteristics of the service system,
31 including amounts expended, equity of funding among counties,
32 funding sources, provider types, service availability, and
33 equity of service availability among counties and among
34 persons served.

35 (2) Assess the accuracy and uniformity of recordkeeping

1 and reporting in the service system.

2 (3) Identify for each county the factors associated with
3 inflationary growth of the service system.

4 (4) Identify opportunities for containing service system
5 growth.

6 (5) ~~Make-recommendations~~ Consider proposals for revising
7 service system administrative rules.

8 (6) Consider provisions and adopt rules for counties to
9 implement a single point of accountability to plan, budget,
10 and monitor county expenditures for the service system. The
11 provisions shall provide options for counties to implement the
12 single point in collaboration with other counties.

13 (7) Develop criteria for annual county mental health,
14 mental retardation, and developmental disabilities plans.

15 (8) ~~Make-recommendations-to-the-council-on-human-services~~
16 ~~for~~ Adopt administrative rules identifying qualified mental
17 health, mental retardation, and developmental disabilities
18 service expenditures for purposes of state payment pursuant to
19 subsection 1.

20 (9) ~~Make-recommendations-to-the-council-on-human-services~~
21 ~~for-administrative~~ Adopt rules for the county single entry
22 point and clinical assessment processes required under section
23 331.440 and other rules necessary for the implementation of
24 county management plans and expenditure reports required for
25 state payment pursuant to section 331.439.

26 (10) Make Consider recommendations to improve the programs
27 and cost effectiveness of state and county contracting
28 processes and procedures, including strategies for
29 negotiations relating to managed care. The recommendations
30 ~~developed~~ implemented by the commission for the state and
31 county regarding managed care shall include but are not
32 limited to standards for limiting excess costs and profits,
33 and for restricting cost shifting under a managed care system.

34 (11) Provide input, when appropriate, to the director of
35 human services in any decision involving administrative rules

1 which were ~~initially-recommended~~ adopted by the management
2 committee department of human services pertaining to the
3 mental illness, mental retardation, and developmental
4 disabilities services administered by counties.

5 (12) Identify the fiscal impact of existing or proposed
6 legislation and administrative rules on state and county
7 expenditures.

8 ~~{13}--No-later-than-January-1,--annually,--submit-a-report-to~~
9 ~~the-governor,--the-general-assembly,--and-the-department-of~~
10 ~~human-services-concerning-the-management-committee's~~
11 ~~activities-and-findings.~~

12 ~~{14}--On-or-before-December-1,--1994,--submit-to-the-governor~~
13 ~~and-general-assembly-a-methodology-for-the-state-and-counties~~
14 ~~to-move-toward-the-goal-of-an-equal-partnership-in-the-funding~~
15 ~~of-mental-health,--mental-retardation,--and-developmental~~
16 ~~disabilities-services.--The-committee-consideration-of~~
17 ~~methodology-options-shall-include-an-expenditure-per-consumer~~
18 ~~basis.~~

19 ~~{15}--Make-recommendations-to-the-mental-health-and~~
20 ~~developmental-disabilities-commission-for~~

21 (13) Adopt administrative rules providing statewide
22 standards and a monitoring methodology to determine whether
23 cost-effective individualized services are available as
24 required pursuant to section 331.439, subsection 1, paragraph
25 "b".

26 ~~{16}~~ (14) Make Consider recommendations ~~to-the-mental~~
27 ~~health-and-developmental-disabilities-commission~~ for and adopt
28 administrative rules establishing statewide minimum standards
29 for services and other support required to be available to
30 persons covered by a county management plan under section
31 331.439.

32 ~~{17}~~ (15) Make Consider recommendations ~~to-the-mental~~
33 ~~health-and-developmental-disabilities-commission-and-counties~~
34 for measuring and improving the quality of state and county
35 mental health, mental retardation, and developmental

1 disabilities services and other support.

2 Sec. 11. Section 331.439, subsection 1, unnumbered
3 paragraph 1, Code 2001, is amended to read as follows:

4 The state payment to eligible counties under this section
5 shall be made as provided in sections 331.438 and 426B.2. A
6 county is eligible for the state payment, as defined in
7 section 331.438, for the fiscal year beginning July 1, 1996,
8 and for subsequent fiscal years if the director of human
9 services, in consultation with the ~~state-county-management~~
10 committee mental health and developmental disabilities
11 commission, determines for a specific fiscal year that all of
12 the following conditions are met:

13 Sec. 12. Section 331.439, subsection 1, paragraph b,
14 unnumbered paragraph 1, Code 2001, is amended to read as
15 follows:

