

CHAPTER 1064

HEALTH AND HUMAN SERVICES — DELIVERY OF BEHAVIORAL HEALTH SERVICES, AGING AND DISABILITY SERVICES, AND VOLUNTEER SERVICES

H.F. 2707

AN ACT relating to alignment of delivery of health and human services programs and services, aging and disability services, and volunteer services, and including applicability and effective date provisions.

Be It Enacted by the General Assembly of the State of Iowa:

DIVISION I HEALTH AND HUMAN SERVICES DISTRICTS

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

1. As used in this section unless the context otherwise requires:

a. “Administrative services organization” means the same as defined in section 225A.1.

b. “Behavioral health district” means the same as defined in section 225A.1.

c. “Behavioral health district advisory council” means the same as defined in section 225A.1.

e. ~~d.~~ “Department” means the department of health and human services.

~~d. “District behavioral health advisory council” means the same as defined in section 225A.1.~~

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

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

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

NEW SUBSECTION. 4. “Health and human services district” or “HHS district” means a geographic, multicounty area designated by the department under section 217.1B for statewide program and service delivery.

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

1. The department shall divide the entirety of the state into designated health and human services districts. The initial HHS districts shall be the same as the behavioral health districts designated pursuant to section 225A.4, Code 2026, and that exist on the effective date of this division of this Act. Beginning the calendar year that begins January 1, 2032, and every ten consecutive calendar years thereafter, the department shall review the efficacy of the designated HHS districts in performing the HHS districts’ functions during the immediately preceding ten consecutive calendar years.

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

(1) City and county boundaries.

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

(3) Areas of high need for services.

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

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

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

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

225A.1 Definitions.

As used in this chapter unless the context otherwise requires:

1. “Administrative services organization” means an entity designated by the department

pursuant to section 225A.4, to develop and perform planning and administrative services in accordance with a ~~district~~ behavioral health service system district plan.

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

3. “Behavioral health district” or “~~district~~” means a ~~geographic, multicounty, sub-state area as designated by the department under section 225A.4~~ health and human services district utilized for the purpose of administering the behavioral health service system.

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

4. 5. “Behavioral health provider” or “provider” means an individual, firm, corporation, association, or institution that, pursuant to this chapter, is providing or has been approved by the department to provide services to an individual with a behavioral health condition.

5. 6. “Behavioral health service system” means the behavioral health service system established in section 225A.3.

7. “Behavioral health service system district plan” or “behavioral health district plan” means a plan developed by an administrative services organization and approved by the department that outlines the services intended to be provided within the administrative services organization’s behavioral health district.

8. “Behavioral health service system state plan” means the plan developed by the department that describes the key components of the behavioral health service system.

6. 9. “Caregiver” means an adult family member, or other individual, who is providing care to a person outside of a formal program.

7. 10. “Community mental health center” means an entity designated by the department to address the mental health needs of one or more counties.

8. 11. “Department” means the department of health and human services.

9. 12. “Director” means the director of the department of health and human services.

10. “~~District behavioral health advisory council~~” or “~~advisory council~~” means a council established by an administrative services organization under section 225A.5, to identify opportunities, address challenges, and advise the administrative services organization in accordance with section 225A.5.

11. “~~District behavioral health service system plan~~” or “~~district behavioral health plan~~” means a plan developed by an administrative services organization and approved by the department to outline the services intended to be provided within the administrative services organization’s behavioral health district.

13. “Health and human services district” or “HHS district” means the same as defined in section 217.1.

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

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

14. “~~State behavioral health service system plan~~” or “~~state behavioral health plan~~” means the plan developed by the department that describes the key components of the state’s behavioral health service system.

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

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

c. Review and approve ~~district~~ behavioral health service system district plans developed in accordance with the state behavioral health service system state plan.

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

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

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

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

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

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

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

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

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

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

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

(9) Any other requirements the department deems necessary to ensure that an administrative services organization fulfills the administrative services organization's duties as established in this chapter, and as established in the administrative services organization's district behavioral health district plan.

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

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

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

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

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

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

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

c. ~~Notwithstanding chapter 17A, the manner in which the department designates behavioral health districts including but not limited to the determination of the boundaries for each district shall not be subject to judicial review.~~

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

a. The department shall designate an administrative services organization for each

behavioral health district to oversee and organize each behavioral health district and the behavioral health services associated with the behavioral health district. The department shall may issue requests for proposals for administrative services organization candidates.

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

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

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

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

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

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

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

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

c. Enter into contracts necessary to provide services under the ~~district~~ behavioral health district plan.

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

e. Establish a ~~district~~ behavioral health district advisory council pursuant to section 225A.5.

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

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

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

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

b. Advise the administrative services organization while the administrative services organization is developing behavioral health policies.

