

Senate File 203 - Reprinted

SENATE FILE 203
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO SSB 1130)

(As Amended and Passed by the Senate March 12, 2013)

A BILL FOR

1 An Act relating to mental health and disability services
2 requirements involving the department of human services
3 and including effective date and retroactive applicability
4 provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

MENTAL HEALTH AND DISABILITY SERVICES CLIENT IDENTIFIER

Section 1. Section 225C.6A, subsection 3, paragraph b, Code 2013, is amended to read as follows:

b. In implementing a system under this subsection for collecting and analyzing state, county, and private contractor data, the department shall establish a client identifier for the individuals receiving services. ~~The client identifier shall be used in lieu of the individual's name or social security number. The client identifier shall consist of the last four digits of an individual's social security number, the first three letters of the individual's last name, the individual's date of birth, and the individual's gender in an order determined by the department.~~

DIVISION II

INTERAGENCY INFORMATION SERVICE ON PERSONS WITH MENTAL DISABILITIES

Sec. 2. REPEAL. Section 218.11, Code 2013, is repealed.

Sec. 3. REPEAL. Chapter 220A, Code 2013, is repealed.

DIVISION III

SUBACUTE MENTAL HEALTH CARE FACILITIES

Sec. 4. Section 135G.3, subsections 1 and 2, Code 2013, are amended to read as follows:

1. A subacute care facility shall utilize a team of professionals to direct an organized program of diagnostic services, subacute mental health services, and rehabilitative services to meet the needs of residents in accordance with a treatment care plan developed for each resident under the supervision of a ~~licensed psychiatrist~~ mental health professional. The goal of a treatment care plan is to transition residents to a less restrictive environment, including a home-based community setting. Social and rehabilitative services shall also be provided under the direction of a mental health professional.

2. ~~The licensed psychiatrist~~ mental health professional

1 providing supervision of the subacute care ~~facility~~ facility's
2 treatment care plans shall evaluate the condition of each
3 resident as medically necessary and shall be available to
4 residents of the facility on an on-call basis at all other
5 times. Additional evaluation and treatment may be provided
6 by a mental health professional. The subacute care facility
7 may employ a seclusion room meeting the conditions described
8 in 42 C.F.R. § 483.364(b) with approval of ~~the~~ a licensed
9 psychiatrist ~~of the facility~~ or by order of the resident's
10 physician, a physician assistant, or an advanced registered
11 nurse practitioner.

12 Sec. 5. Section 135G.4, subsection 2, Code 2013, is amended
13 to read as follows:

14 2. An intermediate care facility for persons with mental
15 illness licensed under chapter 135C may convert to a subacute
16 care facility by ~~providing~~ submitting an application for a
17 license in accordance with section 135G.5 accompanied by
18 written notice to the department that the facility has employed
19 ~~a full-time psychiatrist~~ mental health professional and desires
20 to make the conversion. An intermediate care facility for
21 persons with mental illness applying for a license under this
22 subsection remains subject to subsection 1 until a license is
23 issued.

24 Sec. 6. EFFECTIVE UPON ENACTMENT. This division of this
25 Act, being deemed of immediate importance, takes effect upon
26 enactment.

27 Sec. 7. RETROACTIVE APPLICABILITY. This division of this
28 Act applies retroactively to July 1, 2012.

29 DIVISION IV

30 COMMUNITY MENTAL HEALTH SERVICES BLOCK GRANT ALLOCATION

31 Sec. 8. 2011 Iowa Acts, chapter 126, section 20, subsection
32 1, paragraph d, is amended to read as follows:

33 d. Of the amount allocated to eligible services providers
34 under paragraph "c", 70 percent shall be distributed to the
35 state's accredited community mental health centers established

1 or designated by counties in accordance with ~~law~~ chapter
2 230A or applicable administrative rule. If a ~~county has not~~
3 ~~established or designated a community mental health center and~~
4 ~~has received a waiver from the mental health and disability~~
5 ~~services commission,~~ the mental health services provider
6 ~~designated by that county is~~ was designated as authorized in
7 section 230A.107, subsection 2, the provider remains eligible
8 to receive funding distributed pursuant to this paragraph ~~in~~
9 ~~lieu of~~ as a community mental health center. The funding
10 distributed shall be used by recipients of the funding for the
11 purpose of ~~developing and providing evidence-based practices~~
12 ~~and emergency~~ staff training or services to adults with a
13 serious mental illness and children with a serious emotional
14 disturbance. The distribution amounts shall be announced at
15 the beginning of the federal fiscal year and distributed on
16 a quarterly basis ~~according to the formulas used in previous~~
17 ~~fiscal years.~~ Recipients shall submit quarterly reports
18 containing data consistent with the performance measures
19 approved by the federal substance abuse and mental health
20 services administration.

21 Sec. 9. EFFECTIVE UPON ENACTMENT. This division of this
22 Act, being deemed of immediate importance, takes effect upon
23 enactment.