16 The county developed and implemented a county management
17 plan for the county's mental health, mental retardation, and
18 developmental disabilities services in accordance with the
19 provisions of this paragraph "b". The plan shall comply with
20 the administrative rules adopted for this purpose by the
21 ~~council-on-human-services~~ mental health and developmental
22 disabilities commission and is subject to the approval of the
23 director of human services in consultation with the ~~state-~~
24 ~~county-management-committee-created-in-section-331-438~~
25 commission. The plan shall include a description of the
26 county's service management provision for mental health,
27 mental retardation, and developmental disabilities services.
28 For mental retardation and developmental disabilities service
29 management, the plan shall describe the county's development
30 and implementation of a managed system of cost-effective
31 individualized services and shall comply with the provisions
32 of paragraph "d". The goal of this part of the plan shall be
33 to assist the individuals served to be as independent,
34 productive, and integrated into the community as possible.
35 The service management provisions for mental health shall

1 comply with the provisions of paragraph "c". A county is
2 subject to all of the following provisions in regard to the
3 county's management plan and planning process:

4 Sec. 13. Section 331.439, subsection 1, paragraph b,
5 subparagraph (1), Code 2001, is amended to read as follows:

6 (1) The county shall have in effect an approved policies
7 and procedures manual for the county's services fund. The
8 county management plan shall be defined in the manual. The
9 manual submitted by the county as part of the county's
10 management plan for the fiscal year beginning July 1, 2000, as
11 approved by the director of human services, shall remain in
12 effect, subject to amendment. An amendment to the manual
13 shall be submitted to the department of human services at
14 least forty-five days prior to the date of implementation.
15 Prior to implementation of any amendment to the manual, the
16 amendment must be approved by the director of human services
17 in consultation with the ~~state-county-management-committee~~
18 mental health and developmental disabilities commission.

19 Sec. 14. Section 331.439, subsection 1, paragraph c,
20 subparagraph (2), unnumbered paragraph 1, Code 2001, is
21 amended to read as follows:

22 ~~The-basis-for-determining-whether-a~~ A managed care system
23 for mental health proposed by a county is-comparable-to-a
24 mental-health-managed-care-contractor-approved-by-the
25 department-of-human-services shall include but is not limited
26 to all of the following elements which shall be specified in
27 administrative rules adopted by the ~~council-on-human-services~~
28 ~~in-consultation-with-the-state-county-management-committee~~
29 mental health and developmental disabilities commission:

30 Sec. 15. Section 331.439, subsection 1, paragraph d, Code
31 2001, is amended to read as follows:

32 d. For mental retardation and developmental disabilities
33 services management, the county must either develop and
34 implement a managed system of care which addresses a full
35 array of appropriate services and cost-effective delivery of

1 services or contract with a state-approved managed care
2 contractor or contractors. Any system or contract implemented
3 under this paragraph shall incorporate a single entry point
4 and clinical assessment process developed in accordance with
5 the provisions of section 331.440. The elements of the county
6 managed system of care and-the-state-approved-managed-care
7 contract-or-contracts shall be specified in rules developed by
8 the department of human services in consultation with the
9 state-county-management-committee and adopted by the council
10 on-human-services mental health and developmental disabilities
11 commission.

12 Sec. 16. Section 331.439, subsection 3, paragraph b, Code
13 2001, is amended to read as follows:

14 b. Based upon information contained in county management
15 plans and budgets and proposals made by representatives of
16 counties, the state-county-management-committee mental health
17 and developmental disabilities commission shall recommend an
18 allowed growth factor adjustment to the governor by November
19 15 for the fiscal year which commences two years from the
20 beginning date of the fiscal year in progress at the time the
21 recommendation is made. The allowed growth factor adjustment
22 shall address costs associated with new consumers of service,
23 service cost inflation, and investments for economy and
24 efficiency. In developing the service cost inflation
25 recommendation, the committee commission shall consider the
26 cost trends indicated by the gross expenditure amount reported
27 in the expenditure reports submitted by counties pursuant to
28 subsection 1, paragraph "a". The governor shall consider the
29 committee's commission's recommendation in developing the
30 governor's recommendation for an allowed growth factor
31 adjustment for such fiscal year. The governor's
32 recommendation shall be submitted at the time the governor's
33 proposed budget for the succeeding fiscal year is submitted in
34 accordance with chapter 8.

35 Sec. 17. Section 331.440, subsection 4, Code 2001, is

1 amended to read as follows:

2 4. ~~The council-on-human-services~~ mental health and
3 developmental disabilities commission shall consider the
4 recommendations of ~~the-state-county-management-committee~~
5 ~~established-in-section-331-438~~ county representatives in
6 adopting rules outlining standards and requirements for
7 implementation of the single entry point and clinical
8 assessment processes on the date required by subsection 2.
9 The rules shall permit counties options in implementing the
10 process based upon a county's consumer population and
11 available service delivery system.

12 Sec. 18. Section 426B.4, Code 2001, is amended to read as
13 follows:

14 426B.4 RULES.

15 The ~~council-on-human-services~~ mental health and
16 developmental disabilities commission shall consult with ~~the~~
17 ~~state-county-management-committee-created-in-section-331-438~~
18 county representatives and the director of human services in
19 prescribing forms and adopting rules pursuant to chapter 17A
20 to administer this chapter.

