

JAN 31 2006  
HUMAN RESOURCES

HOUSE FILE 2195  
BY WENDT

(COMPANION TO LSB 5687SS  
BY WARNSTADT)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act addressing county-related mental health, mental  
2 retardation, and developmental disabilities services provided  
3 in a state mental health institute or a hospital.

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

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HF 2195

1 Section 1. Section 226.7, unnumbered paragraph 3, Code  
2 2005, is amended to read as follows:

3 If the district court commits a patient to a state mental  
4 health institute and a bed for the patient is not available,  
5 the institute shall assist the court in locating an  
6 alternative placement for the patient. The department of  
7 human services shall ensure that a state mental health  
8 institute maintains sufficient psychiatric bed capacity for  
9 the institute to be able to accept at least the number of  
10 district court commitments and central point of coordination  
11 referrals made to the institute during the course of a typical  
12 fiscal year. "Typical fiscal year" means the average of the  
13 sum of such commitments and referrals made over the preceding  
14 five fiscal years.

15 Sec. 2. Section 331.439, subsection 9, Code Supplement  
16 2005, is amended by striking the subsection.

17 EXPLANATION

18 This bill relates to county-related mental health services  
19 provided in a hospital or a state mental health institute.

20 Code section 226.7, relating to the order for receiving  
21 patients at a state mental health institute, is amended. The  
22 bill requires the department of human services to ensure that  
23 a state mental health institute maintains sufficient  
24 psychiatric bed capacity for the institute to accept at least  
25 the number of district court commitments and county central  
26 point of coordination referrals made to the institute during  
27 the course of a typical fiscal year. The bill defines the  
28 term "typical fiscal year" to mean the average of the sum of  
29 such commitments and referrals made over the preceding five  
30 fiscal years.

31 Code section 331.439, relating to county management plans  
32 for mental health, mental retardation, and developmental  
33 disabilities services, is amended to strike subsection 9. The  
34 stricken subsection requires a county management plan to  
35 designate at least one licensed hospital that the county has

1 contracted with to provide services covered under the plan.  
2 If the designated hospital does not have a bed available to  
3 provide the services, the county is responsible for the cost  
4 of covered services provided at an alternate licensed  
5 hospital.

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