

House File 690 - Introduced

HOUSE FILE 690
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO HSB 206)

A BILL FOR

1 An Act relating to mental health and disability services,
2 including the establishment of a children's behavioral
3 health system and a children's behavioral health system
4 state board, and requiring certain children's behavioral
5 health core services.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 225C.2, Code 2019, is amended by adding
2 the following new subsections:

3 NEW SUBSECTION. 1A. *“Child”* or *“children”* means a person or
4 persons under eighteen years of age.

5 NEW SUBSECTION. 1B. *“Children’s behavioral health*
6 *services”* means services for children with a serious emotional
7 disturbance.

8 NEW SUBSECTION. 1C. *“Children’s behavioral health system”* or
9 *“children’s system”* means the behavioral health service system
10 for children implemented pursuant to this subchapter.

11 NEW SUBSECTION. 11. *“Serious emotional disturbance”* means
12 a diagnosable mental, behavioral, or emotional disorder of
13 sufficient duration to meet diagnostic criteria specified
14 within the most current diagnostic and statistical manual
15 of mental disorders published by the American psychiatric
16 association that results in a functional impairment. *“Serious*
17 *emotional disturbance”* does not include substance use and
18 developmental disorders unless such disorders co-occur with
19 such a diagnosable mental, behavioral, or emotional disorder.

20 NEW SUBSECTION. 12. *“State board”* means the children’s
21 behavioral health system state board created in section
22 225C.51.

23 Sec. 2. Section 225C.2, subsection 9, Code 2019, is amended
24 by striking the subsection.

25 Sec. 3. Section 225C.4, subsection 1, Code 2019, is amended
26 by adding the following new paragraph:

27 NEW PARAGRAPH. *0c.* Assist the state board in planning for
28 community-based children’s behavioral health services.

29 Sec. 4. Section 225C.4, subsection 1, paragraphs d and j,
30 Code 2019, are amended to read as follows:

31 *d.* Encourage and facilitate coordination of mental health
32 and disability services with the objective of developing and
33 maintaining in the state a mental health and disability service
34 delivery system to provide ~~disability~~ services to all persons
35 in this state who need the services, regardless of the place

1 of residence or economic circumstances of those persons. The
2 administrator shall work with the commission and other state
3 agencies, including but not limited to the departments of
4 corrections, education, and public health and the state board
5 of regents, to develop and implement a strategic plan to expand
6 access to qualified mental health workers across the state.

7 *j.* Establish and maintain a data collection and management
8 information system oriented to the needs of patients,
9 providers, the department, and other programs or facilities in
10 accordance with [section 225C.6A](#). The system shall be used to
11 identify, collect, and analyze service outcome and performance
12 measures data in order to assess the effects of the services on
13 the persons utilizing the services. The administrator shall
14 annually submit to the commission information collected by the
15 department indicating the changes and trends in the mental
16 health and disability services system. The administrator shall
17 make the outcome data available to the public.

18 Sec. 5. Section 225C.4, subsection 1, Code 2019, is amended
19 by adding the following new paragraphs:

20 NEW PARAGRAPH. *Ok.* Encourage and facilitate coordination
21 of children's behavioral health services with the objective of
22 developing and maintaining in the state a children's behavioral
23 health system to provide behavioral health services to all
24 children in this state who need the services, regardless of the
25 place of residence or economic circumstances of those children.
26 The administrator shall work with the state board and other
27 state agencies including but not limited to the department of
28 education and the department of public health to develop and
29 implement a strategic plan to expand access to qualified mental
30 health workers across the state.

31 NEW PARAGRAPH. *ook.* Establish and maintain a data
32 collection and management information system oriented to the
33 needs of children utilizing the children's behavioral health
34 system, providers, the department, and other programs or
35 facilities in accordance with [section 225C.6A](#). The system

1 shall be used to identify, collect, and analyze service
2 outcome and performance measures data in order to assess the
3 effects of the services on the children utilizing the services.
4 The administrator shall annually submit to the state board
5 information collected by the department indicating the changes
6 and trends in the children's behavioral health system. The
7 administrator shall make the outcome data available to the
8 public.