21 Sec. 19. Section 426B.5, subsection 2, paragraph c, Code
22 Supplement 2001, is amended to read as follows:

23 c. A risk pool board is created. The board shall consist
24 of two county supervisors, two county auditors, a member of
25 the ~~state-county-management-committee-created-in-section~~
26 ~~331-438~~ mental health and developmental disabilities

27 commission ~~who was-not-appointed-by-the-Iowa-state-association~~
*28 of-counties is not a member of a county board of supervisors,
29 a member of the county finance committee created in chapter
30 333A who is not an elected official, and two single entry
31 point process administrators, all appointed by the governor,
32 and one member appointed by the director of human services.
33 All members appointed by the governor shall be subject to
34 confirmation by the senate. Members shall serve for three-
35 year terms. A vacancy shall be filled in the same manner as

1 the original appointment. Expenses and other costs of the
2 risk pool board members representing counties shall be paid by
3 the county of origin. Expenses and other costs of risk pool
4 board members who do not represent counties shall be paid from
5 a source determined by the governor. Staff assistance to the
6 board shall be provided by the department of human services
7 and counties. Actuarial expenses and other direct
8 administrative costs shall be charged to the pool.

9 Sec. 20. CODE EDITOR DIRECTIVE. The Code editor shall
10 amend the headnote to section 331.438 to remove the reference
11 to "management committee" and instead reference the mental
12 health and developmental disabilities commission or utilize
13 other language as determined to be most appropriate by the
14 Code editor.

15 Sec. 21. ADOPTED RULES. Notwithstanding the transfer in
16 this Act of the authority to adopt rules from the council on
17 human services to the mental health and developmental
18 disabilities commission, a rule adopted by the council on
19 human services prior to July 1, 2002, shall remain in effect
20 unless amended or repealed by the commission or pursuant to
21 other executive or legislative branch action.

22 Sec. 22. COMMISSION MEMBERS. The revision in the
23 membership of the mental health and developmental disabilities
24 commission in accordance with section 225C.5, as amended by
25 this Act, shall be implemented by applying the new membership
26 requirements for voting members as membership terms expire and
27 other vacancies in membership occur. The initial term of one
28 of the members appointed during the fiscal year beginning July
29 1, 2002, shall be two years. The revision shall be fully
30 complete on or before June 30, 2005.

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HOUSE FILE 2430

S-5398

1 Amend House File 2430, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 2, line 23, by inserting after the word
4 "advocates." the following: "Of these members, one
5 shall be an active member of a statewide organization
6 for persons with brain injury."

By HUBERT M. HOUSER
JOHNIE HAMMOND

S-5398 FILED APRIL 4, 2002
ADOPTED (P. 970)

HOUSE AMENDMENT TO SENATE AMENDMENT TO
HOUSE FILE 2430

S-5424

1 Amend the Senate amendment, H-8535, to House File
2 2430, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 1, by inserting after line 41 the
5 following:
6 "____. Page 12, by striking lines 22 through 30
7 and inserting the following:
8 "Sec. ____ COMMISSION TRANSITION. Effective
9 November 1, 2002, the terms of all voting members of
10 the mental health and developmental disabilities
11 commission shall terminate. The governor shall
12 appoint voting members to the mental health and
13 developmental disabilities commission for terms
14 commencing November 1, 2002, to reflect the
15 requirements of section 225C.5, as amended by this
16 Act, including but not limited to the requirement for
17 staggered terms.""
18 2. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-5424 FILED APRIL 9, 2002

Senate Concurred 4/11/02 (P. 1152)

HOUSE FILE 2430

S-5173

- 1 Amend House File 2430, as amended, passed, and
2 reprinted by the House, as follows:
- 3 1. Page 2, line 5, by inserting before the word
4 "association" the following: "Iowa".
- 5 2. Page 2, line 21, by inserting after the word
6 "consumer" the following: "and at least one member
7 who is a parent or other family member of a person
8 admitted to and living at a state resource center".
- 9 3. Page 3, by inserting after line 2 the
10 following:
- 11 "Sec. ____ . Section 225C.6, Code Supplement 2001,
12 is amended by adding the following new subsection:
13 NEW SUBSECTION. 3. If the executive branch
14 creates a committee, task force, council, or other
15 advisory body to consider mental health and
16 developmental disabilities policy, services, or
17 program options involving children or adult consumers,
18 the commission is designated to receive and consider
19 any report, findings, recommendations, or other work
20 product issued by such body. The commission may
21 address the report, findings, recommendations, or
22 other work product in fulfilling the commission's
23 functions and to advise the department, council on
24 human services, governor, and general assembly
25 concerning disability services."
- 26 4. Page 11, line 30, by inserting after the word
27 "official," the following: "a representative of a
28 provider of mental health or developmental
29 disabilities services selected from nominees submitted
30 by the Iowa association of community providers,".
- 31 5. Page 12, by inserting after line 30 the
32 following:
- 33 "Sec. ____ . APPLICABILITY. The requirements of
34 section 225C.6, subsection 3, as enacted by this Act,
35 apply to the findings, report, recommendations, or
36 other work product issued by a committee, task force,
37 council, or other advisory body created prior to July
38 1, 2002."
- 39 6. Title page, line 3, by striking the word
40 "provides" and inserting the following: "providing".
- 41 7. Title page, line 4, by inserting after the
42 word "duties" the following: "and including an
43 applicability provision".
- 44 8. By renumbering as necessary.

