

**Senate File 198 - Introduced**

SENATE FILE 198  
BY COMMITTEE ON HUMAN  
RESOURCES

(SUCCESSOR TO SF 35)

**A BILL FOR**

1 An Act relating to elderly persons with aggressive or  
2 psychiatric behaviors in long-term care facilities.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. FACILITY FOR ELDERLY PERSONS WITH AGGRESSIVE OR  
2 PSYCHIATRIC BEHAVIORS — COMMITTEE — REPORT.

3 1. The department of inspections and appeals, in  
4 conjunction with the department of human services, shall  
5 establish and facilitate a committee of stakeholders to examine  
6 options for designating a facility to provide care for elderly  
7 persons in this state who are sexually aggressive, combative,  
8 or have unmet geropsychiatric needs.

9 2. The membership of the committee shall include but is not  
10 limited to the following:

11 a. Representatives of the departments of inspections and  
12 appeals, human services, corrections, public health, and aging,  
13 the state public defender, the office of the citizens' aide,  
14 the office of the state long-term care resident's advocate, and  
15 the judicial branch.

16 b. Consumers of services provided by long-term care  
17 facilities and family members of consumers.

18 c. Representatives from leadingage Iowa, the Iowa health  
19 care association, and the Iowa association of community  
20 providers.

21 d. Direct care workers employed by long-term care  
22 facilities.

23 e. Representatives from Iowa legal aid.

24 f. Representatives from AARP Iowa.

25 g. Representatives from the Iowa civil liberties union.

26 h. Other stakeholders as the department of inspections and  
27 appeals and the department of human services deem appropriate.

28 3. The committee shall discuss whether a long-term care  
29 facility, as defined in section 142D.2, should have the  
30 ability to refuse admission to, or discharge, residents who are  
31 sexually aggressive, combative, or have unmet geropsychiatric  
32 needs. The committee shall consider options for establishment  
33 of a facility to provide care for persons who are sexually  
34 aggressive, combative, or have unmet geropsychiatric needs.  
35 The committee shall identify the characteristics of residents

1 for such a facility, options for creating a new facility  
2 to house such residents, options for the expansion of an  
3 existing facility to house such residents, options for using  
4 any alternative facilities for such residents, the workforce  
5 and training necessary for the workforce in such facility,  
6 options to qualify a facility for Medicaid reimbursement, cost  
7 projections for any recommendations, and other information  
8 deemed relevant by the department of inspections and appeals.

9 4. The committee shall provide a report detailing its  
10 findings and recommendations to the governor and the general  
11 assembly by December 15, 2013.

12 EXPLANATION

13 This bill relates to housing of elderly persons who  
14 are sexually aggressive or combative or who have unmet  
15 geropsychiatric needs. The bill directs the department of  
16 inspections and appeals, in conjunction with the department  
17 of human services, to establish and facilitate a committee  
18 to address the placement or housing of such persons. The  
19 committee must identify the residents to be served; the need  
20 for a facility; options for creating a new facility, expanding  
21 an existing facility, or using any alternative facility for  
22 the purpose of housing the identified persons; the workforce  
23 and training needs for such a facility; options to qualify a  
24 facility for Medicaid reimbursement; cost projections for the  
25 recommendations; and other information deemed relevant by the  
26 department of inspections and appeals.

27 The committee must provide a report of findings and  
28 recommendations to the governor and general assembly by  
29 December 15, 2013.