

Senate File 481

1 Amend Senate File 481 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. ADULT DISABILITY SERVICES SYSTEM
5 REDESIGN.

6 1. For the purposes of this section, "disability
7 services" means services and other support available to
8 a person with mental illness, intellectual disability
9 or other developmental disability, or brain injury.

10 2. It is the intent of the general assembly to
11 redesign the system for adult disability services as
12 follows:

13 a. Shifting the funding responsibility for the
14 nonfederal share of adult disabilities services paid
15 for by the Medicaid program from the counties to the
16 state.

17 b. Reorganizing adult disabilities services not
18 paid for by the Medicaid program to be administered
19 by the counties on a regional basis, providing for
20 the regions to serve as single point of entry for
21 "wraparound services" for the adult disability
22 services not funded by the Medicaid program, and
23 including in the regional system all of the adult
24 service populations enumerated in the term "disability
25 services".

26 c. Providing funding in order for the state to
27 assume the nonfederal share of the Medicaid program
28 costs by means of the state retaining the following
29 funding sources currently distributed to the counties
30 for adult disabilities services:

31 (1) Appropriations made for purposes of the mental
32 health and developmental disabilities community
33 services fund in accordance with section 225C.7.

34 (2) Appropriations made for purposes of the allowed
35 growth factor adjustment as described in sections
36 331.439 and 426B.5.

37 (3) Appropriations made for the property tax
38 relief fund pursuant to section 426B.1 and replacement
39 generation tax revenues deposited in the fund pursuant
40 to section 437A.15.

41 d. Providing for county property tax funding for
42 adult disability services to be pooled on a regional
43 basis and for appointment of a 2011 legislative interim
44 committee to develop recommendations for making such
45 property tax levies more uniform.

46 e. Creating a new state funding source for regions
47 to competitively bid to implement demonstration
48 projects to test new evidence-based adult disability
49 services for periods of three to five years.

50 f. Providing for the department of human services

1 to work with counties and other stakeholders to
2 identify the core adult disability services to be
3 available in each region and to establish reimbursement
4 rates.

5 g. Providing for legal settlement either to
6 be determined on a regional basis or for funding
7 responsibility to be determined based on residency.

8 3. Beginning on the effective date of this Act and
9 continuing through the fiscal year beginning July 1,
10 2011, the department of human services shall consult
11 with a stakeholder group formed by the department in
12 developing a plan and implementation provisions for a
13 system for adults in need of publicly funded disability
14 services and related support, proposing but not limited
15 to all of the following:

16 a. Identifying clear definitions and requirements
17 for the following:

18 (1) Characteristics of the service populations.

19 (2) The array of core services and other support to
20 be included.

21 (3) Outcome measures.

22 (4) Quality assurance measures.

23 (5) Provider accreditation, certification, or
24 licensure requirements.

25 b. Incorporating strategies to allow individuals
26 to receive services in accordance with the principles
27 established in *Olmstead v. L.C.*, 527 U.S. 581 (1999),
28 in order for services to be provided in the most
29 community-based, integrated setting appropriate to
30 an individual's needs and in the least restrictive
31 setting.

32 c. Continuing the department's leadership role
33 in the Medicaid program in defining services covered,
34 establishing reimbursement methodologies, providing
35 other administrative functions, and expanding the
36 program to incorporate the opportunities provided by
37 the federal Patient Protection and Affordable Care Act,
38 Pub. L. No. 111-148.

39 d. Implementing mental health crisis response
40 services statewide.

41 e. Implementing a subacute level of care.

42 4. a. The target date for full implementation of
43 the plan and implementation provisions described in
44 subsection 2 shall be January 1, 2013. The plan and
45 implementation provisions shall be submitted to the
46 governor and general assembly on or before December 15,
47 2011.

48 b. The initial plan and implementation provisions
49 shall recommend detailed core services and criteria
50 provisions for counties to affiliate with a regional

1 entity to be organized by the affiliating counties
2 under chapter 28E. Following enactment of the core
3 services and regional criteria, if a county has not
4 formally agreed to affiliate with a regional entity by
5 July 1, 2012, the county's regional affiliation shall
6 be determined by the department. The regional criteria
7 considered for recommendation shall include but are not
8 limited to all of the following:

9 (1) Requiring the region to include at least one
10 city or metropolitan area with a general population of
11 20,000 or more.

12 (2) Evaluating a proposed region's capacity
13 for providing core services and performing required
14 functions.

15 (3) Requiring the region to encompass or have
16 close proximity to a community mental health center
17 or federally qualified health center with providers
18 qualified to provide psychiatric services, that has
19 the capacity to provide outpatient services for the
20 region and has formally indicated plans for contracting
21 or provided other evidence of a commitment to provide
22 outpatient services for the region.

23 (4) Requiring the region to encompass or have
24 reasonably close proximity to a hospital with an
25 inpatient psychiatric unit or state mental health
26 institute, that has the capacity to provide inpatient
27 services for the region and has formally indicated
28 plans for contracting or provided other evidence of
29 a commitment to provide inpatient services for the
30 region.

31 5. The legislative council is requested to
32 authorize a legislative interim study committee to
33 meet during the 2011 legislative interim and assist
34 with the adult disabilities services system redesign
35 addressed by this Act and to make recommendations for
36 implementing county levy uniformity to support adult
37 disability services regions.

38 Sec. 2. DEPARTMENT OF HUMAN SERVICES. There is
39 appropriated from the general fund of the state to
40 the department of human services for the fiscal year
41 beginning July 1, 2011, and ending June 30, 2012, the
42 following amount, or so much thereof as is necessary,
43 to be used for the purposes designated:

44 For planning costs associated with implementation
45 of this Act:

46 \$ 50,000

47 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being
48 deemed of immediate importance, takes effect upon
49 enactment.>

50 2. Title page, line 2, by striking <mental health

1 and disabilities> and inserting <adult disability>