9 Sec. 6. Section 225C.4, subsection 1, paragraph u, Code
10 2019, is amended by adding the following new subparagraph:

11 NEW SUBPARAGRAPH. (9) School attendance.

12 Sec. 7. Section 225C.6B, subsection 3, Code 2019, is amended
13 by adding the following new paragraph:

14 NEW PARAGRAPH. c. Children's behavioral health services
15 provided to eligible children that are not covered under the
16 medical assistance program or other third-party payor are the
17 responsibility of the county-based regional service system.

18 Sec. 8. NEW SECTION. 225C.51 Children's behavioral health
19 system state board.

20 1. A children's behavioral health system state board
21 is created as the state body to provide guidance on the
22 implementation and management of a children's behavioral health
23 system for the provision of services to children with a serious
24 emotional disturbance. The state board's public voting members
25 shall be appointed to four-year staggered terms by the governor
26 and are subject to confirmation by the senate. All other
27 state board voting members shall be appointed to four-year
28 staggered terms and are not subject to confirmation by the
29 senate. State board members shall be appointed on the basis of
30 interest and experience in the fields of children's behavioral
31 health to ensure adequate representation from persons with life
32 experiences and from persons knowledgeable about children's
33 behavioral health services. The department shall provide
34 support to the state board, and the board may utilize staff
35 support and other assistance provided to the state board by

1 other persons. The state board shall meet at least four times
2 per year. The membership of the state board shall consist of
3 the following persons who, at the time of appointment to the
4 state board, are active members of the indicated groups:

5 *a.* The director of the department or the director's
6 designee.

7 *b.* The director of the department of education or the
8 director's designee.

9 *c.* The director of the department of public health or the
10 director's designee.

11 *d.* The director of workforce development or the director's
12 designee.

13 *e.* One member shall be selected from nominees submitted by
14 the state court administrator.

15 *f.* One member shall be selected from nominees submitted
16 by the early childhood Iowa office in the department of
17 management.

18 *g.* One member shall be a member of the mental health and
19 disability services commission.

20 *h.* One member shall be a board member or an employee of a
21 provider of mental health services to children.

22 *i.* One member shall be a board member or an employee of a
23 provider of child welfare services.

24 *j.* One member shall be an administrator of an area education
25 agency.

26 *k.* One member shall be an educator, counselor, or
27 administrator of a school district.

28 *l.* One member shall be a representative of an established
29 advocacy organization whose mission or purpose it is, in part,
30 to further goals related to children's mental health.

31 *m.* One member shall be a parent or guardian of a child
32 currently utilizing or who has utilized behavioral health
33 services.

34 *n.* One member shall be a sheriff.

35 *o.* One member shall be a pediatrician.

1 *p.* One member shall be a representative from the health care
2 system.

3 *q.* One member shall be a chief executive officer of a mental
4 health and disability services region.

5 *r.* In addition to the voting members, the membership shall
6 include four members of the general assembly with one member
7 designated by each of the following: the majority leader of
8 the senate, the minority leader of the senate, the speaker of
9 the house of representatives, and the minority leader of the
10 house of representatives. A legislative member serves for a
11 term as provided in section 69.16B in a nonvoting, ex officio
12 capacity and is not eligible for per diem and expenses as
13 provided in section 2.10.

14 2. The four-year terms shall begin and end as provided in
15 section 69.19. Vacancies on the state board shall be filled as
16 provided in section 2.32. A member shall not be appointed for
17 more than two consecutive four-year terms.

18 3. The director and the director of the department of
19 education, or their designees, shall serve as co-chairpersons
20 of the state board. Board members shall not be entitled to a
21 per diem as specified in section 7E.6 and shall not be entitled
22 to actual and necessary expenses incurred while engaged in
23 their official duties.

24 Sec. 9. NEW SECTION. **225C.52 Children's behavioral health**
25 **system state board — duties.**

26 1. To the extent funding is available, the state board shall
27 perform the following duties:

28 *a.* Advise the administrator on the administration of the
29 children's behavioral health system.

30 *b.* Provide consultation services to agencies regarding
31 the development of administrative rules for the children's
32 behavioral health system.

33 *c.* Identify behavioral health outcomes and indicators for
34 eligible children with a serious emotional disturbance to
35 promote children living with their own families and in the

1 community.

