

Senate Study Bill 3082 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
HEALTH AND HUMAN SERVICES
BILL)

A BILL FOR

1 An Act relating to alignment of delivery of health and human
2 services programs and services, aging and disability
3 services, and volunteer services, and including
4 applicability and effective date provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

HEALTH AND HUMAN SERVICES DISTRICTS

1
2 Section 1. Section 12.51, subsection 1, Code 2026, is
3 amended to read as follows:

4 1. As used in [this section](#) unless the context otherwise
5 requires:

6 *a. "Administrative services organization" means the same as*
7 *defined in [section 225A.1](#).*

8 *b. "Behavioral health district" means the same as defined*
9 *in [section 225A.1](#).*

10 *c. "Behavioral health district advisory council" means the*
11 *same as defined in [section 225A.1](#).*

12 ~~*e. d. "Department" means the department of health and human*~~
13 ~~*services.*~~

14 ~~*d. "District behavioral health advisory council" means the*~~
15 ~~*same as defined in [section 225A.1](#).*~~

16 Sec. 2. Section 12.51, subsection 2, paragraph b,
17 subparagraph (3), subparagraph division (d), subparagraph
18 subdivision (ii), Code 2026, is amended to read as follows:

19 (ii) Input from each ~~district~~ behavioral health district
20 advisory council regarding disbursements from the fund,
21 intended outcomes, and recommendations for future disbursements
22 from the fund.

23 Sec. 3. Section 217.1, Code 2026, is amended by adding the
24 following new subsection:

25 NEW SUBSECTION. 4. "*Health and human services district*" or
26 "*HHS district*" means a geographic, multicounty area designated
27 by the department under section 217.1B for statewide program
28 and service delivery.

29 Sec. 4. NEW SECTION. 217.1B **Health and human services**
30 **districts.**

31 1. The department shall divide the entirety of the state
32 into designated health and human services districts. The
33 initial HHS districts shall be the same as the behavioral
34 health districts designated pursuant to section 225A.4, Code
35

1 2026, and that exist on the effective date of this division
2 of this Act. The department shall review the designated HHS
3 districts at least once every seven consecutive fiscal years.

4 2. a. The department may modify a designated HHS district.
5 When modifying a designated HHS district, the department shall
6 consider all of the following:

7 (1) City and county boundaries.

8 (2) The population size that can be effectively served in a
9 specific area.

10 (3) Areas of high need for services.

11 (4) Patterns various populations exhibit when accessing or
12 receiving services.

13 b. Notwithstanding chapter 17A, the manner in which
14 the modification of an HHS district is made, including the
15 determination of boundaries for a modified HHS district, shall
16 not be subject to judicial review.

17 3. The department shall adopt rules pursuant to chapter 17A
18 to administer this section.

19 Sec. 5. Section 225A.1, Code 2026, is amended to read as
20 follows:

21 **225A.1 Definitions.**

22 As used in [this chapter](#) unless the context otherwise
23 requires:

24 1. "*Administrative services organization*" means an entity
25 designated by the department pursuant to [section 225A.4](#), to
26 develop and perform planning and administrative services in
27 accordance with a ~~district~~ behavioral health service system
28 district plan.

29 2. "*Behavioral health condition*" means a substantial
30 limitation in major life activities due to a mental,
31 behavioral, or addictive disorder or condition diagnosed in
32 accordance with the criteria provided in the most current
33 edition of the diagnostic and statistical manual of mental
34 disorders, published by the American psychiatric association.

35 3. "*Behavioral health district*" or "~~district~~" means a

1 ~~geographic, multicounty, sub-state area as designated by the~~
2 ~~department under [section 225A.4](#) health and human services~~
3 ~~district through which the behavioral health service system is~~
4 ~~administered or will be administered.~~

5 4. "Behavioral health district advisory council" means an
6 advisory council established pursuant to section 225A.5.

7 ~~4.~~ 5. "Behavioral health provider" or "provider" means an
8 individual, firm, corporation, association, or institution
9 that, pursuant to [this chapter](#), is providing or has been
10 approved by the department to provide services to an individual
11 with a behavioral health condition.

