



# STATE OF IOWA

THOMAS J. VILSACK, GOVERNOR  
SALLY J. PEDERSON, LT. GOVERNOR

DEPARTMENT OF HUMAN SERVICES  
JESSIE K. RASMUSSEN, DIRECTOR

## MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES COMMISSION

### Annual and Biennial Report

February 10, 2003

The Honorable Governor Thomas Vilsack  
Office of the Governor  
State Capitol Building  
Des Moines, IA 50319

Michael E. Marshall  
Secretary of the Senate  
State Capitol Building  
Des Moines, Iowa 50319

Margaret A. Thompson  
Chief Clerk of the House  
State Capitol Building  
Des Moines, Iowa 50319

#### INTRODUCTION

Iowa Code chapter 225C.6 requires the MH/DD to annually submit to the governor and the general assembly:

- Recommendations formulated by the commission for changes in law
- A report concerning the activities of the commission.

Iowa Code chapter 225C.6 also requires the MH/DD to submit an evaluation to the governor and the general assembly in each odd numbered year of:

- The extent to which services to persons with disabilities are actually available to persons in each county in the state and the quality of those services.
- The effectiveness of the services being provided by disability service providers in this state and by each of the state mental health institutes established under chapter 226 and by each of the state resource centers established under chapter 222."

This is the combined annual report and biennial report for January 2003.

#### ANNUAL REPORT: RECOMMENDED CHANGES IN LAW

The Commission recommended fourteen changes in law in its January 2002 report. One recommended change has been enacted, "Restructuring of oversight bodies." The legislation combining the MH/DD Commission with the State County Management Committee has reshaped the commission's membership

and redefined the overall roles and responsibilities. This legislative change has dramatically impacted our activities during 2002.

The other thirteen recommendations remain concerns of the commission for the effective, efficient and collective benefit to the citizens of the state of Iowa. Legislation enacted in 2002 not only restructured the MH/DD commission but provided an encompassing role in a system redesign for the state. Several of the recommendations are part and parcel to a redesign in the MH/DD system. The commission anticipates that most of 2003 activities will be directly involved in developing a redesign plan. As such, those recommendations may be best dealt with in a comprehensive manner in the redesign. Four recommendations, however, deserve the attention of the governor and the general assembly during 2003. They are:

- 1. Parity: The MH/DD commission strongly urges the enactment of parity legislation that covers persons with mental illness. The inclusion of parity for substance abuse illness is also supported.**
- 2. Compliance with Olmstead: The commission urges full support and funding for and implementation of the Iowa Plan for Community Development in an effort to fully comply with the Olmstead decision.**
- 3. State funding share to counties: Community services and allowable growth must be restored to the original appropriation for FY '02. Not doing so will result in decreased access to and quality of services.**
- 4. Support Funding: Additional funding needs to be directed to the Commission to provide administrative and research support to the MHDD Commission and the MHDD system redesign project.**

#### ANNUAL REPORT: ACTIVITIES OF THE COMMISSION

In the past year the MH/DD Commission and the State County Management Committee were consolidated. The Commission developed a work plan to provide oversight in redesigning a system for providing mental health and developmental disability services to Iowa's adults and children, and carried out duties assigned by the Code of Iowa. Activities included:

1. Revising Chapter 441-24 "Accreditation of Providers of services to Persons with Mental Illness, Chronic Mental Illness, Mental Retardation, and Developmental Disabilities", and 441-25 "Disability Services Management" of the Iowa Administrative Code
2. Accrediting centers, services, and programs. Approximately 100 entities were presented to the Commission for accreditation in calendar year 2002.
3. Adjusted to staffing level changes and reorganization. DHS reorganized divisions in its central office, abolishing the Mental Health and Developmental Disabilities Division and combining MHDD administration, program policy, operations, and technical assistance functions with child welfare and child protective functions in the new Division of Behavioral, Developmental, and Protective Services for Families, Adults, and Children. There used to be 24 MHDD staff positions: now there are nine.
4. Holding joint meetings with the State County Management Committee in order to coordinate activities and prepare for the consolidation of duties as enacted by HF2430.
5. Reviewing county plan amendments and making recommendations to the Director of the Department of Human Services. The Commission reviewed eight proposed county plan amendments in 2002.
6. Commission members and support staff were involved in statewide meetings and forums to address needs. These included the following:
  - "Solutions for Stronger, Safer Communities, Developing Public Policy for Treating the Mental Health Needs of Iowa's Corrections Population", May 16-17, 2002.

- “From Streets to Cells and Back Again, Addressing the Problems of the Mentally Ill Offender”, six regional sites in June & July 2002.
  - 2002 Mental Health Conference, October 22-23, 2002.
  - Elderly persons and mental illness, ICN, August 13, 2002
  - Personal Assistance Services (PAS) Workgroup and the federal infrastructure grant, ICN, September 25, 2002
7. Consulting with the state long-term care resident’s advocate and the governor’s developmental disabilities council to develop and submit a report to the general assembly regarding the continuation of resident advocate committees for residential care facilities licensed to serve persons with mental illness or mental retardation.
  8. Recommending an allowed growth factor adjustment to the governor for the FY05 state budget.
  9. Laying the groundwork for redesigning the MHDD system. A Legal Settlement workgroup was formed in August 2002 and is developing expertise. Four other workgroups began system redesign efforts in January 2003.
  10. The Governor appointed 16 members to the new Commission November 1, 2002. A two-day orientation and meeting was held in December to acquaint members with commission duties and current activities.

#### BIENNIAL EVALUATION OF SERVICE AVAILABILITY AND QUALITY

Though the Commission did not complete a comprehensive evaluation of the system, there were numerous instances where components of the system were reviewed and evaluated. The Commission evaluated services through the provider accreditation process and through its review of county plan amendments. It reported on service availability and quality through recommendations for allowable growth, made to the governor October 29, 2002 and January 13, 2003. The commission anticipates that it will conduct more comprehensive evaluations of service availability and quality as it steers the system redesign effort in 2003 and 2004.

#### BIENNIAL EVALUATION OF MENTAL HEALTH INSTITUTION, RESOURCE CENTER, AND PROVIDER EFFECTIVENESS

The Commission participated in review and evaluation of some components of mental health institutions, resource centers, and provider effectiveness. The Commission participated in a federal audit, Olmstead compliance review, and a psychiatric placement review. The commission anticipates that it will be engaged in comprehensive evaluation of effectiveness of providers and institutions as it steers the system redesign effort in 2003 and 2004.

Respectfully,



Lannie Miller  
Chairman, MH/DD Commission

LM/MB/bf

CC: Legislative Fiscal Bureau ✓  
Legislative Service Bureau  
Caucus Staff