

**Senate File 248 - Introduced**

SENATE FILE 248  
BY PETERSEN

**A BILL FOR**

1 An Act relating to the admission of persons into residential care  
2 facilities, and including applicability provisions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. DEPARTMENT OF HEALTH AND HUMAN SERVICES CONTRACTS  
2 WITH CONTRACTORS — QUALIFIED RESIDENTIAL TREATMENT PROGRAMS.

3 1. a. In all contracts executed with a contractor to provide  
4 a qualified residential treatment program, the department of  
5 health and human services shall include a provision that allows  
6 the contractor to reject a placement of an individual referred  
7 by the department of health and human services, or juvenile court  
8 services, if the contractor confirms in writing to the department  
9 of health and human services, or juvenile court services, that  
10 the contractor does not have the necessary security or support  
11 to ensure the safety of the individual or the safety of the  
12 contractor's staff.

13 b. The department of health and human services shall not  
14 include any type of "no reject, no eject" provision in any  
15 contract executed with a contractor to provide a qualified  
16 residential treatment program. For purposes of this paragraph,  
17 "no reject, no eject" means that the contractor shall be required  
18 to accept all individual placements referred by the department of  
19 health and human services or juvenile court services.

20 Sec. 2. APPLICABILITY. This Act applies to all contracts  
21 between the department of health and human services and a  
22 contractor for the provision of a qualified residential treatment  
23 program that are executed, extended, or renewed on or after the  
24 effective date of this Act.

25 EXPLANATION

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

28 This bill relates to the admission of persons into residential  
29 care facilities.

30 The bill requires all contracts the department of health  
31 and human services (HHS) executes with a contractor to provide  
32 a qualified residential treatment program (QRTP) to include  
33 a provision that allows the contractor to reject a placement  
34 of an individual referred by HHS, or juvenile court services,  
35 if the contractor confirms in writing to HHS, or juvenile

1 court services, that the contractor does not have the necessary  
2 security or support to ensure the safety of the individual or the  
3 safety of the contractor's staff.

4 The bill prohibits HHS from including any type of "no reject,  
5 no eject" provision in any contract executed with a contractor  
6 to provide a Q RTP. The bill defines "no reject, no eject"  
7 as requiring a contractor to accept all individual placements  
8 referred by HHS or juvenile court services.

9 The bill applies to all contracts between HHS and a contractor  
10 for the provision of a Q RTP that are executed, extended, or  
11 renewed on or after the bill's effective date.

unofficial