

House File 646 - Introduced

HOUSE FILE _____
BY RAECKER

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

A BILL FOR

1 An Act relating to county adult mental health, mental
2 retardation, and developmental disabilities services, by
3 making an appropriation to the risk pool of the property tax
4 relief fund and providing an effective date.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 2552YH 83
7 jp/nh/24

PAG LIN

1 1 Section 1. AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
1 2 == RISK POOL APPROPRIATION.
1 3 1. There is appropriated from the fund created by section
1 4 8.41 to the department of human services for the fiscal year
1 5 beginning July 1, 2008, and ending June 30, 2009, the
1 6 following amount, or so much thereof as is necessary, to be
1 7 used for the purposes designated:
1 8 From unencumbered fiscal stabilization moneys available
1 9 under the federal American Recovery and Reinvestment Act of
1 10 2009, to be credited to the risk pool created in the property
1 11 tax relief fund in section 426B.5:
1 12 \$ 14,000,000
1 13 2. The amount appropriated in this section shall be used
1 14 for grants to counties to eliminate or avoid the
1 15 implementation of waiting lists in the fiscal year beginning
1 16 July 1, 2008, and the succeeding fiscal year, and to address
1 17 the other circumstances the risk pool is authorized to
1 18 address. All of the eligibility requirements and other
1 19 requirements and restrictions applicable to risk pool funding
1 20 under section 426B.5 are applicable for distribution of the
1 21 moneys appropriated in this section except for the following:
1 22 a. Notwithstanding section 426B.5, subsection 2, paragraph
1 23 "h", the risk pool board shall allocate the moneys
1 24 appropriated in this section so that the moneys are
1 25 distributed to counties for both the fiscal year beginning
1 26 July 1, 2008, and the succeeding fiscal year.
1 27 b. Awards of the unpaid balances of the amounts previously
1 28 accepted by the risk pool board for award for the fiscal year
1 29 beginning July 1, 2008, shall be made without additional
1 30 application. For the remainder of the appropriation, a county
1 31 must apply for risk pool assistance within 30 calendar days of
1 32 the effective date of this section of this Act. The risk pool
1 33 board shall make its final decisions on applications within 60
1 34 calendar days of the effective date of this section of this
1 35 Act.
2 1 3. The department of human services shall calculate the
2 2 amount of moneys due to eligible counties in accordance with
2 3 the board's decisions and that amount is appropriated for each
2 4 fiscal year from the risk pool to the department for payment
2 5 of the moneys due. For the fiscal year beginning July 1,
2 6 2008, the department shall authorize the issuance of warrants
2 7 payable to the county treasurer for the amounts due and the
2 8 warrants shall be issued on or before June 15, 2009. For the
2 9 succeeding fiscal year, the department shall authorize the
2 10 issuance of warrants payable to the county treasurer for the
2 11 amounts due and the warrants shall be issued on or before July
2 12 15, 2009.
2 13 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
2 14 immediate importance, takes effect upon enactment.
2 15 EXPLANATION
2 16 This bill relates to county adult mental health, mental
2 17 retardation, and developmental disabilities services by making
2 18 an appropriation to the risk pool of the property tax relief

2 19 fund. The risk pool is used to provide funding to counties
2 20 for such services.

2 21 The appropriation source is unencumbered fiscal
2 22 stabilization moneys available from the federal American
2 23 Recovery and Reinvestment Act of 2009.

2 24 The \$14 million appropriation is credited to the risk pool
2 25 to be used for fiscal year 2008=2009 and the succeeding fiscal
2 26 year for grants to counties to eliminate or avoid
2 27 implementation of waiting lists for the services and to
2 28 address other circumstances the risk pool is authorized to
2 29 address.

2 30 Under Code section 426B.5, which creates the risk pool and
2 31 other funding pools for such services, these circumstances
2 32 are: continuing support for mandated services, avoiding the
2 33 need for reduction or elimination of critical services when
2 34 the reduction or elimination places consumers' health or
2 35 safety at risk, avoiding the need for reduction or elimination
3 1 of critical emergency services when the reduction or
3 2 elimination places the public's health or safety at risk,
3 3 avoiding the need for reduction or elimination of the services
3 4 or other support provided to entire disability populations,
3 5 and avoiding the need for reduction or elimination of services
3 6 or other support that maintain consumers in a community
3 7 setting, creating a risk that the consumers would be placed in
3 8 more restrictive, higher cost settings.

3 9 The risk pool board, which makes decisions on risk pool
3 10 funding, is required to allocate the appropriation so that
3 11 distributions are made for both fiscal years. For FY
3 12 2008=2009, counties which had previously had amounts approved
3 13 for risk pool awards can receive the unpaid balances of the
3 14 approved amounts without additional application. The
3 15 remainder for that fiscal year and the succeeding fiscal year
3 16 is to be distributed through applications.

3 17 A time frame is specified for applications, risk pool board
3 18 decisions, and issuance of warrants.

3 19 The bill takes effect upon enactment.

3 20 LSB 2552YH 83

3 21 jp/nh/24