2 *d.* Submit a written report on or before December 1 of each
3 year to the governor and the general assembly. At a minimum,
4 the report shall include a summary of all activities undertaken
5 by the state board, a summary of state board activities,
6 and results from identified behavioral health outcomes and
7 indicators for the children's behavioral health system.

8 Sec. 10. Section 331.388, Code 2019, is amended by adding
9 the following new subsections:

10 NEW SUBSECTION. 01. "*Children's behavioral health services*"
11 means the same as defined in section 225C.2.

12 NEW SUBSECTION. 4A. "*Serious emotional disturbance*" means
13 the same as defined in section 225C.2.

14 NEW SUBSECTION. 4B. "*State board*" means the children's
15 system state board created in section 225C.51.

16 Sec. 11. Section 331.390, subsection 2, Code 2019, is
17 amended by striking the subsection and inserting in lieu
18 thereof the following:

19 2. The governing board shall comply with all of the
20 following requirements:

21 *a.* The voting membership of the governing board shall
22 consist of at least one board of supervisors member from each
23 county comprising the region or their designees.

24 *b.* The membership of the governing board shall also include
25 one adult person who utilizes mental health and disability
26 services or is an actively involved relative of such an adult
27 person. This member shall be designated by the regional
28 advisory committee formed by the governing board pursuant to
29 paragraph "*h*".

30 *c.* The membership of the governing board shall not include
31 employees of the department of human services or an unelected
32 employee of a county.

33 *d.* The membership of the governing board shall also consist
34 of one member representing adult service providers in the
35 region. This member shall be designated by the regional

1 advisory committee formed by the governing board pursuant to
2 paragraph "h". The member designated in accordance with this
3 paragraph shall serve in a nonvoting, ex officio capacity.

4 e. The membership of the governing board shall also
5 consist of one member representing children's behavioral
6 health services providers in the region. This member shall be
7 designated by the regional children's advisory committee formed
8 by the governing board pursuant to paragraph "i". The member
9 designated in accordance with this paragraph shall serve in a
10 nonvoting, ex officio capacity.

11 f. The membership of the governing board shall also consist
12 of one member representing area education agency administrators
13 in the region. This member shall be designated by the regional
14 children's advisory committee formed by the governing board
15 pursuant to paragraph "i".

16 g. The membership of the governing board shall also
17 consist of one member who is a parent of a child who utilizes
18 children's behavioral health services or actively involved
19 relatives of such children. This member shall be designated
20 by the regional children's advisory committee formed by the
21 governing board pursuant to paragraph "i".

22 h. The governing board shall have a regional advisory
23 committee consisting of adults who utilize services or actively
24 involved relatives of such adults, service providers, and
25 regional governing board members.

26 i. The governing board shall have a regional children's
27 advisory committee consisting of parents of children who
28 utilize services or actively involved relatives of such
29 children, an area education agency administrator, an early
30 childhood advocate, a child welfare advocate, a children's
31 behavioral health service provider, a member of the juvenile
32 court, a pediatrician, a child care provider, a local law
33 enforcement representative, and regional governing board
34 members.

35 Sec. 12. Section 331.390, subsection 3, paragraph b, Code

1 2019, is amended to read as follows:

2 *b.* The regional administrator staff shall include one or
3 more coordinators of mental health and disability services
4 and one or more coordinators of children's behavioral
5 health services. A coordinator shall possess a bachelor's
6 or higher level degree in a human services-related or
7 administration-related field, including but not limited
8 to social work, psychology, nursing, or public or business
9 administration, from an accredited college or university.
10 However, in lieu of a degree in public or business
11 administration, a coordinator may provide documentation of
12 relevant management experience. An action of a coordinator
13 involving a clinical decision shall be made in conjunction with
14 a professional who is trained in the delivery of the mental
15 health or disability service or children's behavioral health
16 service addressed by the clinical decision. The regional
17 administrator shall determine whether referral to a coordinator
18 of mental health and disability services or children's
19 behavioral health services is required for a person or child
20 seeking to access a service through a local access point of the
21 regional service system or the children's behavioral health
22 system.

