

331.390 Regional governance structure.

1. *a.* The counties comprising a mental health and disability services region shall enter into an agreement under [chapter 28E](#) to form a regional administrator under the control of a governing board to function on behalf of those counties.

b. A region exempted from the requirement to enter into a [chapter 28E](#) agreement prior to July 1, 2014, shall submit written documents demonstrating that the region has formed a regional administrator under the control of a governing board to function on behalf of that region and otherwise comply with the requirements of [this section](#).

2. The governing board shall comply with all of the following requirements:

a. The voting membership of the governing board shall consist of at least one board of supervisors member from each county comprising the region or a person designated by the board of each county.

b. The membership of the governing board shall also include one adult person who utilizes mental health and disability services or is an actively involved relative of such an adult person. This member shall be designated by the regional advisory committee formed by the governing board pursuant to paragraph “*e*”.

c. The membership of the governing board shall not include employees of the department of human services or a nonelected employee of a county.

d. The membership of the governing board shall also consist of all of the following:

(1) One member representing adult service providers in the region. This member shall be designated by the regional advisory committee formed by the governing board pursuant to paragraph “*e*”. The member designated in accordance with this subparagraph shall serve in a nonvoting, ex officio capacity.

(2) One member representing children’s behavioral health services providers in the region. This member shall be designated by the regional children’s advisory committee formed by the governing board pursuant to paragraph “*f*”. The member designated in accordance with this subparagraph shall serve in a nonvoting, ex officio capacity.

(3) One member representing the education system in the region. This member shall be designated by the regional children’s advisory committee formed by the governing board pursuant to paragraph “*f*”.

(4) One member who is a parent of a child who utilizes children’s behavioral health services or who is an actively involved relative of such a child. This member shall be designated by the regional children’s advisory committee formed by the governing board pursuant to paragraph “*f*”.

e. The governing board shall have a regional advisory committee consisting of adults who utilize services or actively involved relatives of such adults, service providers, and regional governing board members.

f. The governing board shall have a regional children’s advisory committee consisting of parents of children who utilize services or actively involved relatives of such children, a member of the education system, an early childhood advocate, a child welfare advocate, a children’s behavioral health service provider, a member of the juvenile court, a pediatrician, a child care provider, a local law enforcement representative, and regional governing board members.

3. *a.* The regional administrator shall be under the control of the governing board. The regional administrator shall enter into performance-based contracts with the department in accordance with [section 225C.4, subsection 1](#), paragraph “*x*”, for the regional administrator to manage, on behalf of the counties comprising the region, the mental health and disability services that are not funded by the medical assistance program under [chapter 249A](#) and for coordinating with the department the provision of mental health and disability services that are funded under the medical assistance program.

b. The regional administrator staff shall include one or more coordinators of mental health and disability services and one or more coordinators of children’s behavioral health services. A coordinator shall possess a bachelor’s or higher level degree in a human services-related or administration-related field, including but not limited to social work, psychology, nursing, or public or business administration, from an accredited college or university. However, in lieu

of a degree in public or business administration, a coordinator may provide documentation of relevant management experience. An action of a coordinator involving a clinical decision shall be made in conjunction with a professional who is trained in the delivery of the mental health or disability service or children's behavioral health service addressed by the clinical decision. The regional administrator shall determine whether referral to a coordinator of mental health and disability services or children's behavioral health services is required for a person or child seeking to access a service through a local access point of the regional service system or the children's behavioral health system.

2012 Acts, ch 1120, §33, 37, 39; 2013 Acts, ch 30, §74, 75; 2019 Acts, ch 61, §11, 12; 2020 Acts, ch 1063, §177; 2022 Acts, ch 1131, §70

Referred to in §225C.4, 331.389, 331.392
Subsection 1 amended