By COMMITTEE ON LOCAL GOVERNMENT
DAVID MILLER, Chairperson

S-5173 FILED MARCH 18, 2002

adopted
4-4-02
(P.970)

HOUSE FILE 2430

S-5340

1 Amend the amendment, S-5173, to House File 2430, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, by inserting after line 2 the
5 following:

6 "____. Page 1, line 22, by inserting before the
7 word "Members" the following: "The commission shall
8 meet at least four times per year."

9 2. Page 1, by striking lines 5 through 8 and
10 inserting the following:

11 "____. Page 2, by striking lines 19 through 21 and
12 inserting the following:

13 "h. Three members shall be service consumers or
14 family members of service consumers. Of these
15 members, one shall be a service consumer, one shall be
16 a parent of a child service consumer, and one shall be
17 a parent or other family member of a person admitted
18 to and living at a state resource center."

19 3. By renumbering as necessary.

By JOHNIE HAMMOND
HUBERT M. HOUSER

DAVID MILLER
PATRICIA HARPER

S-5340 FILED APRIL 2, 2002

Adopted

4-4-02 (p. 970)

HOUSE FILE 2430

S-5388

1 Amend House File 2430 as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 12, by inserting after line 30, the
4 following:

5 "Sec. ____ . RESIDENT ADVOCATE COMMITTEES -- REPORT.
6 The mental health and developmental disabilities
7 commission in consultation with the state long-term
8 care resident's advocate and the governor's
9 developmental disabilities council shall submit a
10 report to the general assembly by January 1, 2003,
11 regarding the continuation of resident advocate
12 committees for residential care facilities licensed to
13 serve persons with mental illness or mental
14 retardation."

15 2. By renumbering as necessary.

By NANCY BOETTGER
HUBERT M. HOUSER

S-5388 FILED APRIL 4, 2002

ADOPTED

p. 970

SENATE AMENDMENT TO HOUSE FILE 2430

H-8535

1 Amend House File 2430, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, line 22, by inserting before the word
4 "Members" the following: "The commission shall meet
5 at least four times per year."

6 2. Page 2, line 5, by inserting before the word
7 "association" the following: "Iowa".

8 3. Page 2, by striking lines 19 through 21 and
9 inserting the following:

10 "h. Three members shall be service consumers or
11 family members of service consumers. Of these
12 members, one shall be a service consumer, one shall be
13 a parent of a child service consumer, and one shall be
14 a parent or other family member of a person admitted
15 to and living at a state resource center."

16 4. Page 2, line 23, by inserting after the word
17 "advocates." the following: "Of these members, one
18 shall be an active member of a statewide organization
19 for persons with brain injury."

20 5. Page 3, by inserting after line 2 the
21 following:

22 "Sec. ____ Section 225C.6, Code Supplement 2001,
23 is amended by adding the following new subsection:

24 NEW SUBSECTION. 3. If the executive branch
25 creates a committee, task force, council, or other
26 advisory body to consider mental health and
27 developmental disabilities policy, services, or
28 program options involving children or adult consumers,
29 the commission is designated to receive and consider
30 any report, findings, recommendations, or other work
31 product issued by such body. The commission may
32 address the report, findings, recommendations, or
33 other work product in fulfilling the commission's
34 functions and to advise the department, council on
35 human services, governor, and general assembly
36 concerning disability services."

37 6. Page 11, line 30, by inserting after the word
38 "official," the following: "a representative of a
39 provider of mental health or developmental
40 disabilities services selected from nominees submitted
41 by the Iowa association of community providers,".

42 7. Page 12, by inserting after line 30, the
43 following:

44 "Sec. ____ RESIDENT ADVOCATE COMMITTEES -- REPORT.
45 The mental health and developmental disabilities
46 commission in consultation with the state long-term
47 care resident's advocate and the governor's
48 developmental disabilities council shall submit a
49 report to the general assembly by January 1, 2003,
50 regarding the continuation of resident advocate

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1 committees for residential care facilities licensed to
2 serve persons with mental illness or mental
3 retardation."

4 8. Page 12, by inserting after line 30 the
5 following:

6 "Sec. ____ . APPLICABILITY. The requirements of
7 section 225C.6, subsection 3, as enacted by this Act,
8 apply to the findings, report, recommendations, or
9 other work product issued by a committee, task force,
10 council, or other advisory body created prior to July
11 1, 2002."

12 9. Title page, line 3, by striking the word
13 "provides" and inserting the following: "providing".