23 Sec. 13. Section 331.393, subsection 2, Code 2019, is
24 amended by adding the following new paragraphs:

25 NEW PARAGRAPH. *i.* The scope of children's behavioral health
26 core services. Each service included shall be described and a
27 projection of need shall be included.

28 NEW PARAGRAPH. *j.* The eligibility requirements for
29 children's behavioral health core services under the children's
30 behavioral health system.

31 Sec. 14. Section 331.393, subsection 4, paragraph g,
32 subparagraph (1), Code 2019, is amended to read as follows:

33 (1) Performance and outcome measures relating to the
34 health, safety, education, work performance, and community
35 residency of the persons receiving the services.

1 Sec. 15. Section 331.396, subsection 1, paragraph b, Code
2 2019, is amended to read as follows:

3 *b.* The person is at least eighteen years of age and is a
4 resident of this state. ~~However, a person who is seventeen~~
5 ~~years of age, is a resident of this state, and is receiving~~
6 ~~publicly funded children's services may be considered eligible~~
7 ~~for services through the regional service system during the~~
8 ~~three-month period preceding the person's eighteenth birthday~~
9 ~~in order to provide a smooth transition from children's to~~
10 ~~adult services.~~

11 Sec. 16. Section 331.396, subsection 1, paragraph d, Code
12 2019, is amended by striking the paragraph.

13 Sec. 17. NEW SECTION. **331.396A Eligibility requirements —**
14 **children's behavioral health services.**

15 A child shall be eligible for behavioral health services
16 under the children's behavioral health system if all of the
17 following conditions are met:

18 1. The child is under eighteen years of age and is a
19 resident of this state.

20 2. The child has been diagnosed with a serious emotional
21 disturbance.

22 3. *a.* The child's family has a family income equal to or
23 less than five hundred percent of the federal poverty level as
24 defined by the most recently revised poverty income guidelines
25 published by the United States department of health and human
26 services.

27 *b.* Notwithstanding subparagraph (1), a child's family whose
28 household income is between one hundred fifty percent but not
29 more than five hundred percent of the federal poverty level
30 shall be eligible for behavioral health services subject to
31 a copayment, a single statewide sliding fee scale, or other
32 cost-sharing requirements approved by the department.

33 Sec. 18. NEW SECTION. **331.397A Children's behavioral health**
34 **core services.**

35 1. For the purposes of this section, unless the context

1 otherwise requires, "domain" means a set of similar behavioral
2 health services that can be provided depending on a child's
3 service needs.

4 2. a. (1) A region shall work with children's behavioral
5 health service providers to ensure that services in the
6 required behavioral health core service domains in subsection
7 4 are available to children who are residents of the region,
8 regardless of any potential payment source for the services.

9 (2) Subject to the available appropriations, the director
10 of human services shall ensure the behavioral health core
11 service domains listed in subsection 4 are covered services
12 for the medical assistance program under chapter 249A to the
13 greatest extent allowable under federal regulations. The
14 medical assistance program shall reimburse Medicaid enrolled
15 providers for Medicaid covered services under subsection 4 when
16 the services are medically necessary, the Medicaid enrolled
17 provider submits an appropriate claim for such services, and
18 no other third-party payor is responsible for reimbursement
19 of such services. Within the funds available, the region
20 shall pay for such services for eligible children when payment
21 through the medical assistance program or another third-party
22 payment is not available, unless the child is on a waiting list
23 for such payment or it has been determined that the child does
24 not meet the eligibility criteria for any such service.

25 b. Until funding is designed for other service populations,
26 eligibility for the service domains listed in this section
27 shall be limited to such children who are in need of behavioral
28 health services.

29 3. Pursuant to recommendations made by the state board, the
30 department of human services shall adopt rules to define the
31 services included in the core domains listed in this section.
32 The rules shall provide service definitions, service provider
33 standards, service access standards, and service implementation
34 dates, and shall provide consistency, to the extent possible,
35 with similar service definitions under the medical assistance

1 program.

2 4. The children's behavioral health core service domains
3 shall include all of the following:

4 a. Treatment designed to ameliorate a child's serious
5 emotional disturbance, including but not limited to all of the
6 following:

7 (1) Prevention, early identification, early intervention,
8 and education.

9 (2) Assessment and evaluation relating to eligibility for
10 services.

