

Senate Study Bill 3083 - Introduced

SENATE FILE _____

BY (PROPOSED COMMITTEE ON HEALTH
AND HUMAN SERVICES BILL BY
CHAIRPERSON WARME)

A BILL FOR

1 An Act relating to subacute mental health care facilities and
2 services, and including effective date provisions.

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

unofficial

1 Section 1. Section 135G.1, subsection 12, paragraph c, Code
2 2026, is amended by striking the paragraph.

3 Sec. 2. Section 135G.3, Code 2026, is amended by adding the
4 following new subsection:

5 NEW SUBSECTION. 1A. Within twenty-four hours of a resident's
6 admission to a subacute care facility, the subacute care facility
7 shall develop a written treatment care plan with the resident.

8 Sec. 3. NEW SECTION. **135G.3A Insurance authorization.**

9 Upon a mental health professional's request for prior
10 authorization for insurance coverage of an individual's subacute
11 mental health care service, a managed care organization shall
12 provide a determination to the mental health professional for the
13 preauthorization request as follows:

14 1. Within forty-eight hours after the date of receipt of an
15 urgent preauthorization request.

16 2. Within five calendar days after the date of receipt of a
17 nonurgent preauthorization request.

18 3. Within ten calendar days after the date of receipt of a
19 nonurgent preauthorization request involving complex or unique
20 circumstances.

21 Sec. 4. DEPARTMENTS OF HEALTH AND HUMAN SERVICES AND
22 INSPECTIONS, APPEALS, AND LICENSING — ADMINISTRATIVE RULE
23 REVIEW. The department of health and human services and the
24 department of inspections, appeals, and licensing shall do all of
25 the following:

26 1. Collaborate to review each department's administrative
27 rules adopted pursuant to section 135G.10 and eliminate any rule
28 the departments determine impedes any of the following more than
29 the benefit the rule provides:

30 a. Establishment of new subacute mental health care
31 facilities and services.

32 b. Expansion of existing subacute mental health care
33 facilities and services.

34 c. Ease of access to subacute mental health care facilities
35 and services.

1 organization to provide a determination to the mental health
2 professional within 48 hours after the date of the receipt of
3 the request if the request is urgent; within 5 calendar days
4 after the date of the receipt of the request if the request is
5 nonurgent; and within 10 calendar days after the date of the
6 receipt of the request if the request is nonurgent and involves
7 complex or unique circumstances.

8 The bill directs HHS and the department of inspections,
9 appeals, and licensing (DIAL) to collaborate to review each
10 department's administrative rules and eliminate any rule the
11 departments determine impedes the establishment of new subacute
12 mental health care facilities and services; expansion of existing
13 subacute mental health care facilities and services; or ease of
14 access to subacute mental health care facilities and services.

15 The bill requires HHS and DIAL to modify their respective
16 rules to allow a subacute mental health care facility to have
17 more beds to provide subacute mental health care without being
18 considered a mental health institution.

19 The bill requires HHS and DIAL to modify their respective
20 rules so that the requirements to employ an individual at a
21 subacute mental health care facility are less stringent than
22 those for the same employment at a state mental health institute.

23 The bill allows HHS and DIAL to adopt emergency rules to
24 implement the bill.

25 The bill takes effect upon enactment.