

Senate File 262 - Introduced

SENATE FILE 262

BY WILHELM

A BILL FOR

1 An Act concerning 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. A county shall pay fifty percent of the transportation
29 costs billed by a private entity pursuant to this section,
30 and the other fifty percent of the costs shall be paid by the
31 department of public health.

32 7. The departments of human services and public health,
33 in consultation with affected stakeholders including but not
34 limited to mental health and disability services regions, the
35 Iowa state association of counties, the Iowa state sheriffs'

1 and deputies' association, and other law enforcement agencies
2 in this state, shall adopt rules as necessary in accordance
3 with best practices for the implementation and administration
4 of this section.

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

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

9 a. A person admitted to a public or private hospital
10 pursuant to section 229.2.

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

14 2. If the hospital or facility determines that a person
15 is in need of commitment or treatment at another hospital or
16 facility, such a private entity shall appropriately transport
17 the person to another hospital or facility.

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

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

23 a. The provision of trained personnel and the use
24 of appropriate vehicles for the safe transportation of
25 respondents.

26 b. That the person's insurance carriers and other programs,
27 both public and private, that provide payment for such
28 transportation services are fully utilized to the maximum
29 extent possible.

30 5. A mental health and disability services region shall
31 implement a request for proposals process to enter into a
32 contract with a private entity for the purpose of transporting
33 a person pursuant to this section.

34 6. A mental health and disability services region shall pay
35 fifty percent of the transportation costs billed by a private

1 entity pursuant to this section, and the other fifty percent of
2 the costs shall be paid by the department of human services.
3 7. The departments of human services and public health,
4 in consultation with affected stakeholders including but not
5 limited to mental health and disability services regions, the
6 Iowa state association of counties, the Iowa state sheriffs'
7 and deputies' association, and other law enforcement agencies
8 in this state, shall adopt rules as necessary in accordance
9 with best practices for the implementation and administration
10 of this section.

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 concerns the transportation of persons with a
15 substance-related disorder or a mental illness.

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

1 of respondents, and fully utilizing the respondents' insurance
2 carriers and other programs, both public and private, that
3 provide payment for such transportation services, to the
4 maximum extent possible.

5 A county or a mental health and disability services region
6 is required to implement a request for proposals process to
7 enter into a contract with a private entity for the purpose of
8 transporting a person pursuant to the bill. The department of
9 human services and the department of public health may adopt
10 administrative rules to administer the bill's provisions.

11 The bill provides that a county or a mental health and
12 disability services region shall pay 50 percent of the
13 transportation costs billed by a private entity and the
14 department of public health or the department of human services
15 shall pay the other 50 percent of the transportation costs, as
16 appropriate.