11 (3) Medication prescribing and management.

12 (4) Behavioral health outpatient therapy.

13 b. Comprehensive facility and community-based crisis
14 services regardless of a diagnosis of a serious emotional
15 disturbance, including all of the following:

16 (1) Mobile response.

17 (2) Crisis stabilization community-based services.

18 (3) Crisis stabilization residential services.

19 (4) Behavioral health inpatient treatment.

20 (5) A statewide twenty-four-hour crisis hotline.

21 5. A region shall ensure that services within the following
22 additional core service domains are available to children not
23 eligible for the medical assistance program under chapter 249A
24 or receiving other third-party payment for the services, when
25 public funds are made available for such services:

26 a. Treatment designed to ameliorate a child's serious
27 emotional disturbance including but not limited to behavioral
28 health school-based therapy.

29 b. Support for community living including but not limited
30 to all of the following:

31 (1) Family support.

32 (2) Peer support.

33 (3) Therapeutic foster care.

34 (4) Respite care.

35 c. Transition services for children to the adult mental

1 health system providing an appropriate match with a child's
2 abilities based upon informed, person-centered choices made
3 from an array of options including but not limited to all of
4 the following:

- 5 (1) Day habilitation.
- 6 (2) Job development.
- 7 (3) Supported employment.
- 8 (4) Prevocational services.
- 9 (5) Educational services.

10 d. Service coordination including physical health and
11 primary care that follow the principles of the system of care
12 including but not limited to all of the following:

- 13 (1) Care coordination.
- 14 (2) Health homes.

15 Sec. 19. MENTAL HEALTH AND DISABILITY SERVICES REGION

16 — CHILDREN'S BEHAVIORAL HEALTH SERVICES IMPLEMENTATION

17 PLAN. Each mental health and disability services region shall
18 submit to the department of human services an implementation
19 plan to implement children's behavioral health services
20 described under section 331.397A, as enacted in this Act, no
21 later than April 1, 2020.

22 Sec. 20. DEPARTMENT OF HUMAN SERVICES — RULES. The
23 department of human services shall submit a notice of intended
24 action to the administrative rules coordinator and the
25 Iowa administrative code editor pursuant to section 17A.4,
26 subsection 1, paragraph "a", not later than January 1, 2020,
27 for the adoption of rules to implement this Act.

28 Sec. 21. REPEAL. Sections 225C.51, 225C.52, 225C.53, and
29 225C.54, Code 2019, are repealed.

30 Sec. 22. CODE EDITOR'S DIRECTIVES. The Code editor may
31 change the current subchapter title of chapter 225C, subchapter
32 VI, to "CHILDREN'S BEHAVIORAL HEALTH SYSTEM".

33 The Code editor may change the current subchapter title of
34 chapter 331, part 6, to "MENTAL HEALTH AND DISABILITY SERVICES
35 — REGIONAL SERVICE SYSTEM — CHILDREN'S BEHAVIORAL HEALTH

1 SYSTEM".

2

EXPLANATION

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

5 This bill relates to mental health and disability services
6 including the establishment of a children's behavioral health
7 system and a children's behavioral health system state board,
8 and requiring certain children's behavioral health core
9 services.

10 DEFINITIONS. The bill provides definitions for the
11 children's behavioral health system. "Child" or "children"
12 is defined as a person or persons under 18 years of age.
13 "Children's behavioral health services" is defined as services
14 for children with a "serious emotional disturbance" defined
15 as a diagnosable mental, behavioral, or emotional disorder
16 of sufficient duration to meet diagnostic criteria specified
17 within the most current diagnostic and statistical manual
18 of mental disorders published by the American psychiatric
19 association that results in a functional impairment, but
20 does not include substance use and developmental disorders
21 unless such disorders co-occur with such a diagnosable mental,
22 behavioral, or emotional disorder. "Children's system"
23 or "children's behavioral health system" is defined as the
24 behavioral health services system for children created in the
25 bill.

26 CHILDREN'S BEHAVIORAL HEALTH SYSTEM STATE BOARD. The bill
27 establishes a children's behavioral health system state board
28 (state board) as the state body to provide guidance on the
29 implementation and management of the children's behavioral
30 health system and for the provision of services to children
31 with a serious emotional disturbance.

