

Senate File 479 - Introduced

SENATE FILE 479
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO SSB 1197)

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. *00k.* 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 utilizing behavioral health services.

33 *n.* One member shall be a chief executive officer of a mental
34 health and disability services region.

35 *o.* In addition to the voting members, the membership shall

1 include four members of the general assembly with one member
2 designated by each of the following: the majority leader of
3 the senate, the minority leader of the senate, the speaker of
4 the house of representatives, and the minority leader of the
5 house of representatives. A legislative member serves for a
6 term as provided in section 69.16B in a nonvoting, ex officio
7 capacity and is not eligible for per diem and expenses as
8 provided in section 2.10.

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

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

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

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

23 a. Advise the administrator on the administration of the
24 children's behavioral health system.

25 b. Provide consultation services to agencies regarding
26 the development of administrative rules for the children's
27 behavioral health system.

28 c. Identify behavioral health outcomes and indicators for
29 eligible children with a serious emotional disturbance to
30 promote children living with their own families and in the
31 community.

32 d. Submit a written report on or before December 1 of each
33 year to the governor and the general assembly. At a minimum,
34 the report shall include a summary of all activities undertaken
35 by the state board, a summary of state board activities,

1 and results from identified behavioral health outcomes and
2 indicators for the children's behavioral health system.

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

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

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

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

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

14 2. The governing board shall comply with all of the
15 following requirements:

16 a. The voting membership of the governing board shall
17 consist of at least one board of supervisors member from each
18 county comprising the region or their designees.

19 b. The membership of the governing board shall also include
20 one adult person who utilizes mental health and disability
21 services or is an actively involved relative of such an adult
22 person. This member shall be designated by the regional
23 advisory committee formed by the governing board pursuant to
24 paragraph "h".

25 c. The membership of the governing board shall not include
26 employees of the department of human services or an unelected
27 employee of a county.

28 d. The membership of the governing board shall also consist
29 of one member representing adult service providers in the
30 region. This member shall be designated by the regional
31 advisory committee formed by the governing board pursuant to
32 paragraph "h". The member designated in accordance with this
33 paragraph shall serve in a nonvoting, ex officio capacity.

34 e. The membership of the governing board shall also
35 consist of one member representing children's behavioral

1 health services providers in the region. This member shall be
2 designated by the regional children's advisory committee formed
3 by the governing board pursuant to paragraph "i". The member
4 designated in accordance with this paragraph shall serve in a
5 nonvoting, ex officio capacity.

6 *f.* The membership of the governing board shall also consist
7 of one member representing area education agency administrators
8 in the region. This member shall be designated by the regional
9 children's advisory committee formed by the governing board
10 pursuant to paragraph "i".

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

17 *h.* The governing board shall have a regional advisory
18 committee consisting of adults who utilize services or actively
19 involved relatives of such adults, service providers, and
20 regional governing board members.

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

30 Sec. 12. Section 331.390, subsection 3, paragraph b, Code
31 2019, is amended to read as follows:

32 *b.* The regional administrator staff shall include one or
33 more coordinators of mental health and disability services
34 and one or more coordinators of children's behavioral
35 health services. A coordinator shall possess a bachelor's

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

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

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

23 NEW PARAGRAPH. *j*. The eligibility requirements for
24 children's behavioral health core services under the children's
25 behavioral health system.

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

28 (1) Performance and outcome measures relating to the
29 health, safety, education, work performance, and community
30 residency of the persons receiving the services.

31 Sec. 15. Section 331.396, subsection 1, paragraph b, Code
32 2019, is amended to read as follows:

33 *b*. The person is at least eighteen years of age and is a
34 resident of this state. ~~However, a person who is seventeen~~
35 ~~years of age, is a resident of this state, and is receiving~~

~~1 publicly funded children's services may be considered eligible
2 for services through the regional service system during the
3 three-month period preceding the person's eighteenth birthday
4 in order to provide a smooth transition from children's to
5 adult services.~~

6 Sec. 16. Section 331.396, subsection 1, paragraph d, Code
7 2019, is amended by striking the paragraph.

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

10 1. A child shall be eligible for behavioral health services
11 under the children's behavioral health system if all of the
12 following conditions are met:

13 a. The child is under eighteen years of age and is a
14 resident of this state.

15 b. The child has been diagnosed with a serious emotional
16 disturbance.

17 c. (1) The child's family has a family income equal to or
18 less than five hundred percent of the federal poverty level as
19 defined by the most recently revised poverty income guidelines
20 published by the United States department of health and human
21 services.

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

28 Sec. 18. NEW SECTION. **331.397A Children's behavioral health**
29 **core services.**

30 1. For the purposes of this section, unless the context
31 otherwise requires, "domain" means a set of similar behavioral
32 health services that can be provided depending on a child's
33 service needs.

34 2. a. (1) A region shall work with children's behavioral
35 health service providers to ensure that services in the

1 required behavioral health core service domains in subsection
2 4 are available to children who are residents of the region,
3 regardless of any potential payment source for the services.