12 ~~5.~~ 6. "Behavioral health service system" means the
13 behavioral health service system established in [section 225A.3](#).

14 7. "Behavioral health service system district plan" or
15 "behavioral health district plan" means a plan developed by
16 an administrative services organization and approved by the
17 department that outlines the services intended to be provided
18 within the administrative services organization's behavioral
19 health district.

20 8. "Behavioral health service system state plan" means
21 the plan developed by the department that describes the key
22 components of the behavioral health service system.

23 ~~6.~~ 9. "Caregiver" means an adult family member, or other
24 individual, who is providing care to a person outside of a
25 formal program.

26 ~~7.~~ 10. "Community mental health center" means an entity
27 designated by the department to address the mental health needs
28 of one or more counties.

29 ~~8.~~ 11. "Department" means the department of health and
30 human services.

31 ~~9.~~ 12. "Director" means the director of the department of
32 health and human services.

33 ~~10.~~ "District behavioral health advisory council"
34 or "advisory council" means a council established by an
35 administrative services organization under [section 225A.5](#), to

1 ~~identify opportunities, address challenges, and advise the~~
2 ~~administrative services organization in accordance with section~~
3 ~~225A.5.~~

4 ~~11. "District behavioral health service system plan" or~~
5 ~~"district behavioral health plan" means a plan developed by~~
6 ~~an administrative services organization and approved by the~~
7 ~~department to outline the services intended to be provided~~
8 ~~within the administrative services organization's behavioral~~
9 ~~health district.~~

10 13. "Health and human services district" or "HHS district"
11 means the same as defined in section 217.1.

12 ~~12.~~ 14. "Indicated prevention" means prevention activities
13 designed to prevent the onset of substance use disorders in
14 individuals who do not meet the medical criteria for addiction,
15 but who show early signs of developing a substance use disorder
16 in the future.

17 ~~13.~~ 15. "Selective prevention" means prevention activities
18 designed to target subsets of the total population who are
19 considered at-risk for a substance use disorder by virtue of
20 their membership in a particular segment of the population.
21 Selective prevention targets the entire subgroup, regardless of
22 the degree of risk of any individual within the group.

23 ~~14. "State behavioral health service system plan" or~~
24 ~~"state behavioral health plan" means the plan developed by the~~
25 ~~department that describes the key components of the state's~~
26 ~~behavioral health service system.~~

27 ~~15.~~ 16. "Universal prevention" means prevention activities
28 designed to address an entire population class for the purpose
29 of preventing or delaying the use of alcohol, tobacco, and
30 other drugs. Population classes include but are not limited
31 to the national population, local populations, community
32 populations, school populations, and neighborhood populations.

33 Sec. 6. Section 225A.2, subsection 3, paragraph c, Code
34 2026, is amended to read as follows:

35 c. Review and approve district behavioral health service

1 system district plans developed in accordance with the ~~state~~
2 behavioral health service system state plan.

3 Sec. 7. Section 225A.3, subsection 2, paragraph a,
4 subparagraph (1), unnumbered paragraph 1, Code 2026, is amended
5 to read as follows:

6 Develop a ~~state~~ behavioral health service system state plan
7 that accomplishes all of the following:

8 Sec. 8. Section 225A.3, subsection 2, paragraph a,
9 subparagraph (1), subparagraph division (d), Code 2026, is
10 amended to read as follows:

11 (d) Is consistent with the department's agency strategic
12 plan adopted pursuant to ~~section 8E.206~~ 8E.204.

13 Sec. 9. Section 225A.3, subsection 2, paragraph a,
14 subparagraph (2), unnumbered paragraph 1, Code 2026, is amended
15 to read as follows:

16 The department shall do all of the following when developing
17 the ~~state~~ behavioral health service system state plan:

18 Sec. 10. Section 225A.3, subsection 2, paragraph a,
19 subparagraph (2), subparagraph division (b), Code 2026, is
20 amended to read as follows:

21 (b) Publish the proposed ~~state~~ behavioral health service
22 system state plan on the department's internet site and
23 allow the public to review and comment on the proposed ~~state~~
24 behavioral health service system state plan prior to the
25 adoption of the proposed ~~state~~ behavioral health service system
26 state plan.

