

# **County Mental Health Supplemental Appropriations Bill House File 160**

Last Action:  
**House Appropriations  
Committee**  
February 6, 2013

**An Act relating to mental health and disability services by making transfers and appropriations for the fiscal year beginning July 1, 2012, and including related changes and effective date provisions.**

**Fiscal Services Division  
Legislative Services Agency**

## **NOTES ON BILLS AND AMENDMENTS (NOBA)**

Available on line at <http://www.legis.iowa.gov/LSAReports/noba.aspx>  
LSA Contact: Jess Benson (515-281-4611)

**EXECUTIVE SUMMARY**

COUNTY MENTAL HEALTH SUPPLEMENTAL APPROPRIATIONS BILL

**FUNDING SUMMARY**

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Appropriates \$11.6 million from the Children's Health Insurance Program Reauthorization Act (CHIPRA) Child Enrollment Contingency Fund to Department of Human Services for the Mental Health and Disability Services Redesign Transition Fund.

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**EFFECTIVE DATE**

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This Bill is effective on enactment.

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1 1 Section 1. CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD  
 1 2 ENROLLMENT CONTINGENCY FUND — MENTAL HEALTH AND DISABILITY  
 1 3 SERVICES REDESIGN TRANSITION FUND — FY 2012-2013.

1 4 1. Of the moneys received from the federal government  
 1 5 through the child enrollment contingency fund established  
 1 6 pursuant to section 103 of the federal Children's Health  
 1 7 Insurance Program Reauthorization Act of 2009, Pub.L. No.  
 1 8 111-3, the following amount is transferred from such moneys to  
 1 9 the department of human services for the fiscal year beginning  
 1 10 July 1, 2012, and ending June 30, 2013, to be credited as  
 1 11 follows:

1 12 To be credited to the mental health and disability services  
 1 13 redesign transition fund created in 2012 Iowa Acts, chapter  
 1 14 1120, section 23:  
 1 15 ..... \$ 11,628,317

CHIPRA Child Enrollment Contingency Fund appropriation to to the  
 Mental Health and Disability Services Transition Fund.

1 16 2. The moneys credited to the mental health and disability  
 1 17 services redesign transition fund pursuant to subsection 1 are  
 1 18 appropriated to the department of human services for allocation  
 1 19 to counties as follows:

1 20 a. To those counties identified by the department in  
 1 21 scenario 1 of the department's report on the transition fund  
 1 22 submitted to the general assembly on December 1, 2012, pursuant  
 1 23 to 2012 Iowa Acts, chapter 1120, section 23, to be used to  
 1 24 continue or restore services as provided in the application and  
 1 25 the department's determination of the award amount:  
 1 26 ..... \$ 11,628,317

Allocates \$11.6 million to 26 counties based on Scenario 1 of the  
 Department of Human Services (DHS) Transition Fund report.

DETAIL: The report with the county fund distribution is available at:  
<https://www.legis.iowa.gov/DOCS/LSA/IntComHand/2013/IHJCP003.PDF>

1 27 b. The allocations under this subsection shall be remitted  
 1 28 to counties not later than two calendar weeks following the  
 1 29 effective date of this Act.

Requires the DHS to remit the funds to the counties within two weeks  
 of the effective date.

1 30 c. A county receiving an allocation under this subsection  
 1 31 shall remit to the department any unpaid portion of the  
 1 32 county's obligation for the nonfederal share of undisputed  
 1 33 medical assistance program billings incurred in a fiscal year  
 1 34 prior to FY 2012-2013. The unpaid portion shall be remitted  
 1 35 prior to June 30, 2013, from moneys available to the county  
 2 1 that meet federal match requirements for the program.

Requires counties that received an allocation from the Transition Fund  
 to pay any undisputed Medicaid bill by June 30, 2013.

DETAIL: CHIPRA Child Enrollment Contingency dollars cannot be used  
 to pay for the nonfederal share of Medicaid because the federal  
 government does not allow states to match federal funds with federal  
 funds.

2 2 d. A county receiving an allocation under this subsection  
 2 3 shall comply with any audit requirements for the county's  
 2 4 expenditures relating to the allocation. The department shall  
 2 5 develop the audit requirements with assistance from the office  
 2 6 of the auditor of state. The audit requirements may be applied  
 2 7 on a selective or random basis so that the audit requirements

Requires counties that received an allocation to comply with audit  
 requirements for county expenditures related to the allocation.

DETAIL: The DHS is responsible for any audit costs.

2 8 do not apply to all counties receiving an allocation. Any  
2 9 costs relating to the audit requirements are the responsibility  
2 10 of the department.

2 11 3. A county that applied for moneys from the transition  
2 12 fund pursuant to 2012 Iowa Acts, chapter 1120, section 23, but  
2 13 was not identified in the department's recommendation for an  
2 14 award in the report on the transition fund shall enter into  
2 15 an agreement with the department for remittance of any unpaid  
2 16 portion of the county's obligation for the nonfederal share  
2 17 of undisputed medical assistance program billings incurred in  
2 18 a fiscal year prior to FY 2012-2013. A county that did not  
2 19 apply for moneys from the transition fund shall either remit  
2 20 any unpaid portion of the county's obligation for such program  
2 21 billings by the end of the fiscal year beginning July 1, 2012,  
2 22 or shall enter into an agreement to do so. An agreement under  
2 23 this subsection shall provide for remittance of any unpaid  
2 24 portion by the end of the fiscal year beginning July 1, 2013.

2 25 4. For purposes of an application for county formation of  
2 26 a mental health and disability services region submitted on  
2 27 or before April 1, 2013, in accordance with section 331.389,  
2 28 subsection 4, the director of human services may approve an  
2 29 application for a region that includes a county that is not  
2 30 contiguous with any of the other counties in the region,  
2 31 as otherwise required under section 331.389, subsection 3,  
2 32 paragraph "a", if the county that is not contiguous has had a  
2 33 formal relationship for two years or longer with one or more of  
2 34 the other counties in the region for provision of mental health  
2 35 and disability services.

3 1 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of  
3 2 immediate importance, takes effect upon enactment.

Requires counties that applied for transition funds, but were not awarded any, to enter into an agreement with the DHS to remit any unpaid Medicaid bills. Any county that did not apply for transition funds is required to remit any remaining Medicaid bills owed to the State by the end of FY 2013 or enter into an agreement with the DHS to remit those bills by the end of FY 2014.

Allows the Director of the DHS to approve regions that have counties that are not contiguous.

This Bill is effective on enactment.