

House File 2073 - Introduced

HOUSE FILE 2073
BY BRECKENRIDGE

A BILL FOR

1 An Act relating to the Medicaid institutions for mental
2 diseases waiver, and including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. MEDICAID INSTITUTION FOR MENTAL DISEASES
2 WAIVER. The department of human services shall submit a
3 request to the centers for Medicare and Medicaid services of
4 the United States department of health and human services for a
5 section 1115 demonstration waiver as specified in section 12003
6 of the federal 21st Century Cures Act, Pub. L. No. 114-255, to
7 provide for reimbursement for services provided in settings
8 that qualify as institutions for mental diseases (IMDs) to
9 otherwise eligible Medicaid beneficiaries with a serious mental
10 illness or serious emotional disturbance as part of a continuum
11 of care and a more integrated model of behavioral health
12 care delivery. The waiver shall also request reimbursement
13 for services provided to beneficiaries residing in an IMD,
14 primarily to receive mental health services, for screening and
15 treatment of co-occurring substance use disorder and physical
16 health conditions. The department shall implement the waiver
17 upon receipt of federal approval.

18 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate
19 importance, takes effect upon enactment.

20 EXPLANATION

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

23 This bill requires the department of human services to
24 submit a request to the centers for Medicare and Medicaid
25 services of the United States department of health and human
26 services (CMS) for a section 1115 demonstration waiver to
27 provide for reimbursement for services provided in settings
28 that qualify as institutions for mental diseases (IMDs) to
29 otherwise eligible Medicaid beneficiaries with a serious mental
30 illness or serious emotional disturbance as part of a continuum
31 of care and a more integrated model of behavioral health
32 care delivery. The waiver shall also request reimbursement
33 for services provided to beneficiaries residing in an IMD,
34 primarily to receive mental health services, for screening and
35 treatment of co-occurring substance use disorder and physical

1 health conditions. The department shall implement the waiver
2 upon receipt of federal approval.

3 An institution for mental diseases refers to a residential
4 or inpatient facility with more than 16 beds in which
5 individuals are primarily receiving care for a mental
6 disease as specified by federal law. Traditionally, Medicaid
7 reimbursement was not available for services provided in IMDs
8 for individuals between 21 and 64 years of age. In November
9 2018, CMS issued guidance, as mandated by section 12003 of
10 the federal 21st Century Cures Act (Pub. L. No. 114-255),
11 about opportunities to design innovative systems for adults
12 with serious mental illness (SMI) and children with serious
13 emotional disturbance (SED). This guidance allows states to
14 provide Medicaid coverage through section 1115 waivers for
15 short-term stays in IMDs for individuals with SMI and SED.

16 The bill takes effect upon enactment.