27 Sec. 11. Section 225A.3, subsection 2, paragraph c, Code
28 2026, is amended to read as follows:

29 c. Oversee, provide technical assistance to, and
30 monitor administrative services organizations to ensure the
31 administrative services organizations' compliance with ~~district~~
32 behavioral health district plans.

33 Sec. 12. Section 225A.3, subsection 2, paragraph k,
34 subparagraph (9), Code 2026, is amended to read as follows:

35 (9) Any other requirements the department deems necessary

1 to ensure that an administrative services organization
2 fulfills the administrative services organization's duties
3 as established in [this chapter](#), and as established in the
4 administrative services organization's ~~district~~ behavioral
5 health district plan.

6 Sec. 13. Section 225A.4, subsection 1, Code 2026, is amended
7 to read as follows:

8 1. *a.* The department shall ~~divide the entirety of the~~
9 ~~state into designated behavioral health districts. Behavioral~~
10 provide for behavioral health prevention, education, early
11 intervention, treatment, recovery support, and crisis services
12 related to mental health and addictive disorders, including
13 but not limited to alcohol use, substance use, tobacco use,
14 and problem gambling, ~~shall be made available through in a~~
15 consistent manner in each behavioral health district ~~in a~~
16 ~~manner consistent with directives each district receives from~~
17 ~~the department.~~

18 *b.* ~~For the purpose of providing equitable access to all~~
19 ~~services provided through the behavioral health service~~
20 ~~system, the department shall consider all of the following when~~
21 ~~designating behavioral health districts:~~

22 ~~(1) City and county lines.~~

23 ~~(2) The maximum population size that behavioral health~~
24 ~~services available in an area are able to effectively serve.~~

25 ~~(3) Areas of high need for behavioral health services.~~

26 ~~(4) Patterns various populations exhibit when accessing or~~
27 ~~receiving behavioral health services.~~

28 *c.* ~~Notwithstanding [chapter 17A](#), the manner in which the~~
29 ~~department designates behavioral health districts including but~~
30 ~~not limited to the determination of the boundaries for each~~
31 ~~district shall not be subject to judicial review.~~

32 Sec. 14. Section 225A.4, subsection 2, paragraph a, Code
33 2026, is amended to read as follows:

34 *a.* The department shall designate an administrative services
35 organization for each behavioral health district to oversee and

1 organize each behavioral health district and the behavioral
2 health services associated with the behavioral health district.
3 The department ~~shall~~ may issue requests for proposals for
4 administrative services organization candidates.

5 Sec. 15. Section 225A.4, subsection 2, paragraph b,
6 subparagraph (2), Code 2026, is amended to read as follows:

7 (2) A public or private nonprofit agency located in a
8 the behavioral health district for which the agency is being
9 designated an administrative services organization, or any
10 separate organizational unit within ~~the~~ that public or private
11 nonprofit agency, that has the capabilities to engage in the
12 planning or provision of a broad range of behavioral health
13 prevention, education, early intervention, treatment, recovery
14 support, and crisis services related to mental health and
15 addictive disorders, including but not limited to alcohol use,
16 substance use, tobacco use, and problem gambling, only as
17 directed by the department.

18 Sec. 16. Section 225A.4, subsection 2, paragraph c,
19 subparagraph (2), Code 2026, is amended to read as follows:

20 (2) Whether the entity has demonstrated the ability to
21 ensure the delivery of behavioral health services within the
22 behavioral health district as required by the department by
23 rule.

24 Sec. 17. Section 225A.4, subsection 5, Code 2026, is amended
25 to read as follows:

26 5. Each administrative services organization shall perform
27 all of the following duties:

28 a. Develop and administer a ~~district~~ behavioral health
29 district plan in accordance with the standards adopted by the
30 department by rule.

31 b. Coordinate the administration of the ~~district~~ behavioral
32 health district plan with federal, state, and local resources
33 in order to develop a comprehensive and coordinated local
34 behavioral health service system.

35 c. Enter into contracts necessary to provide services under

1 the ~~district~~ behavioral health district plan.