14 10. Title page, line 4, by inserting after the
15 word "duties" the following: "and including an
16 applicability provision".

17 11. By renumbering, relettering, or redesignating
18 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-8535 FILED APRIL 8, 2002*House Concurred (P. 1224)
4-8-02***HOUSE FILE 2430****H-8548**

1 Amend the Senate amendment, H-8535, to House File
2 2430, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, by inserting after line 41 the
5 following:

6 " ____ . Page 12, by striking lines 22 through 30
7 and inserting the following:

8 "Sec. ____ . COMMISSION TRANSITION. Effective
9 November 1, 2002, the terms of all voting members of
10 the mental health and developmental disabilities
11 commission shall terminate. The governor shall
12 appoint voting members to the mental health and
13 developmental disabilities commission for terms
14 commencing November 1, 2002, to reflect the
15 requirements of section 225C.5, as amended by this
16 Act, including but not limited to the requirement for
17 staggered terms.""

18 2. By renumbering as necessary.

By CARROLL of Poweshiek

H-8548 FILED APRIL 9, 2002*Adopted 4/9/02 (P. 1224)*

HOUSE FILE 2430

AN ACT

PROVIDING FOR THE MENTAL HEALTH AND DEVELOPMENTAL
DISABILITIES COMMISSION TO ASSUME THE DUTIES OF THE STATE-
COUNTY MANAGEMENT COMMITTEE AND PROVIDING NEW RULEMAKING
AUTHORITY ASSOCIATED WITH THOSE DUTIES AND INCLUDING AN
APPLICABILITY PROVISION.

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

Section 1. Section 225C.5, subsection 1, Code 2001, is
amended to read as follows:

1. A mental health and developmental disabilities
commission is created as the state policy-making body for the
provision of services to persons with mental illness, mental
retardation or other developmental disabilities, or brain
injury. The commission shall consist of ~~fifteen~~ sixteen
voting members appointed to three-year staggered terms by the
governor and subject to confirmation by the senate.
Commission members shall be appointed on the basis of interest
and experience in the fields of mental health, mental
retardation or other developmental disabilities, and brain
injury, in a manner ~~so that, if possible, the composition of~~
~~the commission will comply with the requirements of the~~
~~Community Mental Health Centers Amendments of 1975, 42-U.S.C.~~
~~§-2609(a)-(1976) relative to a state mental health advisory~~
~~council, and so as to ensure adequate representation from~~
persons with disabilities and individuals knowledgeable
concerning disability services. The department shall provide
staff support to the commission, and the commission may
utilize staff support and other assistance provided to the
commission by other persons. The commission shall meet at
least four times per year. Members of the commission shall
include the following persons who, at the time of appointment

to the commission, are active members of the indicated groups:

a. ~~Four~~ Three members shall be members of a county board
of supervisors selected from nominees submitted by the county
supervisor affiliate of the Iowa state association of
counties.

b. Two members shall be ~~members of a mental health and~~
~~developmental disabilities regional planning council~~ selected
from nominees submitted by the director.

c. One member shall be either an active board member of a
community mental health center ~~or of a statewide association~~
~~of persons with mental illness or of family members of persons~~
~~with mental illness.~~

d. One member shall be either an active board member of an
agency serving persons with ~~mental retardation or of a~~
~~statewide association for persons with mental retardation a~~
developmental disability selected from nominees submitted by
the Iowa association of community providers.

e. One member shall be ~~an active member of a statewide~~
~~organization for persons with a board member or employee of a~~
provider of mental health or developmental disabilities other
than mental retardation services to children.

~~f. One member shall be an active member of a statewide~~
~~organization for persons with brain injury.~~

f. Two members shall be administrators of the single entry
point process established in accordance with section 331.440
selected from nominees submitted by the community services
affiliate of the Iowa state association of counties.

g. One member shall be selected from nominees submitted by
the state's council of the association of federal, state,
county, and municipal employees.

h. Three members shall be service consumers or family
members of service consumers. Of these members, one shall be
a service consumer, one shall be a parent of a child service
consumer, and one shall be a parent or other family member of
a person admitted to and living at a state resource center.

i. Two members shall be selected from nominees submitted by service advocates. Of these members, one shall be an active member of a statewide organization for persons with brain injury.

j. In addition to the voting members, the membership shall include four members of the general assembly with one member designated by each of the following: the majority leader of the senate, the minority leader of the senate, the speaker of the house of representatives, and the minority leader of the house of representatives. A legislative member serves in an ex officio, nonvoting capacity and is eligible for per diem and expenses as provided in section 2.10.

Sec. 2. Section 225C.6, subsection 1, Code Supplement 2001, is amended by adding the following new paragraph:

NEW PARAGRAPH. q. Perform analyses and other functions associated with a redesign of the mental health and developmental disability services systems for adults and for children.