32 The bill specifies the membership of the board and provides
33 that the state board's public voting members shall be appointed
34 to four-year staggered terms by the governor and are subject
35 to confirmation by the senate. All other state board voting

1 members shall be appointed to four-year terms and are not
2 subject to senate confirmation. A member shall not be
3 appointed for more than two consecutive four-year terms. State
4 board members shall be appointed on the basis of interest
5 and experience in the fields of children's behavioral health
6 to ensure representation from persons with life experiences
7 and persons knowledgeable about children's behavioral health
8 services. The state board shall be co-chaired by the director
9 of the department of human services (DHS) and the director of
10 the department of education, or their designees. In addition
11 to the voting members, the membership shall include four
12 members of the general assembly to serve in a nonvoting, ex
13 officio capacity on the board.

14 The bill requires the DHS to provide support to the state
15 board and the state board may utilize staff support and other
16 assistance provided to the state board by other persons. The
17 state board is required to meet a minimum of four times per
18 year.

19 The state board is required to advise the administrator
20 of the division of mental health and disability services of
21 DHS on the administration of the children's behavioral health
22 system, provide consultation services to agencies regarding
23 the development of administrative rules for the children's
24 behavioral health system, identify behavioral health outcomes
25 and indicators for eligible children with a serious emotional
26 disturbance to promote children living with their own families
27 and in the community; and submit a written report on or
28 before December 1 of each year to the governor and the general
29 assembly.

30 ELIGIBILITY REQUIREMENTS — CHILDREN'S BEHAVIORAL HEALTH
31 SERVICES. Under current law, a person who is 17 years of
32 age, is a resident of Iowa, and is receiving publicly funded
33 children's mental health services may be considered eligible
34 for mental health services through the adult mental health
35 and disability services regional service system during the

1 three-month period preceding the person's 18th birthday in
2 order to provide a smooth transition from children's services
3 to adult services. The bill strikes this provision and
4 provides that a child shall be eligible for behavioral health
5 services under the children's behavioral health system if the
6 child is under 18 years of age, a resident of Iowa, has been
7 diagnosed with a serious emotional disturbance, and the child's
8 family has a household income equal to or less than 500 percent
9 of the federal poverty level, except that a child's family
10 whose household income is between 150 percent but not more than
11 500 percent of the federal poverty level shall be eligible for
12 behavioral health services subject to a copayment, a single
13 statewide sliding fee scale, or other cost-sharing requirements
14 approved by DHS. The bill does not apply to intellectual
15 disability services or brain injury services for children under
16 the children's behavioral health system.

17 CHILDREN'S BEHAVIORAL HEALTH SYSTEM — CORE SERVICES. The
18 bill provides that, subject to available appropriations, the
19 director of DHS shall ensure that the children's behavioral
20 health core service domains, as specified in the bill, are
21 covered services for the medical assistance program under Code
22 chapter 249A to the greatest extent allowable under federal
23 regulations. The bill provides the medical assistance program
24 shall reimburse Medicaid enrolled providers for Medicaid
25 covered services when the services are medically necessary, the
26 Medicaid enrolled provider submits an appropriate claim for
27 such services, and no other third-party payor is responsible
28 for reimbursement of such services. Within the funds
29 available, each mental health and disability services region
30 is required to pay for such services for eligible children
31 when payment through the medical assistance program or another
32 third-party payment is not available, unless a child is on a
33 waiting list for such payment or it has been determined that
34 the child does not meet the eligibility criteria for any such
35 service.

1 The bill provides that until funding is designed for other
2 service populations, eligibility for the core services shall be
3 limited to such children who are in need of behavioral health
4 services.

5 The bill requires DHS to adopt rules pursuant to
6 recommendations made by the state board to define the services
7 included in the core domains. The rules shall provide service
8 definitions, service provider standards, service access
9 standards, and service implementation dates, and shall also
10 provide consistency, to the extent possible, with similar
11 service definitions under the medical assistance program.

12 The bill requires each mental health and disability
13 services region to submit to DHS plans to implement children's
14 behavioral health services no later than April 1, 2020.

