

**Senate File 2057 - Introduced**

SENATE FILE 2057

BY BEALL

**A BILL FOR**

1 An Act providing for a study of the housing of sex offenders  
2 and other hard-to-place individuals in need of a nursing  
3 facility level of care, making an appropriation, and  
4 including effective date provisions.

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

1 Section 1. DEPARTMENT OF HUMAN SERVICES — SEX OFFENDERS  
2 REQUIRING CARE — REQUEST FOR PROPOSALS.

3 1. There is appropriated from the general fund of the  
4 state to the department of human services for the fiscal year  
5 beginning July 1, 2013, and ending June 30, 2014, the following  
6 amount, or so much thereof as is necessary, to be used for the  
7 purposes designated:

8 For a study to assess placement of sex offenders or other  
9 hard-to-place persons in the state requiring the type of  
10 personal and medical care provided by a nursing facility,  
11 including salaries, support, maintenance, and miscellaneous  
12 purposes:

13 ..... \$ 150,000

14 2. From the moneys appropriated in this section, the  
15 department of human services shall utilize a request for  
16 proposals process to select a private entity to study the  
17 implementation of facilities in other states that provide care  
18 for sex offenders and other hard-to-place persons needing  
19 the type of care provided by a nursing facility, to develop  
20 projections of the need for this type of facility in the state  
21 over the next twenty years, and to develop cost projections and  
22 financing considerations for facility options in the state.  
23 The department of human services shall issue a request for  
24 proposals within thirty days after the date of enactment of  
25 this Act.

26 3. The study and report following the conclusion of the  
27 study shall include all of the following information:

28 a. A summary of long-term care facilities operated in other  
29 states for the purpose of caring for sex offenders or other  
30 hard-to-place persons, whether the facility is operated by  
31 a governmental entity or through a contract with a private  
32 entity. The summary of the facilities shall include an  
33 overview of ownership and operations, populations served,  
34 financing sources and average costs per patient, public  
35 financing limitations, security or staff training policies, and

1 other considerations deemed appropriate. The summary shall  
2 focus on models that may be adaptable to Iowa.

3 b. A projection of the number of persons in the state who,  
4 in the next twenty years, would require the services of such a  
5 facility due to sex offender status, a history of abusive or  
6 violent behavior in previous nursing facility placements, or  
7 other unmet psychiatric needs.

8 c. An analysis of options for the state based on the  
9 research of out-of-state models and projected need. The  
10 analysis shall identify potential ownership structures and  
11 public or private facility options, including an identification  
12 of state-owned facilities that may be underutilized and could  
13 be reconfigured. The analysis shall also include management  
14 structures, whether it be public or private, potential sources  
15 of revenue and limitations on those sources, the need for  
16 enhanced security or staff training for safety, and other  
17 considerations deemed appropriate.

18 4. A report on the results of the study produced pursuant to  
19 this section shall be submitted to the governor, the general  
20 assembly, and the department of human services by November 1,  
21 2014.

22 5. The departments of human services, corrections,  
23 inspections and appeals, and aging, the state public defender,  
24 the office of ombudsman, the office of the state long-term care  
25 ombudsman, and the judicial branch shall provide information  
26 for purposes of the study as requested by the private entity  
27 conducting the study. However, any information which is  
28 confidential shall continue to be maintained as confidential.

29 6. Notwithstanding section 8.33, moneys appropriated in  
30 this section that remain unencumbered or unobligated at the  
31 close of the fiscal year for which appropriated shall not  
32 revert but shall remain available for expenditure for the  
33 purposes designated until the close of the succeeding fiscal  
34 year.

35 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of

1 immediate importance, takes effect upon enactment.

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EXPLANATION

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The inclusion of this explanation does not constitute agreement with

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the explanation's substance by the members of the general assembly.

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This bill provides for a study concerning housing for sex  
6 offenders and other hard-to-place individuals who are in need  
7 of a nursing facility level of care.

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The bill appropriates \$150,000 from the general fund to the  
9 department of human services (DHS) for FY 2013-2014 for a study  
10 to assess placement of sex offenders or other hard-to-place  
11 persons who are in need of a nursing facility level of care for  
12 personal or medical reasons. The bill directs DHS to conduct  
13 a request for proposals process, within 30 days of enactment  
14 of the bill, to select a private entity to study the issue.  
15 The bill states that the study and the report on the study  
16 must include a summary of long-term care facilities operated  
17 in other states for the purpose of caring for sex offenders  
18 or other hard-to-place persons, a 20-year projection of the  
19 need for this type of facility in this state, and an analysis  
20 of options for the state for this type of facility as well  
21 as cost projections and financing considerations for such a  
22 facility. The bill requires a report on the results of the  
23 study generated from the private entity to be submitted to the  
24 governor, the general assembly, and DHS by November 1, 2014.

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The bill takes effect upon enactment.