Sec. 3. Section 225C.6, Code Supplement 2001, is amended by adding the following new subsection:

NEW SUBSECTION. 3. If the executive branch creates a committee, task force, council, or other advisory body to consider mental health and developmental disabilities policy, services, or program options involving children or adult consumers, the commission is designated to receive and consider any report, findings, recommendations, or other work product issued by such body. The commission may address the report, findings, recommendations, or other work product in fulfilling the commission's functions and to advise the department, council on human services, governor, and general assembly concerning disability services.

Sec. 4. Section 229.24, subsection 3, unnumbered paragraph 1, Code 2001, is amended to read as follows:

If all or part of the costs associated with hospitalization of an individual under this chapter are chargeable to a county

of legal settlement, the clerk of the district court shall provide to the county of legal settlement and to the county in which the hospitalization order is entered, in a form prescribed by the ~~council-on-human-services-pursuant-to-a recommendation-of-the-state-county-management-committee established-in-section-331-438~~ mental health and developmental disabilities commission, the following information pertaining to the individual which would be confidential under subsection 1:

Sec. 5. Section 249A.12, subsection 5, paragraph a, unnumbered paragraph 1, Code Supplement 2001, is amended to read as follows:

The ~~state-county-management-committee~~ mental health and developmental disabilities commission shall recommend to the department the actions necessary to assist in the transition of individuals being served in an intermediate care facility for persons with mental retardation, who are appropriate for the transition, to services funded under a medical assistance waiver for home and community-based services for persons with mental retardation in a manner which maximizes the use of existing public and private facilities. The actions may include but are not limited to submitting any of the following or a combination of any of the following as a request for a revision of the medical assistance waiver for home and community-based services for persons with mental retardation in effect as of June 30, 1996:

Sec. 6. Section 249A.12, subsection 5, paragraph b, unnumbered paragraph 1, Code Supplement 2001, is amended to read as follows:

In implementing the provisions of this subsection, the ~~state-county-management-committee~~ mental health and developmental disabilities commission shall consult with other states. The waiver revision request or other action necessary to assist in the transition of service provision from intermediate care facilities for persons with mental

retardation to alternative programs shall be implemented by the department in a manner that can appropriately meet the needs of individuals at an overall lower cost to counties, the federal government, and the state. In addition, the department shall take into consideration significant federal changes to the medical assistance program in formulating the department's actions under this subsection. The department shall consult with the ~~state-county-management-committee~~ mental health and developmental disabilities commission in adopting rules for oversight of facilities converted pursuant to this subsection. A transition approach described in paragraph "a" may be modified as necessary to obtain federal waiver approval. ~~The department shall report on or before January 27, 1997, to the general assembly regarding its actions under this subsection and any federal response, and shall submit an update upon receiving a federal response to the waiver request or other action taken which requires a federal response. If implementation of any of the provisions of this subsection does not require a federal waiver, the department shall implement the provisions in the fiscal year beginning July 1, 1996.~~

Sec. 7. Section 331.424A, subsection 1, Code Supplement 2001, is amended to read as follows:

1. For the purposes of this chapter, unless the context otherwise requires, "services fund" means the county mental health, mental retardation, and developmental disabilities services fund created in subsection 2. The county finance committee created in section 333A.2 shall consult with the ~~state-county-management-committee~~ mental health and developmental disabilities commission in adopting rules and prescribing forms for administering the services fund.

Sec. 8. Section 331.438, subsection 1, paragraph c, Code Supplement 2001, is amended to read as follows:

c. "Qualified mental health, mental retardation, and developmental disabilities services" means the services

specified on forms issued by the county finance committee following consultation with the ~~state-county-management committee~~ mental health and developmental disabilities commission.

Sec. 9. Section 331.438, subsection 4, paragraph a, Code Supplement 2001, is amended to read as follows:

a. ~~A~~ The mental health and developmental disabilities commission shall state-county-management-committee-is-created in-the-department-of-human-services-to make recommendations and take actions for joint state and county planning, implementing, and funding of mental health, mental retardation, and developmental disabilities services, including but not limited to developing and implementing fiscal and accountability controls, establishing management plans, and ensuring that eligible persons have access to appropriate and cost-effective services.

Sec. 10. Section 331.438, subsection 4, paragraph b, Code Supplement 2001, is amended by striking the paragraph.

Sec. 11. Section 331.438, subsection 4, paragraph c, Code Supplement 2001, is amended to read as follows:

c. ~~The management-committee~~ mental health and developmental disabilities commission shall do all of the following:

(1) Identify characteristics of the service system, including amounts expended, equity of funding among counties, funding sources, provider types, service availability, and equity of service availability among counties and among persons served.

(2) Assess the accuracy and uniformity of recordkeeping and reporting in the service system.

(3) Identify for each county the factors associated with inflationary growth of the service system.

(4) Identify opportunities for containing service system growth.

(5) ~~Make recommendations~~ Consider proposals for revising service system administrative rules.

(6) Consider provisions and adopt rules for counties to implement a single point of accountability to plan, budget, and monitor county expenditures for the service system. The provisions shall provide options for counties to implement the single point in collaboration with other counties.