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

20 b. Until funding is designed for other service populations,
21 eligibility for the service domains listed in this section
22 shall be limited to such children who are in need of behavioral
23 health services.

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

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

34 a. Treatment designed to ameliorate a child's serious
35 emotional disturbance, including but not limited to all of the

1 following:

2 (1) Prevention, early identification, early intervention,
3 and education.

4 (2) Assessment and evaluation relating to eligibility for
5 services.

6 (3) Medication prescribing and management.

7 (4) Behavioral health outpatient therapy.

8 *b.* Comprehensive facility and community-based crisis
9 services, including all of the following:

10 (1) Mobile response.

11 (2) Crisis stabilization community-based services.

12 (3) Crisis stabilization residential services.

13 (4) Behavioral health inpatient treatment.

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

19 *a.* Treatment designed to ameliorate a child's serious
20 emotional disturbance including but not limited to behavioral
21 health school-based therapy.

22 *b.* Support for community living including but not limited
23 to all of the following:

24 (1) Family support.

25 (2) Peer support.

26 (3) Therapeutic foster care.

27 (4) Respite care.

28 *c.* Transition services for children to the adult mental
29 health system providing an appropriate match with a child's
30 abilities based upon informed, person-centered choices made
31 from an array of options including but not limited to all of
32 the following:

33 (1) Day habilitation.

34 (2) Job development.

35 (3) Supported employment.

1 (4) Prevocational services.

2 (5) Educational services.

3 d. Service coordination including physical health and
4 primary care that follow the principles of the system of care
5 including but not limited to all of the following:

6 (1) Care coordination.

7 (2) Health homes.

8 Sec. 19. MENTAL HEALTH AND DISABILITY SERVICES REGION
9 — CHILDREN'S BEHAVIORAL HEALTH SERVICES IMPLEMENTATION
10 PLAN. Each mental health and disability services region shall
11 submit to the department of human services an implementation
12 plan to implement children's behavioral health services
13 described under section 331.397A, as enacted in this Act, no
14 later than April 1, 2020.

15 Sec. 20. DEPARTMENT OF HUMAN SERVICES — RULES. The
16 department of human services shall adopt rules pursuant to
17 chapter 17A to administer this Act.

18 Sec. 21. REPEAL. Sections 225C.51, 225C.52, 225C.53, and
19 225C.54, Code 2019, are repealed.

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

23 The Code editor may change the current subchapter title of
24 chapter 331, part 6, to "MENTAL HEALTH AND DISABILITY SERVICES
25 — REGIONAL SERVICE SYSTEM — CHILDREN'S BEHAVIORAL HEALTH
26 SYSTEM".

27 EXPLANATION

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

30 This bill relates to mental health and disability services
31 including the establishment of a children's behavioral health
32 system and a children's behavioral health system state board,
33 and requiring certain children's behavioral health core
34 services.

35 DEFINITIONS. The bill provides definitions for the

1 children's behavioral health system. "Child" or "children"
 2 is defined as a person or persons under 18 years of age.
 3 "Children's behavioral health services" is defined as services
 4 for children with a "serious emotional disturbance" defined
 5 as a diagnosable mental, behavioral, or emotional disorder
 6 of sufficient duration to meet diagnostic criteria specified
 7 within the most current diagnostic and statistical manual
 8 of mental disorders published by the American psychiatric
 9 association that results in a functional impairment, but
 10 does not include substance use and developmental disorders
 11 unless such disorders co-occur with such a diagnosable mental,
 12 behavioral, or emotional disorder. "Children's system"
 13 or "children's behavioral health system" is defined as the
 14 behavioral health services system for children created in the
 15 bill.

16 CHILDREN'S BEHAVIORAL HEALTH SYSTEM STATE BOARD. The bill
 17 establishes a children's behavioral health system state board
 18 (state board) as the state body to provide guidance on the
 19 implementation and management of the children's behavioral
 20 health system and for the provision of services to children
 21 with a serious emotional disturbance.

22 The bill specifies the membership of the board and provides
 23 that the state board's public voting members shall be appointed
 24 to four-year staggered terms by the governor and are subject
 25 to confirmation by the senate. All other state board voting
 26 members shall be appointed to four-year terms and are not
 27 subject to senate confirmation. A member shall not be
 28 appointed for more than two consecutive four-year terms. State
 29 board members shall be appointed on the basis of interest
 30 and experience in the fields of children's behavioral health
 31 to ensure representation from persons with life experiences
 32 and persons knowledgeable about children's behavioral health
 33 services. The state board shall be co-chaired by the director
 34 of the department of human services (DHS) and the director of
 35 the department of education, or their designees. In addition

1 to the voting members, the membership shall include four
2 members of the general assembly to serve in a nonvoting, ex
3 officio capacity on the board.

4 The bill requires the DHS to provide support to the state
5 board and the state board may utilize staff support and other
6 assistance provided to the state board by other persons. The
7 state board is required to meet a minimum of four times per
8 year.

