

**House File 661 - Introduced**

HOUSE FILE 661

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**A BILL FOR**

1 An Act relating to mental health and disability services  
2 regions, and including effective date and retroactive  
3 applicability provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

MENTAL HEALTH AND DISABILITY SERVICES — FUNDING

1  
2  
3 Section 1. Section 331.391, subsection 4, paragraph c, Code  
4 2021, is amended by striking the paragraph.

5 Sec. 2. Section 331.424A, subsection 1, paragraph b, Code  
6 2021, is amended by striking the paragraph.

7 Sec. 3. Section 331.424A, subsection 4, Code 2021, is  
8 amended by striking the subsection.

9 Sec. 4. Section 331.424A, subsection 9, Code 2021, is  
10 amended to read as follows:

11 9. *a.* For the fiscal year beginning July 1, 2017, and each  
12 subsequent fiscal year, the county budgeted amount determined  
13 for each county shall be the amount necessary to meet the  
14 county's financial obligations for the payment of services  
15 provided under the regional service system management plan  
16 approved pursuant to [section 331.393](#), not to exceed an amount  
17 equal to the product of the regional per capita expenditure  
18 target amount multiplied by the county's population, ~~and, for~~  
19 ~~fiscal years beginning on or after July 1, 2023, reduced by~~  
20 ~~the amount of the county's cash flow reduction amount for the~~  
21 ~~fiscal year calculated under [subsection 4](#), if applicable.~~

22 *b.* If a county officially joins a different region, the  
23 county's budgeted amount shall be the amount necessary to meet  
24 the county's financial obligations for payment of services  
25 provided under the new region's regional service system  
26 management plan approved pursuant to [section 331.393](#), not to  
27 exceed an amount equal to the product of the new region's  
28 regional per capita expenditure target amount multiplied by  
29 the county's population, ~~and, for fiscal years beginning on~~  
30 ~~or after July 1, 2023, reduced by the amount of the county's~~  
31 ~~cash flow reduction amount for the fiscal year calculated under~~  
32 ~~[subsection 4](#), if applicable.~~

33 Sec. 5. COUNTY BUDGET AMENDMENT AND RECERTIFICATION —  
34 REGIONAL SERVICE SYSTEM MANAGEMENT PLAN AMENDMENT.

35 1. To the extent necessary to implement the provisions

1 this division of this Act, a county may amend that portion of  
2 the county's budget related to cash flow amounts in the county  
3 mental health and disability services fund for the fiscal year  
4 beginning July 1, 2021.

5 2. If this division of this Act takes effect on or after  
6 March 15, 2021, notwithstanding section 24.17, for the fiscal  
7 year beginning July 1, 2021, a county may recertify the  
8 county's budget as necessary to implement the provisions of  
9 this division of this Act. A budget recertified pursuant to  
10 this section must be recertified in duplicate to the county  
11 auditor not later than thirty days after the effective date of  
12 this Act, and protests to the budget shall be filed not later  
13 than ten days after the county's budget is recertified.

14 3. To the extent necessary to implement the provisions  
15 of this division of this Act, a mental health and disability  
16 services region may amend the region's regional service system  
17 management plan or annual service and budget plan approved  
18 under section 331.393 for the fiscal year beginning July 1,  
19 2020, or for the fiscal year beginning July 1, 2021.

20 Sec. 6. RETROACTIVE APPLICABILITY. This division of this  
21 Act applies retroactively to July 1, 2020, for fiscal years  
22 beginning on or after that date.

23 DIVISION II

24 MENTAL HEALTH AND DISABILITY SERVICES REGIONS — CORE SERVICES

25 Sec. 7. DEPARTMENT OF HUMAN SERVICES — INTENSIVE MENTAL  
26 HEALTH CORE SERVICES IMPLEMENTATION DATE. The department of  
27 human services shall amend its administrative rules pursuant  
28 to chapter 17A to provide that mental health and disability  
29 services regions shall implement the following intensive mental  
30 health core services for eligible persons on or before July 1,  
31 2023, provided that federal matching funds are available under  
32 the Iowa health and wellness plan pursuant to chapter 249N:

- 33 1. Access centers.
- 34 2. Assertive community treatment.
- 35 3. Crisis stabilization community-based services.

