

Senate File 2082 - Introduced

SENATE FILE 2082

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A BILL FOR

1 An Act relating to Medicaid and children's health insurance
2 program coverage for mental health services provided in
3 school-based settings.

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

1 Section 1. MEDICAID AND CHILDREN'S HEALTH INSURANCE PROGRAM
2 COVERAGE — MENTAL HEALTH SERVICES PROVIDED IN SCHOOL-BASED
3 SETTINGS.

4 1. The department of health and human services shall
5 request approval of any Medicaid state plan amendment, or
6 other amendments necessary, from the centers for Medicare
7 and Medicaid services of the United States department of
8 health and human services (CMS) to provide covered Medicaid
9 and children's health insurance program (CHIP) mental health
10 services in school-based settings regardless of formal mental
11 health diagnosis as provided under section 11003 of the federal
12 Bipartisan Safer Communities Act, Pub. L. No. 117-159, and in
13 accordance with the guidance published May 18, 2023, by CMS.
14 At a minimum, the department of health and human services shall
15 include as covered mental health services family, group, and
16 individual therapy; prevention and evaluation services; and
17 case management. The covered services shall be provided to all
18 children enrolled in Medicaid or CHIP whether or not a child
19 has an individualized education program or plan.

20 2. The department of health and human services shall
21 also utilize assistance provided through the technical
22 assistance center established by the United States department
23 of health and human services in cooperation with the United
24 States department of education, and shall collaborate with
25 local school districts in developing the Medicaid state plan
26 amendment, or other necessary amendments, and in implementing
27 the flexibilities and requirements for the school-based
28 services, especially in small, rural, and under-resourced
29 schools, to increase access to covered services while ensuring
30 fiscal and programmatic integrity.

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 Medicaid and children's health
35 insurance program (CHIP) coverage for mental health services

1 provided in school-based settings. The federal Bipartisan
2 Safer Communities Act, enacted in 2022, provided in part for
3 more assistance to states in facilitating Medicaid and CHIP
4 coverage for school-based Medicaid and CHIP services including
5 preventive care, behavioral health, physical and occupational
6 therapy, and disease management. The federal legislation also
7 codified the policy requiring that the services be available to
8 all children enrolled in Medicaid or CHIP, not only to children
9 with an individualized education program or plan.

10 The bill requires the department of health and human
11 services (HHS) to request approval of any Medicaid state plan
12 amendment, or other amendments necessary, from the centers for
13 Medicare and Medicaid services of the United States department
14 of health and human services (CMS) to provide covered Medicaid
15 and CHIP mental health services in school-based settings
16 regardless of formal mental health diagnosis as provided in
17 the federal legislation and CMS guidance. The covered mental
18 health services at a minimum must include family, group, and
19 individual therapy; prevention and evaluation services; and
20 case management.

21 The bill requires HHS to utilize available federal
22 technical assistance and to collaborate with local school
23 districts in developing the state plan amendment and other
24 amendments necessary, and in implementing the flexibilities and
25 requirements for the school-based services to increase access
26 to covered services while ensuring fiscal and programmatic
27 integrity.