2 *d.* Oversee, provide technical assistance to, and monitor
3 the compliance of providers contracted by the administrative
4 services organization to provide behavioral health services in
5 accordance with the ~~district~~ behavioral health district plan.

6 *e.* Establish a ~~district~~ behavioral health district advisory
7 council pursuant to [section 225A.5](#).

8 Sec. 18. Section 225A.5, Code 2026, is amended to read as
9 follows:

10 **225A.5 ~~District behavioral~~ Behavioral health district**
11 **advisory councils.**

12 1. Each administrative services organization shall
13 establish a ~~district~~ behavioral health district advisory
14 council that shall do all of the following:

15 *a.* Identify opportunities and address challenges based on
16 updates received from the administrative services organization
17 regarding the implementation of the ~~district~~ behavioral health
18 district plan.

19 *b.* Advise the administrative services organization while the
20 administrative services organization is developing behavioral
21 health policies.

22 *c.* Advise the administrative services organization on how to
23 best provide access to behavioral health prevention, education,
24 early intervention, treatment, recovery support, and crisis
25 services related to mental health and addictive disorders,
26 including but not limited to alcohol use, substance use,
27 tobacco use, and problem gambling, throughout the behavioral
28 health district as directed by the department.

29 2. ~~An~~ A behavioral health district advisory council shall
30 consist of ten members. Members shall be appointed by the
31 administrative services organization subject to the following
32 requirements:

33 *a.* Three members shall be local elected public officials
34 currently holding office within the behavioral health district,
35 or the public official's designated representative.

1 *b.* Three members shall be chosen in accordance with
2 procedures established by the administrative services
3 organization to ensure representation of the populations
4 served within the behavioral health district. At least one
5 member chosen under this paragraph shall represent child and
6 adolescent persons.

7 *c.* Three members shall be chosen who have experience
8 or education related to core behavioral health functions,
9 essential behavioral health services, behavioral health
10 prevention, behavioral health treatment, population-based
11 behavioral health services, or community-based behavioral
12 health initiatives.

13 *d.* One member shall be a law enforcement representative from
14 within the behavioral health district.

15 3. ~~An~~ A behavioral health district advisory council shall
16 perform the duties required under [this section](#) regardless of
17 whether any seat on the behavioral health district advisory
18 council is vacant.

19 Sec. 19. Section 225A.6, subsection 4, Code 2026, is amended
20 to read as follows:

21 4. Administrative services organizations shall report
22 to the department, in a manner specified by the department,
23 information including but not limited to demographic
24 information, expenditure data, and data concerning the
25 behavioral health services and other support provided to
26 individuals in the administrative service organization's
27 behavioral health district.

28 Sec. 20. Section 225A.7, subsection 2, paragraph a, Code
29 2026, is amended to read as follows:

30 *a.* Distributions to administrative services organizations
31 to provide services as outlined in the organizations' ~~district~~
32 behavioral health district plan.

33 Sec. 21. Section 225A.8, subsection 2, unnumbered paragraph
34 1, Code 2026, is amended to read as follows:

35 To promote comprehensive tobacco use prevention and control

1 initiatives outlined in the ~~state~~ behavioral health service
2 system state plan, an entity shall not perform any of the
3 following acts:

4 Sec. 22. EFFECTIVE DATE. This division of this Act, being
5 deemed of immediate importance, takes effect upon enactment.

6 DIVISION II

7 AGING AND DISABILITY SERVICES

8 Sec. 23. Section 231.4, subsection 1, Code 2026, is amended
9 by adding the following new paragraph:

10 NEW PARAGRAPH. *Ok. "Health and human services district"*
11 means the same as defined in section 217.1.

12 Sec. 24. Section 231.23, subsection 5, Code 2026, is amended
13 by striking the subsection and inserting in lieu thereof the
14 following:

15 5. Designate planning and service areas throughout the
16 state in accordance with the Older Americans Act of 1965, Pub.
17 L. No. 89-73, as amended. The boundaries of a planning and
18 service area shall match the boundaries of a health and human
19 services district.

20 Sec. 25. EFFECTIVE DATE. This division of this Act, being
21 deemed of immediate importance, takes effect upon enactment.