- 1 4. Crisis stabilization residential services.
- 2 5. Intensive residential service homes.
- 3 6. Mobile response.
- 4 7. Subacute mental health services provided in facility and
- 5 community-based settings.
- 6 8. Twenty-three-hour crisis observation and holding.

7 Sec. 8. DEPARTMENT OF HUMAN SERVICES — CHILDREN'S  
8 BEHAVIORAL HEALTH CORE SERVICES IMPLEMENTATION DATE. The  
9 department of human services shall amend its administrative  
10 rules pursuant to chapter 17A to provide that mental health  
11 and disability services regions shall implement the following  
12 children's behavioral health core services for eligible  
13 children on or before July 1, 2023, and meet applicable access  
14 standards on or before July 1, 2023:

- 15 1. Assessment and evaluation relating to eligibility for
- 16 services.
- 17 2. Behavioral health outpatient therapy.
- 18 3. Education services.
- 19 4. Medication prescribing and management.
- 20 5. Prevention.
- 21 6. Behavioral health inpatient treatment.
- 22 7. Crisis stabilization community-based services.
- 23 8. Crisis stabilization residential services.
- 24 9. Early identification.
- 25 10. Early intervention.
- 26 11. Mobile response.

27 DIVISION III

28 EFFECTIVE DATE

29 Sec. 9. EFFECTIVE DATE. This Act, being deemed of immediate  
30 importance, takes effect upon enactment.

31 EXPLANATION

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

34 This bill relates to mental health and disability services  
35 (MH/DS) regions and funding, and provides effective date and

1 retroactive applicability provisions.

2 MENTAL HEALTH AND DISABILITY SERVICES — FUNDING. The bill  
3 removes the cash flow reduction amount that requires MH/DS  
4 regions to spend down reserve cash deposits to 40 percent  
5 of the region's annual budget. Code section 331.424A(6)  
6 establishes the amount certified for levy by the county each  
7 fiscal year to raise funds for MH/DS under the MH/DS regional  
8 system. Revenues from taxes imposed by the county credited to  
9 the county mental health and disability services fund shall not  
10 exceed an amount equal to the county budgeted amount, which is  
11 the amount necessary to meet the county's financial obligations  
12 for the payment of services provided under the regional service  
13 system management plan, not to exceed an amount equal to the  
14 product of the regional per capita expenditure target amount  
15 multiplied by the county's population, and, for fiscal years  
16 beginning on or after July 1, 2023, reduced by the amount of  
17 the county's cash flow reduction amount.

18 The bill allows a county to recertify the county's FY  
19 2021-2022 budget if the bill takes effect after March 15, 2021.  
20 A budget recertified pursuant to the bill must be recertified  
21 in duplicate to the county auditor not later than 30 days after  
22 the effective date of the bill, and protests to the budget  
23 shall be filed not later than 10 days after the county's budget  
24 is recertified.

25 The bill allows a MH/DS region to amend the region's  
26 previously approved regional service system management plan or  
27 annual service and budget plan for the fiscal year beginning  
28 July 1, 2020, or for the fiscal year beginning July 1, 2021.

29 MENTAL HEALTH AND DISABILITY SERVICES REGIONS — CORE  
30 SERVICES. The bill provides that the department of human  
31 services shall amend its administrative rules to provide that  
32 MH/DS regions shall implement the following intensive mental  
33 health core services for eligible persons on or before July  
34 1, 2023, provided that federal matching funds are available  
35 under the Iowa health and wellness plan under Code chapter

1 249N: access centers; assertive community treatment; crisis  
2 stabilization community-based services; crisis stabilization  
3 residential services; intensive residential service homes;  
4 mobile response; subacute mental health services provided in  
5 facility and community-based settings; and 23-hour crisis  
6 observation and holding.

7 The bill provides that the department of human services  
8 shall amend its administrative rules to provide that MH/DS  
9 regions shall implement the following children's behavioral  
10 health core services for eligible children on or before July 1,  
11 2023, and meet applicable access standards on or before July  
12 1, 2023: assessment and evaluation relating to eligibility  
13 for services; behavioral health outpatient therapy; education  
14 services; medication prescribing and management; prevention;  
15 behavioral health inpatient treatment; crisis stabilization  
16 community-based services; crisis stabilization residential  
17 services; early identification; early intervention; and mobile  
18 response.

19 The bill takes effect upon enactment.