(7) Develop criteria for annual county mental health, mental retardation, and developmental disabilities plans.

(8) ~~Make recommendations to the council on human services~~ for Adopt administrative rules identifying qualified mental health, mental retardation, and developmental disabilities service expenditures for purposes of state payment pursuant to subsection 1.

(9) ~~Make recommendations to the council on human services~~ for administrative Adopt rules for the county single entry point and clinical assessment processes required under section 331.440 and other rules necessary for the implementation of county management plans and expenditure reports required for state payment pursuant to section 331.439.

(10) Make Consider recommendations to improve the programs and cost effectiveness of state and county contracting processes and procedures, including strategies for negotiations relating to managed care. The recommendations developed implemented by the commission for the state and county regarding managed care shall include but are not limited to standards for limiting excess costs and profits, and for restricting cost shifting under a managed care system.

(11) Provide input, when appropriate, to the director of human services in any decision involving administrative rules which were initially recommended adopted by the management committee department of human services pertaining to the mental illness, mental retardation, and developmental disabilities services administered by counties.

(12) Identify the fiscal impact of existing or proposed legislation and administrative rules on state and county expenditures.

~~{13}--No later than January 1, annually, submit a report to the governor, the general assembly, and the department of human services concerning the management committee's activities and findings.~~

~~{14}--On or before December 1, 1994, submit to the governor and general assembly a methodology for the state and counties to move toward the goal of an equal partnership in the funding of mental health, mental retardation, and developmental disabilities services. The committee consideration of methodology options shall include an expenditure per consumer basis.~~

~~{15}--Make recommendations to the mental health and developmental disabilities commission for~~

(13) Adopt administrative rules providing statewide standards and a monitoring methodology to determine whether cost-effective individualized services are available as required pursuant to section 331.439, subsection 1, paragraph "b".

~~{16} (14) Make Consider recommendations to the mental health and developmental disabilities commission for and adopt administrative rules establishing statewide minimum standards for services and other support required to be available to persons covered by a county management plan under section 331.439.~~

~~{17} (15) Make Consider recommendations to the mental health and developmental disabilities commission and counties for measuring and improving the quality of state and county mental health, mental retardation, and developmental disabilities services and other support.~~

Sec. 12. Section 331.439, subsection 1, unnumbered paragraph 1, Code 2001, is amended to read as follows:

The state payment to eligible counties under this section shall be made as provided in sections 331.438 and 426B.2. A county is eligible for the state payment, as defined in section 331.438, for the fiscal year beginning July 1, 1996, and for subsequent fiscal years if the director of human services, in consultation with the state-county-management committee mental health and developmental disabilities commission, determines for a specific fiscal year that all of the following conditions are met:

Sec. 13. Section 331.439, subsection 1, paragraph b, unnumbered paragraph 1, Code 2001, is amended to read as follows:

The county developed and implemented a county management plan for the county's mental health, mental retardation, and developmental disabilities services in accordance with the provisions of this paragraph "b". The plan shall comply with the administrative rules adopted for this purpose by the council-on-human-services mental health and developmental disabilities commission and is subject to the approval of the director of human services in consultation with the state-county-management-committee-created-in-section-331.438 commission. The plan shall include a description of the county's service management provision for mental health, mental retardation, and developmental disabilities services. For mental retardation and developmental disabilities service management, the plan shall describe the county's development and implementation of a managed system of cost-effective individualized services and shall comply with the provisions of paragraph "d". The goal of this part of the plan shall be to assist the individuals served to be as independent, productive, and integrated into the community as possible. The service management provisions for mental health shall comply with the provisions of paragraph "c". A county is subject to all of the following provisions in regard to the county's management plan and planning process:

Sec. 14. Section 331.439, subsection 1, paragraph b, subparagraph (1), Code 2001, is amended to read as follows:

(1) The county shall have in effect an approved policies and procedures manual for the county's services fund. The county management plan shall be defined in the manual. The manual submitted by the county as part of the county's management plan for the fiscal year beginning July 1, 2000, as approved by the director of human services, shall remain in effect, subject to amendment. An amendment to the manual shall be submitted to the department of human services at least forty-five days prior to the date of implementation. Prior to implementation of any amendment to the manual, the amendment must be approved by the director of human services in consultation with the state-county-management-committee mental health and developmental disabilities commission.

Sec. 15. Section 331.439, subsection 1, paragraph c, subparagraph (2), unnumbered paragraph 1, Code 2001, is amended to read as follows:

~~The-basis-for-determining-whether-a~~ A managed care system for mental health proposed by a county ~~is-comparable-to-a mental-health-managed-care-contractor-approved-by-the department-of-human-services~~ shall include but is not limited to all of the following elements which shall be specified in administrative rules adopted by the council-on-human-services in-consultation-with-the-state-county-management-committee mental health and developmental disabilities commission:

Sec. 16. Section 331.439, subsection 1, paragraph d, Code 2001, is amended to read as follows:

d. For mental retardation and developmental disabilities services management, the county must either develop and implement a managed system of care which addresses a full array of appropriate services and cost-effective delivery of services or contract with a state-approved managed care contractor or contractors. Any system or contract implemented under this paragraph shall incorporate a single entry point

and clinical assessment process developed in accordance with the provisions of section 331.440. The elements of the county managed system of care and the state-approved managed-care contract or contracts shall be specified in rules developed by the department of human services in consultation with the state-county-management-committee and adopted by the council on human-services mental health and developmental disabilities commission.