22 Sec. 26. CONTINGENT APPLICABILITY. Section 231.23,
23 subsection 5, as amended by this division of this Act, shall
24 apply upon the department of health and human services'
25 receipt, from the administration for community living of
26 the United States department of health and human services,
27 of approval of the planning and service areas under section
28 231.23, subsection 5, as amended by this division of this Act.

29 DIVISION III

30 VOLUNTEER SERVICES

31 Sec. 27. Section 15H.2, subsection 1, Code 2026, is amended
32 to read as follows:

33 1. The Iowa commission on volunteer service is created
34 within the department. The governor shall appoint the
35 commission's members. ~~The director may employ personnel as~~

1 ~~necessary to carry out the duties and responsibilities of the~~
2 ~~commission.~~

3 Sec. 28. Section 15H.4, Code 2026, is amended to read as
4 follows:

5 **15H.4 Administration — funding.**

6 1. a. The department shall serve as the lead agency for
7 administration of the commission.

8 b. The department may consult with the department of
9 education, the state board of regents, and the department of
10 workforce development for any additional administrative support
11 as necessary to fulfill the duties of the commission.

12 c. All ~~other~~ state agencies, at the request of the
13 department, shall provide assistance to the commission to
14 ensure a fully coordinated state effort for promoting national
15 and community service.

16 d. The commission may delegate the administration of
17 nonpolicymaking duties, in compliance with 42 U.S.C. §12638, to
18 the subunit for volunteerism created in section 217.13.

19 2. The commission may accept funds and in-kind services from
20 ~~other~~ state, federal, and private entities.

21 Sec. 29. Section 217.13, Code 2026, is amended by striking
22 the section and inserting in lieu thereof the following:

23 **217.13 Department subunit for volunteerism — volunteer**
24 **liability.**

25 1. A subunit for volunteerism is created within the
26 department. The subunit for volunteerism shall establish
27 volunteer programs designed to enhance the services provided
28 by the department and provide administrative support for the
29 nonpolicymaking duties of the Iowa commission on volunteer
30 service.

31 2. a. The director shall appoint an executive director
32 to oversee the administration of the department subunit for
33 volunteerism and to carry out nonpolicymaking duties delegated
34 to the subunit for volunteerism by the Iowa commission on
35 volunteer service pursuant to section 15H.4.

1 The bill changes Code chapter 225A (HHS — behavioral health
2 service system) so that behavioral health services are provided
3 through the health and human services districts instead of
4 behavioral health districts.

5 The bill makes conforming changes to Code section 12.51.

6 This division of the bill takes effect upon enactment.

7 DIVISION II — AGING AND DISABILITY SERVICES. Under current
8 law, HHS is required to divide the state into distinct planning
9 and service areas based on various factors for the purpose of
10 providing aging and disability services. The bill requires
11 HHS to designate each planning and service area (service area)
12 throughout the state in accordance with federal requirements.
13 The boundaries of service areas shall match the boundaries of
14 districts.

15 This division of the bill takes effect upon enactment
16 and applies upon HHS's receipt, from the administration for
17 community living of the United States department of health and
18 human services, of approval of the planning and service areas
19 as amended in the bill.

20 DIVISION III — VOLUNTEER SERVICES. The bill creates a
21 subunit for volunteerism (subunit) within HHS. The subunit
22 shall establish volunteer programs designed to enhance the
23 services provided by HHS and provide administrative support
24 for the nonpolicymaking duties of the Iowa commission on
25 volunteer service (commission). The director of HHS shall
26 appoint an executive director to oversee the administration of
27 the subunit and to carry out nonpolicymaking duties delegated
28 to the subunit by the commission. HHS may employ personnel
29 for the subunit to carry out the duties of the subunit and
30 the duties delegated to the subunit by the commission. All
31 volunteers registered with programs administered by the
32 subunit are considered employees of the state; however, this
33 does not exempt a volunteer conservator or guardian from the
34 conservator's or guardian's duties and does not limit the
35 conservator's or guardian's civil liability for performing the

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1 conservator's or guardian's duties. The bill requires HHS to
2 adopt rules to administer this division of the bill.

3 This division of the bill takes effect upon enactment.