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

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

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

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

c. Three members shall be chosen who have experience or education related to

core behavioral health functions, essential behavioral health services, behavioral health prevention, behavioral health treatment, population-based behavioral health services, or community-based behavioral health initiatives.

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

3. ~~An~~ A behavioral health district advisory council shall perform the duties required under this section regardless of whether any seat on the behavioral health district advisory council is vacant.

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

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

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

a. Distributions to administrative services organizations to provide services as outlined in the organizations' district behavioral health district plan.

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

To promote comprehensive tobacco use prevention and control initiatives outlined in the state behavioral health service system state plan, an entity shall not perform any of the following acts:

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

DIVISION II AGING AND DISABILITY SERVICES

Sec. 23. DEPARTMENT OF HEALTH AND HUMAN SERVICES AND AREA AGENCIES ON AGING — REDESIGNATION OF PLANNING AND SERVICE AREAS — REVIEW AND REPORT.

1. For purposes of this section, unless the context otherwise requires:

- a. "Area agency on aging" means the same as defined in 42 U.S.C. §3002.
- b. "Department" means the department of health and human services.
- c. "Health and human services district" means the same as defined in section 217.1, as amended in division I of this Act.
- d. "Planning and service area" means the same as defined in 42 U.S.C. §3002.
- e. "Redesignation" means the process described in 45 C.F.R. §1321.13(e) to change the designation of a planning and service area.

2. The department shall not submit an application for redesignation for federal approval prior to January 1, 2027.

3. a. The department and each area agency on aging shall collaborate in good faith to do all of the following:

(1) Determine the full fiscal impact of a proposed redesignation including but not limited to the costs related to all of the following:

- (a) Transition.
 - (b) Administration.
 - (c) Information technology.
 - (d) Property.
 - (e) Contract modifications.
 - (f) Personnel.
 - (g) The long-term finances of the state and each affected area agency on aging.
- (2) Determine the effects of a proposed redesignation on all of the following:

- (a) Service continuity.
 - (b) Client access.
 - (c) Provider networks.
 - (d) Rural service delivery.
 - (e) Wait lists.
 - (f) Consumer choice.
 - (g) Outcomes for older Iowans.
- (3) Identify and recommend reasonable alternatives to redesignation and reasonable means to align aging services coordination with the geographic boundaries of health and human services districts in a manner that adequately achieves the state's policy objectives for the delivery of aging and disability services.
- (4) Recommend the date by which a proposed planning and service area will be implemented as the result of a redesignation.
- b. In completing the requirements under paragraph "a", the department and each area agency on aging shall do all of the following as applicable:
- (1) Provide information and data to the department as determined necessary by the department.
 - (2) Engage with and receive input from relevant stakeholders including but not limited to service providers, consumer representatives, advocates for older Iowans, and representatives of rural and underserved communities.
- c. No later than December 15, 2026, the department shall submit a report to the general assembly that details the results of the collaboration between the department and the area agencies on aging under paragraph "a". Stakeholders shall be provided a meaningful opportunity to review and provide comments on the report prior to the department submitting the report. A summary of the input from the stakeholder review and stakeholder comments shall be included in the report.

DIVISION III VOLUNTEER SERVICES

Sec. 24. Section 15H.2, subsection 1, Code 2026, is amended to read as follows:

1. The Iowa commission on volunteer service is created within the department. The governor shall appoint the commission's members. ~~The director may employ personnel as necessary to carry out the duties and responsibilities of the commission.~~

Sec. 25. Section 15H.4, Code 2026, is amended to read as follows:

15H.4 Administration — funding.

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

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

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

d. The commission may delegate the administration of nonpolicymaking duties, in compliance with 42 U.S.C. §12638, to the executive director and the personnel of the department subunit for volunteerism created in section 217.13.

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

Sec. 26. Section 217.13, Code 2026, is amended by striking the section and inserting in lieu thereof the following:

217.13 Department subunit for volunteerism — volunteer liability.

1. A subunit for volunteerism is created within the department under the department's administrative authority to establish volunteer programs designed to enhance the services provided by the department and to provide administrative support for the nonpolicymaking duties of the Iowa commission on volunteer service as delegated

pursuant to section 15H.4.

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

b. The department may employ personnel for the subunit for volunteerism as necessary to carry out the duties of the subunit for volunteerism and the nonpolicymaking duties of the Iowa commission on volunteer service as delegated pursuant to section 15H.4.

3. All volunteers registered with programs administered under this section and in compliance with rules adopted by the department pursuant to chapter 17A shall be considered employees of the state for purposes of chapter 669. However, this section does not exempt a volunteer guardian from an action brought under section 658.1A, or a volunteer guardian or volunteer conservator from an action brought under section 658.3. This section shall not be construed to relieve a volunteer guardian or conservator from duties under chapter 633.

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

Sec. 27. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 30, 2026