15 MENTAL HEALTH AND DISABILITY SERVICES — ADMINISTRATOR'S
16 DUTIES. The bill requires the administrator of the division
17 of mental health and disability services of DHS to assist
18 the state board in planning for community-based children's
19 behavioral health services and to encourage and facilitate
20 coordination of children's behavioral health services with
21 the objective of developing and maintaining in the state a
22 children's behavioral health system to provide behavioral
23 health services to all children in this state who need the
24 services, regardless of the place of residence or economic
25 circumstances of those children. The administrator shall work
26 with the state board and other state agencies, including but
27 not limited to the departments of education and public health,
28 to develop and implement a strategic plan to expand access to
29 qualified mental health workers across the state.

30 The bill requires the administrator to establish and
31 maintain a data collection and management information system
32 oriented to the needs of children utilizing the children's
33 behavioral health system, providers, DHS, and other programs or
34 facilities in accordance with the disability services system
35 data repository established in Code section 225C.6A. The

1 system shall be used to identify, collect, and analyze service
2 outcome and performance measures data in order to assess the
3 effects of the services on the children utilizing the services.
4 The administrator shall annually submit to the state board
5 information collected by DHS indicating the changes and trends
6 in the children's behavioral health system. The administrator
7 shall make the outcome data available to the public.

8 Current law requires the administrator to enter into
9 performance-based contracts with mental health and disability
10 services regional administrators which may include requirements
11 for the regional service system to attain outcomes within
12 a specified range of acceptable performance in certain
13 categories. The bill expands the categories to include a
14 school attendance category.

15 STATE AND REGIONAL DISABILITY SERVICE SYSTEMS. Current law
16 provides that the publicly financed disability services for
17 persons with mental illness, intellectual disability or other
18 developmental disability, or brain injury in Iowa shall be
19 provided by DHS and the counties operating together as regions
20 and provides for financial and administrative responsibility
21 for such services. The bill provides that children's
22 behavioral health services provided to eligible children that
23 are not covered under the medical assistance program or other
24 third-party payor are the responsibility of the mental health
25 and disabilities regional service system.

26 MENTAL HEALTH AND DISABILITY SERVICES REGIONS. The bill
27 makes changes to the mental health and disability services
28 regional governing board (governing board). The governing
29 board membership shall consist of at least one board of
30 supervisors member from each county comprising the region
31 who shall be a voting member; one adult person who utilizes
32 mental health and disability services or is an actively
33 involved relative of such an adult person designated by the
34 regional advisory committee formed by the governing board;
35 one member representing adult service providers in the region

1 designated by the regional advisory committee formed by the
2 governing board, who shall serve in a nonvoting, ex officio
3 capacity; one member representing children's behavioral health
4 service providers in the region designated by the regional
5 children's advisory committee formed by the governing board,
6 who shall serve in a nonvoting, ex officio capacity; one member
7 representing area education agency administrators in the region
8 designated by the regional children's advisory committee formed
9 by the governing board; and one member who is a parent of a
10 child who utilizes children's behavioral health services or
11 actively involved relatives of such children designated by the
12 regional children's advisory committee. The membership of
13 the governing board shall not include employees of DHS or an
14 unelected employee of a county.

15 The bill adds to the regional administrator staff one or more
16 coordinators of children's behavioral health services.

17 The bill requires a mental health and disability region to
18 include provisions relating to eligibility requirements for
19 children's behavioral health core services under the children's
20 behavioral health system and performance and outcome measures
21 relating to education in a region's annual service and budget
22 plan.

23 RULES. The bill requires DHS to submit a notice of intended
24 action to the administrative rules coordinator and the Iowa
25 administrative code editor not later than January 1, 2020, for
26 the adoption of rules to implement the bill.

27 MISCELLANEOUS CODE CHANGES. The bill makes technical
28 changes to Code section 225C.2(9) by striking the term "person
29 with a disability" as that term is not used in Code chapter
30 225C (mental health and disability services) and to Code
31 section 225C.4 to include mental health services in references
32 to disability services in that Code section.

33 REPEALS. The bill repeals 2019 Code sections 225C.51,
34 225C.52, 225C.53, and 225C.54. The bill replaces 2019 Code
35 sections 225C.51 and 225C.52 with new content in the bill.