9 The state board is required to advise the administrator
10 of the division of mental health and disability services of
11 DHS on the administration of the children's behavioral health
12 system, provide consultation services to agencies regarding
13 the development of administrative rules for the children's
14 behavioral health system, identify behavioral health outcomes
15 and indicators for eligible children with a serious emotional
16 disturbance to promote children living with their own families
17 and in the community; and submit a written report on or
18 before December 1 of each year to the governor and the general
19 assembly.

20 ELIGIBILITY REQUIREMENTS — CHILDREN'S BEHAVIORAL HEALTH
21 SERVICES. Under current law, a person who is 17 years of
22 age, is a resident of Iowa, and is receiving publicly funded
23 children's mental health services may be considered eligible
24 for mental health services through the adult mental health
25 and disability services regional service system during the
26 three-month period preceding the person's 18th birthday in
27 order to provide a smooth transition from children's services
28 to adult services. The bill strikes this provision and
29 provides that a child shall be eligible for behavioral health
30 services under the children's behavioral health system if the
31 child is under 18 years of age, a resident of Iowa, has been
32 diagnosed with a serious emotional disturbance, and the child's
33 family has a household income equal to or less than 500 percent
34 of the federal poverty level, except that a child's family
35 whose household income is between 150 percent but not more than

1 500 percent of the federal poverty level shall be eligible for
2 behavioral health services subject to a copayment, a single
3 statewide sliding fee scale, or other cost-sharing requirements
4 approved by DHS. The bill does not apply to intellectual
5 disability services or brain injury services for children under
6 the children's behavioral health system.

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

26 The bill provides that until funding is designed for other
27 service populations, eligibility for the core services shall be
28 limited to such children who are in need of behavioral health
29 services.

30 The bill requires DHS to adopt rules pursuant to
31 recommendations made by the state board to define the services
32 included in the core domains. The rules shall provide service
33 definitions, service provider standards, service access
34 standards, and service implementation dates, and shall also
35 provide consistency, to the extent possible, with similar

1 service definitions under the medical assistance program.

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

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

20 The bill requires the administrator to establish and
21 maintain a data collection and management information system
22 oriented to the needs of children utilizing the children's
23 behavioral health system, providers, DHS, and other programs or
24 facilities in accordance with the disability services system
25 data repository established in Code section 225C.6A. The
26 system shall be used to identify, collect, and analyze service
27 outcome and performance measures data in order to assess the
28 effects of the services on the children utilizing the services.
29 The administrator shall annually submit to the state board
30 information collected by DHS indicating the changes and trends
31 in the children's behavioral health system. The administrator
32 shall make the outcome data available to the public.

33 Current law requires the administrator to enter into
34 performance-based contracts with mental health and disability
35 services regional administrators which may include requirements

1 for the regional service system to attain outcomes within
2 a specified range of acceptable performance in certain
3 categories. The bill expands the categories to include a
4 school attendance category.

5 STATE AND REGIONAL DISABILITY SERVICE SYSTEMS. Current law
6 provides that the publicly financed disability services for
7 persons with mental illness, intellectual disability or other
8 developmental disability, or brain injury in Iowa shall be
9 provided by DHS and the counties operating together as regions
10 and provides for financial and administrative responsibility
11 for such services. The bill provides that children's
12 behavioral health services provided to eligible children that
13 are not covered under the medical assistance program or other
14 third-party payor are the responsibility of the mental health
15 and disabilities regional service system.

16 MENTAL HEALTH AND DISABILITY SERVICES REGIONS. The bill
17 makes changes to the mental health and disability services
18 regional governing board (governing board). The governing
19 board membership shall consist of at least one board of
20 supervisors member from each county comprising the region
21 who shall be a voting member; one adult person who utilizes
22 mental health and disability services or is an actively
23 involved relative of such an adult person designated by the
24 regional advisory committee formed by the governing board;
25 one member representing adult service providers in the region
26 designated by the regional advisory committee formed by the
27 governing board, who shall serve in a nonvoting, ex officio
28 capacity; one member representing children's behavioral health
29 service providers in the region designated by the regional
30 children's advisory committee formed by the governing board,
31 who shall serve in a nonvoting, ex officio capacity; one member
32 representing area education agency administrators in the region
33 designated by the regional children's advisory committee formed
34 by the governing board; and one member who is a parent of a
35 child who utilizes children's behavioral health services or

1 actively involved relatives of such children designated by the
2 regional children's advisory committee. The membership of
3 the governing board shall not include employees of DHS or an
4 unelected employee of a county.

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

7 The bill requires a mental health and disability region to
8 include provisions relating to eligibility requirements for
9 children's behavioral health core services under the children's
10 behavioral health system and performance and outcome measures
11 relating to education in a region's annual service and budget
12 plan.

13 The bill makes technical changes to Code section 225C.2(9)
14 by striking the term "person with a disability" as that term
15 is not used in Code chapter 225C (mental health and disability
16 services) and to Code section 225C.4 to include mental health
17 services in references to disability services in that Code
18 section.

19 The bill repeals 2019 Code sections 225C.51, 225C.52,
20 225C.53, and 225C.54. The bill replaces 2019 Code sections
21 225C.51 and 225C.52 with new content in the bill.