

House File 251 - Introduced

HOUSE FILE 251

BY PRICHARD, HEDDENS, and
HEATON

A BILL FOR

1 An Act relating to the transportation of persons with a
2 substance-related disorder or a mental illness.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 125.56 **Transportation services.**

2 1. A county may contract with a private entity to
3 appropriately transport any of the following persons:

4 a. A person admitted to a facility pursuant to section
5 125.33.

6 b. A person taken into custody pursuant to section 125.81
7 and court-ordered to a hospital or facility as described in
8 section 125.81, subsection 2, paragraph "b" or "c".

9 2. If the hospital or facility determines that a person
10 is in need of commitment or treatment at another hospital or
11 facility, such a private entity shall appropriately transport
12 the person to another hospital or facility.

13 3. A county's contract with such a private entity is
14 independent of the county's or a mental health and disability
15 services region's role as a provider of mental health services.

16 4. In contracting with a private entity, a county shall
17 include provisions to ensure all of the following:

18 a. The provision of trained personnel and the use
19 of appropriate vehicles for the safe transportation of
20 respondents.

21 b. That the person's insurance carriers and other programs,
22 both public and private, that provide payment for such
23 transportation services are fully utilized to the maximum
24 extent possible.

25 5. A county shall implement a request for proposals process
26 to enter into a contract with a private entity for the purpose
27 of transporting a person pursuant to this section.

28 6. The departments of human services and public health,
29 in consultation with affected stakeholders including but not
30 limited to mental health and disability services regions, the
31 Iowa state association of counties, the Iowa state sheriffs'
32 and deputies' association, and other law enforcement agencies
33 in this state, shall adopt rules as necessary in accordance
34 with best practices for the implementation and administration
35 of this section.

1 Sec. 2. NEW SECTION. **229.46 Transportation services.**

2 1. A mental health and disability services region, as
3 defined in section 225C.2, may contract with a private entity
4 to appropriately transport any of the following persons:

5 a. A person admitted to a public or private hospital
6 pursuant to section 229.2.

7 b. A person taken into custody pursuant to section 229.11
8 and court-ordered to a hospital or facility as described in
9 section 229.11, subsection 1, paragraph "b" or "c".

10 2. If the hospital or facility determines that a person
11 is in need of commitment or treatment at another hospital or
12 facility, such a private entity shall appropriately transport
13 the person to another hospital or facility.

14 3. A mental health and disability services region's
15 contract with such a private entity is independent of the
16 region's role as a provider of mental health services.

17 4. In contracting with a private entity, a region shall
18 include provisions to ensure all of the following:

19 a. The provision of trained personnel and the use
20 of appropriate vehicles for the safe transportation of
21 respondents.

22 b. That the person's insurance carriers and other programs,
23 both public and private, that provide payment for such
24 transportation services are fully utilized to the maximum
25 extent possible.

26 5. A mental health and disability services region shall
27 implement a request for proposals process to enter into a
28 contract with a private entity for the purpose of transporting
29 a person pursuant to this section.

30 6. The departments of human services and public health,
31 in consultation with affected stakeholders including but not
32 limited to mental health and disability services regions, the
33 Iowa state association of counties, the Iowa state sheriffs'
34 and deputies' association, and other law enforcement agencies
35 in this state, shall adopt rules as necessary in accordance

1 with best practices for the implementation and administration
2 of this section.

3

EXPLANATION

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The inclusion of this explanation does not constitute agreement with
5 the explanation's substance by the members of the general assembly.

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6 This bill relates to the transportation of persons with a
7 substance-related disorder or a mental illness.

8 The bill directs a county or a mental health and disability
9 services region as defined in Code section 225C.2, as
10 appropriate, to contract with private entities to appropriately
11 transport a person who is admitted, on a voluntary basis,
12 to a facility or hospital under Code section 125.33
13 (substance-related disorders) or 229.2 (mental illness) or who
14 is the subject of an immediate involuntary custody order to
15 the nearest available facility licensed to care for persons
16 with substance abuse or mental illness or a public or private
17 hospital. If the facility or hospital determines that a person
18 is in need of commitment treatment at another facility or
19 hospital, the private entity is required to make arrangements
20 to appropriately transport the person to another facility
21 or hospital. A county's or a mental health and disability
22 services region's contract with a private entity is independent
23 of the county's or region's role as a provider of mental health
24 services. In contracting with a private entity, a county or
25 a mental health and disability services region is required to
26 include provisions relating to appropriately trained personnel
27 and the use of appropriate vehicles for the safe transportation
28 of respondents, and fully utilizing the respondents' insurance
29 carriers and other programs, both public and private, that
30 provide payment for such transportation services, to the
31 maximum extent possible.

32 A county or a mental health and disability services region
33 is required to implement a request for proposals process to
34 enter into a contract with a private entity for the purpose of
35 transporting a person pursuant to the bill. The department of

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1 human services and the department of public health may adopt
2 administrative rules to administer the bill's provisions.