Sec. 17. Section 331.439, subsection 3, paragraph b, Code 2001, is amended to read as follows:

b. Based upon information contained in county management plans and budgets and proposals made by representatives of counties, the state-county-management-committee mental health and developmental disabilities commission shall recommend an allowed growth factor adjustment to the governor by November 15 for the fiscal year which commences two years from the beginning date of the fiscal year in progress at the time the recommendation is made. The allowed growth factor adjustment shall address costs associated with new consumers of service, service cost inflation, and investments for economy and efficiency. In developing the service cost inflation recommendation, the committee commission shall consider the cost trends indicated by the gross expenditure amount reported in the expenditure reports submitted by counties pursuant to subsection 1, paragraph "a". The governor shall consider the committee's commission's recommendation in developing the governor's recommendation for an allowed growth factor adjustment for such fiscal year. The governor's recommendation shall be submitted at the time the governor's proposed budget for the succeeding fiscal year is submitted in accordance with chapter 8.

Sec. 18. Section 331.440, subsection 4, Code 2001, is amended to read as follows:

4. The council on human-services mental health and developmental disabilities commission shall consider the

recommendations of the state-county-management-committee established-in-section-331-438 county representatives in adopting rules outlining standards and requirements for implementation of the single entry point and clinical assessment processes on the date required by subsection 2. The rules shall permit counties options in implementing the process based upon a county's consumer population and available service delivery system.

Sec. 19. Section 426B.4, Code 2001, is amended to read as follows:

426B.4 RULES.

The council on human-services mental health and developmental disabilities commission shall consult with the state-county-management-committee-created-in-section-331-438 county representatives and the director of human services in prescribing forms and adopting rules pursuant to chapter 17A to administer this chapter.

Sec. 20. Section 426B.5, subsection 2, paragraph c, Code Supplement 2001, is amended to read as follows:

c. A risk pool board is created. The board shall consist of two county supervisors, two county auditors, a member of the state-county-management-committee-created-in-section 331-438 mental health and developmental disabilities commission who was not appointed by the Iowa state association of counties is not a member of a county board of supervisors, a member of the county finance committee created in chapter 333A who is not an elected official, a representative of a provider of mental health or developmental disabilities services selected from nominees submitted by the Iowa association of community providers, and two single entry point process administrators, all appointed by the governor, and one member appointed by the director of human services. All members appointed by the governor shall be subject to confirmation by the senate. Members shall serve for three-year terms. A vacancy shall be filled in the same manner as

the original appointment. Expenses and other costs of the risk pool board members representing counties shall be paid by the county of origin. Expenses and other costs of risk pool board members who do not represent counties shall be paid from a source determined by the governor. Staff assistance to the board shall be provided by the department of human services and counties. Actuarial expenses and other direct administrative costs shall be charged to the pool.

Sec. 21. CODE EDITOR DIRECTIVE. The Code editor shall amend the headnote to section 331.438 to remove the reference to "management committee" and instead reference the mental health and developmental disabilities commission or utilize other language as determined to be most appropriate by the Code editor.

Sec. 22. ADOPTED RULES. Notwithstanding the transfer in this Act of the authority to adopt rules from the council on human services to the mental health and developmental disabilities commission, a rule adopted by the council on human services prior to July 1, 2002, shall remain in effect unless amended or repealed by the commission or pursuant to other executive or legislative branch action.

Sec. 23. COMMISSION TRANSITION. Effective November 1, 2002, the terms of all voting members of the mental health and developmental disabilities commission shall terminate. The governor shall appoint voting members to the mental health and developmental disabilities commission for terms commencing November 1, 2002, to reflect the requirements of section 225C.5, as amended by this Act, including but not limited to the requirement for staggered terms.

Sec. 24. RESIDENT ADVOCATE COMMITTEES -- REPORT. The mental health and developmental disabilities commission in consultation with the state long-term care resident's advocate and the governor's developmental disabilities council shall submit a report to the general assembly by January 1, 2003, regarding the continuation of resident advocate committees for

residential care facilities licensed to serve persons with mental illness or mental retardation.

Sec. 25. APPLICABILITY. The requirements of section 225C.6, subsection 3, as enacted by this Act, apply to the findings, report, recommendations, or other work product issued by a committee, task force, council, or other advisory body created prior to July 1, 2002.

BRENT SIEGRIST
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2430, Seventy-ninth General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved 5/2, 2002

THOMAS J. VILSACK
Governor

H.F. 2430