

**Senate File 302 - Introduced**

SENATE FILE 302

BY DANIELSON

**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

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

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

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