

**Senate File 142 - Introduced**

SENATE FILE 142

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PETERSEN, BISIGNANO,  
KINNEY, McCOY, SENG, and  
BRASE

**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 ombudsman, the office  
14 of long-term care ombudsman, and the judicial branch.

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

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

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

22 e. Representatives from Iowa legal aid.

23 f. Representatives from AARP Iowa.

24 g. Representatives from the Iowa civil liberties union.

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

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

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

8 4. The committee shall provide a report detailing its  
9 findings and recommendations to the governor and the general  
10 assembly by December 15, 2015.

11

EXPLANATION

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

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

28 The committee must provide a report of findings and  
29 recommendations to the governor and general assembly by  
30 December 15, 2015.